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House of Representatives

The House met at 10 a.m.

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

Divine source of life and love, to whom all nations are accountable and each person is uniquely worthy of attention and care, be with the Members of Congress today. Guide them in their negotiations and decisions. Make of them Your custodian of the Nation, leading to unity and stability.

Meanwhile, Lord, show Your mercy and grant Your healing power to all the sick and all those in recovery. In such human weakness, reveal Your strength of faith, both to sustain their own hope and for their families. In their darkest moments, manifest Your presence, surround them with love, and assist them with the best of medical care. Restore them to health that they may serve in the building of Your kingdom all the days of their lives. Amen.

THE JOURNAL

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

Mr. COURTNEY led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

SAVING AMERICAN HOMES

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

Mr. KUCINICH. According to today's Wall Street Journal, moodys-economy.com claims that nearly 5 million families could lose their homes to foreclosure between 2009 and 2011. Now is the time for our government to take a controlling interest in mortgage-backed securities, and then direct loan modification, lowering principal and interest rates, extending terms of payment, keeping people in their homes.

Banks are not lending money; they are hoarding money, because they fear their own balance sheets understate their losses. Instead of giving the banks more of taxpayers' money in the hopes that banks will loan the money to keep people in their homes, the government must take charge to save the homes of so many American families, again, take a controlling interest in mortgage-backed securities and direct loan modification. Keep people in their homes. The banks will get their money as well. It is time to stand up for the dream of American home ownership by saving the homes that are in jeopardy.

A REAL STIMULUS PACKAGE

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

Mr. SAM JOHNSON of Texas. My constituents are outraged at Washington's reckless spending, and they insist this jumbo government giveaway won't stimulate the economy, won't help them find good jobs, won't keep a roof over their head, and won't help them pay the bills.

I am deeply concerned the government keeps writing checks that our children and grandchildren cannot cash. We must know who is going to pay for all this. Our constituents deserve much better. Taxpayers should not be exposed to even more risks.

Many have been hurting from the economic crunch; yet experts project most of this stimulus spending won't happen until after 2010, years into our recession. That will not help struggling America right now.

I think our country would benefit from a real stimulus package that boosts our lagging economy with job creation, tax relief, and smart, targeted spending. Let's work together to get this done right for America.

SOLAR IN THE ECONOMIC STIMULUS

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

Ms. GIFFORDS. Mr. Speaker, a strong solar power industry creates good jobs and widespread economic growth. It increases our energy independence and reduces the threat of global warming. Unfortunately, the economic downturn has caused many energy investors to put their projects on hold. They are unable to take advantage of the investment tax credit that we fought so hard to pass and extend last year.

To get these projects moving again, the American Recovery and Reinvestment Act allows solar energy developers to take grants in lieu of tax credits. But for the grant program to be an incentive for the largest renewable energy programs, it has to be expanded. Simply put, renewable projects will not get off the starting line until there is a usable incentive waiting for them at the finish line.

As the conferees work to finalize this bill, I urge them to expand these grants. This will safeguard the solar industry's ability to fully contribute to

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our economic recovery. I commend the excellent work done on the energy provisions in this bill and greatly appreciate the conferees' willingness to work to make them as effective as possible.

THERE ARE BETTER SOLUTIONS

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

Mr. WILSON of South Carolina. Mr. Speaker, our friends on the other side of the aisle continue to frame the stimulus debate as between doing what they want or doing nothing at all. This is simply not the case, as even the Washington Post reported today.

Since the very beginning of this economic crisis and from day one of this Congress, House Republicans have worked to develop proposals that promote job creation. Our solutions provide immediate relief to American families, small businesses, real estate recovery, and homeowners. Our solutions aim at creating jobs. We can create twice the jobs at half the spending. We can bring our set of proposals to the table in a spirit of bipartisanship. We have done so in recognition of the fact that millions of Americans are in financial distress. We must not keep quiet when we know there are solutions that can create jobs without burdening our children with even greater debt and threatening destructive inflation.

In conclusion, God bless our troops, and we will never forget September the 11th.

THE BEST SOCIAL PROGRAM IS A JOB

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

Mr. COURTNEY. Mr. Speaker, the best social program is a job. A job provides a person not only wages but also confidence in themselves and their future.

Over the last 4 months of the Bush administration, the U.S. economy hemorrhaged jobs, over 2 million from August to December 2008. In Connecticut, one of our largest employers, Mohegan Sun, suspended construction in September of a one-half billion dollar addition and, as a result, carpenters, electricians, sheet metal workers, and the entire construction trades are now barely getting by collecting unemployment.

We have a choice in the Congress in the next few days—to support President Obama and pass his Recovery Act, putting thousands of construction workers back to work building roads, bridges, and green energy buildings; or we can listen to the Do Nothing Herbert Hoover crowd who want to trip up our new President only a few weeks in office who is only trying to clean up the mess he inherited.

I say vote ''yes'' for jobs, and tell the Do Nothing crowd, as they say in the military: Lead, follow, or get out of the way.

ENOUGH IS ENOUGH

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

Mr. PITTS. Mr. Speaker, this big government spending plan being called a stimulus is deeply flawed and being rushed through Congress with little regard for the consequences.

Take a look at some of the provisions, including $1.1 billion in spending to prepare the country for socialized medicine. Under the guise of economic stimulus, the bill creates a Council for Comparative Effectiveness, which amounts to government bureaucracy deciding what is best for your health care based on cost averages, not what is best for each individual sick patient.

President Obama's health care advisers have made clear that this is part of their overall plan to move toward universal government-run health care.

People don't want socialized medicine in this country. This has nothing to do with creating jobs and getting our economy back on track.

Using this so-called stimulus bill to move the country towards the agenda of the left is wrong. First the bailout, now the stimulus, millions of dollars in pork. Enough is enough.

JOBS, JOBS, JOBS

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

Mr. KAGEN. Mr. Speaker, I rise this morning to bring to everyone's attention something that is on everyone's mind: Jobs, jobs, jobs.

America needs to get back to work, because without a job you can't pay off your mortgage, without a job you can't pay your health care bills. We need jobs in this country. How can we get that done?

I think it is time that we treat small business on Main Street the same way the past administration treated their friends on Wall Street, and that is with the number ''zero.'' Zero percent interest. If the Federal funds rate of zero percent is good for their friends on Wall Street and between bank lending, maybe that is the number that small businesses ought to get on Main Street.

When credit is available to small businesses, we can generate millions and millions of new higher wage jobs. Let's treat Main Street like the past administration treated Wall Street.

HUGO CHAVEZ'S QUEST FOR POWER

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

Mr. MACK. Mr. Speaker, this weekend, the Venezuelan people will go to the polls to determine the future of freedom and democracy in their country. Venezuela's Hugo Chavez, in his continued quest for power, is demanding that the people of Venezuela get rid of presidential term limits.

Chavez has just celebrated 10 years in power, and his legacy is clear: Higher poverty, more crime, rampant inflation, growing anti-Semitism, less freedom, alliances with Iran, Russia, and Cuba, and a loss of hope and opportunity for the Venezuelan people.

Mr. Speaker, Venezuelans cannot afford to have Chavez leading them into the Communist abyss. Today, I am introducing a resolution calling upon the Members of the House to stand for free and fair elections this weekend in Venezuela. I urge my colleagues to join me in supporting the important resolution and to stand with the Venezuelan people in their fight for freedom from the iron fist of Hugo Chavez.

A MELTDOWN OF CONFIDENCE

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

Mr. YARMUTH. Mr. Speaker, over the past few months we have seen not only a financial meltdown, but also a meltdown of confidence. People we had worshiped, people who ran huge businesses, people we had considered experts proved to be simply Wizards of Oz. We pulled back the curtain and found they were as flawed and fallible as the rest of us. And now we have an economy that gets worse from day to day.

Each of us has stood here and preached about what steps we think will fix our economy. We have heard Members who have never worked in the private sector talk about how to create jobs; we have heard people who can't balance their own checkbooks talk about admonishing bankers; and we have heard the head of the Republican Party incomprehensibly say, ''Work is not a job.''

None of us has confidence that everything in the economic recovery package will work; but we should all realize that unless the American people have confidence that we are working together, the odds of its success are greatly diminished.

I urge all my colleagues to forget their political calculations, calculate the consequences of failure to our country, and support the only plan available for fixing our economy.

A STIMULUS FOR MAIN STREET

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

Mrs. BLACKBURN. Mr. Speaker, you know, this Nation is in a recession, and our constituents are absolutely outraged with what they see happening in this House. They want action. But they do not want the Democrat stimulus bill

that passed the Senate yesterday. What they want is a stimulus for Main Street. They know the best stimulus is a job.

They do not want the Democrat big government stimulus bill that was passed across in the other Chamber yesterday. They know that stimulus should be targeted, it should be immediate, it should be temporary, and it should yield results.

Yesterday's bill brings us $400 million on social services block grants, $300 million for green golf carts, $198 million on the DHS headquarters consolidation, $300 million on FBI construction, $125 million for District of Columbia water and sewer projects.

What they want is focused, targeted stimulus, not a big bill that our children and grandchildren are going to continue to pay for the rest of their lives. Let's oppose this bill. Let's focus on targeted stimulus that will yield results.

□ 1015

HOOVERVILLE IS COMING AROUND

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

Mr. MCDERMOTT. Mr. Speaker, there is a saying that what goes around comes around. And the Republicans have adopted this as their mantra for their response to the American economic problem. Republican President Herbert Hoover presided over the Great Depression and stood by while millions of Americans stood in soup lines and unemployment lines. It produced Hoovervilles across the land, a kind of how-to guide on what not to do during an economic crisis.

Today, Republicans are replaying the same old movie, responding in the same old way. And they offer America the same old outcome. Hooverville is the model community of the Republican plan to solve America's economic crisis. You won't need a mortgage in a Republican Hooverville because the town is already bankrupt. You don't need a stimulus package to revive the economy in a Hooverville because it is a Republican-planned community, and they have planned for soup lines and unemployment lines. And you won't see light at the end of the tunnel in Hooverville, because they drove the economy into the ditch over the last 8 long years. And they offer an economic plan to drive it deeper.

What goes around comes around. And Hooverville is right around the corner. Republicans offer America an economic blueprint called ''Hooverville.'' It didn't work the last time, and it won't work this time.

ASSOCIATED PRESS SHOWS FAIRNESS IN FACT-CHECKING PRESIDENT OBAMA

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

Mr. SMITH of Texas. Mr. Speaker, it is just as important to recognize examples of fair reporting as it is to criticize biased news. Earlier this week, the Associated Press released an article fact-checking President Obama's claims about the economic stimulus package. The AP found that the President ''had it both ways'' when at first he bragged about getting Congress to produce a stimulus with no pork, but later boasted the stimulus would do good things for pet projects in Indiana. The AP also found the President guilty of ''projecting job creation numbers that may be impossible to verify and glossing over some ethical problems that bedeviled his team.''

Americans count on the media to checks the facts on important issues and report the truth about officials in both parties. Fair reporting like this will go a long way towards restoring Americans' trust in the media.

HONORING CONGRESSMAN JOHN DINGELL

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

Mr. CHILDERS. Mr. Speaker, I rise on a bit of good news today. This is a great day in this body because on this day, a great man will become the longest-serving Member of this House. This is especially important to me because the record he is breaking belonged to that of my predecessor once removed, the great Jamie Whitten, my wonderful boyhood friend and hero. But today, Chairman JOHN DINGELL from Michigan will break that record. On this day, when the sun came up this morning, he became the longest-serving Member of the United States House of Representatives.

He is a great man, a gentleman, a man's man, if you will, and a giant in this institution, a record that will no doubt probably never be equaled or broken. I had the great pleasure, Mr. Speaker, to know them both. I had the great pleasure to know what great public servants they were. I had the great pleasure to call them both my friends and one of them my colleague. I will remember this day a long, long time.

And I salute you, Chairman DINGELL.

TAX CUTS, NOT HANDOUTS

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

Mr. MCCAUL. Mr. Speaker, I rise today to bring to your attention a Trojan horse for billions of dollars in pork spending under the guise of a stimulus. This $1 trillion bill is designed to spend taxpayer money on programs that have nothing to do with creating jobs. It takes a step toward government-controlled health care and takes limits off of welfare spending to create endless handouts.

This should be about creating jobs, not about making work. We can do this with long-term, meaningful tax cuts. The President's own economic advisers say the Republican plan will create twice the jobs for half the cost.

We cannot spend our way out of debt. The nonpartisan Congressional Budget Office says that long-term, this bill will cause more harm than good. Yet Democrats intend to spend the equivalent of $1 million a day for the next 3,000 years. The hardworking people in my district are also hurting from this economy. But under this bill, their tax dollars will only dig a deeper hole for us to climb out of.

DEMOCRATS WILL TURN THIS ECONOMY AROUND

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

Mr. MORAN of Virginia. Mr. Speaker, when the Clinton administration concluded 8 years, it had created 23 million jobs. It left the new administration with a $236 billion surplus and an estimated $5.6 trillion of projected surpluses. It took only 4 years to turn that surplus into deficits. And now when this administration leaves office, they leave this country with an annual deficit over $1 trillion. They have doubled our public debt—from $3.4 trillion to $6.4 trillion—of the amount of debt held by the public.

And it began because instead of balancing the budget, as President Bush the 41st had done and President Clinton succeeded in that policy, they threw the PAYGO concept aside, gave us two tax cuts in 2001 and 2003, and bankrupted this country. And that is why we have to act this week to restore our fiscal solvency.

THE SKY IS FALLING

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

Mr. POE of Texas. Mr. Speaker, the sky is falling, the sky is falling, but never fear, the Federal Government is here. But in another failed attempt to save the day, the administration announced they would use the full force of the government to spend our way out of this crisis. Congress hasn't even passed the $835 billion stimulus package and the Treasury Department announces $2 trillion more for the bailout for the fat cats on Wall Street. With that new emerging threat on the horizon, the stock markets tanked.

Government is not the answer. They are the problem. These ideas do little to address the economic situation. It is just more scare tactics and government-savior rhetoric. Reagan once said that the most feared words in the American language are, ''We are here from the Federal Government, and we are here to help you.''

The Federal Government can't spend money it doesn't have. This will be debt that Americans yet to be born will

have to pay off. The Congressional Budget Office said all of this spending will have a negative effect on the economy. Let Americans keep more of their own money, tax cuts for all those that pay and report their taxes. Wasteful government spending is not the answer. It is the problem.

And that's just the way it is.

STOP DEFICIT SPENDING

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

Mr. BLUMENAUER. I take some delight in listening to my friend from Texas rail about the government not being able to spend money it doesn't have. Yet these Republicans are the people who have been spending money the government didn't have for years, putting a war in Iraq on our children's credit card, putting massive tax cuts in place to benefit a tiny portion of the tax-paying public and ignoring the needs of the vast majority. They have been on a spending binge under the Bush administration and Republican control to fund special interests and ''bridges to nowhere.''

We invite anybody to look at the proposals that have been advanced. It is to stimulate the economy, to help stop the economic free-fall in our States, to shore up the problems in States from Michigan to Oregon to Florida, to keep the promises that the President made during the campaign, and most of all, to stop the wasteful spending for special interests and focus it on the taxpayers who need it the most.

OPPOSE THE STIMULUS PACKAGE

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

Mr. GOODLATTE. Mr. Speaker, I, too, rise and congratulate my colleague from Michigan. The long and distinguished career of Mr. DINGELL is to be congratulated by all of us.

But today I rise in strong opposition to what is working its way back to the floor of this House in the form of a so-called ''stimulus package.'' This package will stimulate Big Government. It is not going to stimulate our economy.

And with regard to the comments of the gentleman from Oregon, let me just say that I would invite all of my colleagues and everyone in the country to look at what is in this legislation and they will see that this is all about growing the size of government, not creating jobs to grow our economy.

And I would invite people to look at the Republican alternative, which we have offered, which costs half as much money and is projected to create twice as many jobs. That is what people want. That is what people understand. They want to see the great engine of growth in this country, the small businesses empowered by the kinds of incentives that are contained in our legislation to create the jobs that are needed in this country. Oppose the stimulus. This is not the way to rebuild the American economy.

ECONOMISTS AGREE WE NEED TO ACT

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

Mr. PAYNE. Mr. Speaker, millions of Americans across the country, including many in my home State of New Jersey, are losing their jobs, their homes, and their health care. The economists agree that unless Congress acts to stem the tide of unemployment and the disappearing jobs, the American economy will continue to decline.

Chad Stone from the Center on Budget and Policy Priorities said, ''There is no time to waste.'' Mark Zandi, an economist who was an adviser to Senator MCCAIN's Presidential campaign, said the economic downturn is likely to ''intensify further unless policymakers respond aggressively.'' John Ogg from the ''24/7 Wall Street'' warns the economy ''is going to get worse, much worse'' without this legislation. An economist from California State University said ''without the stimulus package, the downside of this economy won't be arrested.''

Economists are united in the need for this Congress to act boldly and quickly. We must pass an economic stimulus recovery package immediately so that we can begin the long process of turning this economy around and ending the pain so many Americans are feeling all over our country.

CUT TAXES AND CONTROL SPENDING

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

Mr. SCALISE. Mr. Speaker, as our country faces tough economic times, I think it is very important that we act responsibly to do the right thing to address this problem as opposed to what some people are proposing, and that is just to ram through something with expediency, not worrying about the consequences. I think we don't need to look any further than in our past to make sure, as people said before, if you don't learn from the mistakes of your past, you're doomed to repeat them.

Let's look at what the Treasury Secretary under FDR said during the New Deal. Henry Morgenthau said, ''After 8 years of this administration, we have just as much unemployment as when we started, and an enormous debt to boot.'' He went on to say about the New Deal during the 1930s, ''I have got my responsibility to my country, which comes first. We have tried spending money. We are spending more than we have ever spent before, and it does not work.'' That is not a Republican speaking. That was the Treasury Secretary under FDR.

Spending massive amounts of money doesn't work. It saddles future generations with more debt. There is a better alternative, and that is to cut taxes and control the spending like many of us propose.

SUPPORT H.R. 156

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

Mr. MITCHELL. I rise today to thank Speaker PELOSI for agreeing to block the next congressional pay raise. As government acts to cap executive compensation and as millions of Americans watch their incomes shrink, a pay raise for Members of Congress would seem glaringly out of touch. If we are going to talk the talk of fiscal discipline, we must also walk the walk of self-restraint. The American people are not getting a pay raise this year, and neither should Congress.

I also wish to thank Dr. RON PAUL and 107 of our colleagues, Republicans and Democrats, who are willing to support H.R. 156, the Stop the Congressional Pay Raise Act. Without the leadership of these Members, so many of them new Members, we may not have taken this important step.

□ 1030

WORKING FAMILIES WANT THE RIGHT THING

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

Mr. MCCOTTER. Mr. Speaker, we in Michigan understand the need for timely action on a stimulus plan that can help create jobs. We have suffered long. We have suffered hard. We believe that the proper action of the Federal Government can play a temporary stimulative effect that helps us. But perhaps we are being finicky, because we do not merely want something, we want the right thing. And we know that, above all, working families cannot afford a $1 trillion mistake that does not help them keep their jobs, keep their homes and keep their hopes for the future.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SCHAUER). 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 JOHN D. DINGELL FOR HOLDING THE RECORD AS THE LONGEST SERVING MEMBER OF THE HOUSE OF REPRESENTATIVES

Mr. KILDEE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 154) honoring JOHN D. DINGELL for holding the record as the longest serving member of the House of Representatives.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 154

Whereas John D. Dingell was sworn in as a Member of the United States House of Representatives on January 3, 1956;

Whereas John D. Dingell took office after winning a special election on December 13, 1955, to replace his father, who had served with distinction as a 12-term Congressman and proud supporter of President Roosevelt during the New Deal;

Whereas John D. Dingell, prior to being sworn in as a Member of Congress, had already dedicated himself to public service through his work as a National Park Ranger, a Second Lieutenant in the United States Army during World War II, and an Assistant Prosecutor in Wayne County;

Whereas John D. Dingell was appointed by Speaker of the House Sam Rayburn to the Committee on Interstate and Foreign Commerce, which would later become the Committee on Energy and Commerce;

Whereas John D. Dingell has authored or been instrumental in the passage of some of the Nation's most important environmental laws, including the National Environmental Policy Act, the Endangered Species Act, and the Clean Air Act Amendments of 1990;

Whereas John D. Dingell's length of service has given him the wisdom to foresee the long-term implications of congressional actions, as shown in his warning during the 1999 debate over deregulation of the financial services industry that ''You are going to find that they [banks] are too big to fail, so the Fed is going to be in and other Federal agencies are going to be in to bail them out. Just expect that'';

Whereas John D. Dingell has been a strong and vigorous defender of civil rights and civil liberties, having led the drafting and supported the Civil Rights Acts of 1957 and 1964, the Voting Rights Act of 1965, and is well known as a champion of the Second Amendment;

Whereas John D. Dingell made health care for all Americans a priority during his entire career, having offered legislation (first introduced by his father) in every Congress since 1957 that would provide for national health insurance, having presided over the House of Representatives on April 8, 1965, when Medicare passed the House, having been a leader in getting the Children's Health Insurance Program signed into law in 1997 and an expansion of the program signed into law in 2009, and having been an active leader on many other health care issues during his tremendous career;

Whereas John D. Dingell has been a tireless advocate on behalf of working Americans, and was described by President Obama on June 15, 2008, as ''somebody who has done more for working people than just about anybody in the history of the House of Representatives'';

Whereas John D. Dingell was elected to his 28th term as a Member of the House of Representatives on November 4, 2008, and has served as the Dean of the House since the 104th Congress; and

Whereas John D. Dingell will become the longest serving Member of the House of Representatives on February 11, 2009: Now, therefore, be it

Resolved,

SECTION 1. HONORING JOHN D. DINGELL FOR HOLDING THE RECORD AS THE LONGEST SERVING MEMBER OF THE HOUSE OF REPRESENTATIVES.

The House of Representatives—

(1) recognizes the Honorable John D. Dingell for his tireless advocacy on behalf of his constituents in the State of Michigan in the past, present, and future;

(2) honors the Honorable John D. Dingell for his lifelong commitment to public service;

(3) celebrates the Honorable John D. Dingell and his more than 53 years of dedication to the United States Congress, as well the Nation and the ideals upon which it was founded; and

(4) congratulates the Honorable John D. Dingell upon attaining the record for longest serving Member of the House of Representatives.

SEC. 2. TRANSMISSION OF ENROLLED RESOLUTION.

The Clerk of the House of Representatives shall transmit an enrolled copy of this resolution to the Honorable John D. Dingell.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. KILDEE) and the gentleman from Michigan (Mr. UPTON) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, I introduced this resolution, along with my Michigan colleagues, so that we might recognize the milestone reached by the gentleman from Michigan, JOHN D. DINGELL, who, as of today, has served longer in the House of Representatives than any Member in its history.

I have had the great privilege to work closely with JOHN DINGELL the past 32 years. I can tell you that through all the changes we have seen in this institution over those years, JOHN DINGELL has played a major role in those that have made this a better country. Throughout his tenure here, he has remained constant in his determination, his toughness, and certainly, in his fairness.

JOHN knows of the great importance of the automobile industry in this country. He knows that when line workers can earn a decent enough wage to support their family and send their children to college, our whole economy prospers. He knows that what America drives drives America.

JOHN played an essential role in the passage of the Chrysler loan guarantee in 1979, which actually earned $311 million for our government. Recently, he provided a wealth of knowledge necessary to pass the bridge loans to the Big Three automakers.

JOHN's expertise and devotion to providing all Americans with health care is unsurpassed in this Congress. Historians writing about health care will always note the role of two men bearing the name JOHN DINGELL, the one serving today and his father.

His rich Polish heritage is demonstrated each year on Fat Tuesday when I enjoy the delicious paczki which he presents to me.

I've always been grateful to have a reliable friend and adviser in JOHN DINGELL. Mr. Speaker, this is a better Congress, a better country, and I know I am a better congressman, but more importantly, a better human being, because of JOHN DINGELL.

Mr. Speaker, I ask unanimous consent that the gentleman from Michigan (Mr. PETERS) be permitted to control the remainder of my time.

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

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Thank you, Mr. Speaker.

Mr. Speaker, today is Dingell Day. JOHN DINGELL has served more than 53 years in this body. And at a wonderful reception last night in Statuary Hall it was commented over and over, it is not length of his service, but it in fact is the quality of that service.

As chairman of the powerful Energy and Commerce Committee, he has been certainly one of the most influential legislators in the history of the United States, as he'd like to say, with jurisdiction over almost everything. In fact, I think he coined this term many years ago when he said, ''If it moves it's energy, and if it doesn't, it's commerce. With that, our committee has that jurisdiction.'' And this resolution honors that service.

Mr. Speaker, time will judge all of our actions, and serves as the legacy that each of us will carry as it relates to the difference that we made on behalf of the districts that we represented, but also the Nation that we serve. And history will certainly look favorably on the wonderful service of JOHN DINGELL in this body. He has been on the right side almost all the time, but not always, but certainly he's been an architect of the great debates that we have had in this Chamber.

JOHN DINGELL is a governing type of legislator, and he knows that good ideas are not just Democratic ideas, and that awful ideas are not just Republican ideas. He demands the best from all of us. And, as a consequence, he has had tremendous relationships with the ranking member or the chairman of the Energy and Commerce Committee, certainly, for all the years that I've served, whether it be with Norman Lent, Tom Bliley, Billy Tauzin, and certainly JOE BARTON, one of his best friends.

JOHN DINGELL doesn't care about the pride of authorship. He wants the job done. We've sat and had many conversations about issues that he's asked me to carry, and it has strengthened those bills as we moved those pieces of legislation to the floor.

We teamed most recently on the auto legislation. DALE KILDEE, the sponsor of this resolution, and myself are co-

chairs of the Auto Caucus. But together, we teamed together with all of our Michigan colleagues, regardless of party, and we were able to shepherd that legislation through to really help try and save the manufacturing base of this country over these last few months.

For me, I've always enjoyed the relationship that I've had with my good friend, JOHN DINGELL. Obviously, there are times when we've been on the opposing side of an issue, but plenty of times when we've been in the same foxhole, on the same side. And I'll confess, it's the latter that I enjoy the most. It's a lot easier for, I would like to think, the both of us when we're on the same side.

But JOHN DINGELL plays by the rules. I think maybe in another life he would have been an umpire or a referee. Ken Duberstein, Ronald Reagan's former Chief of Staff, said this most recently: ''He followed wherever the facts dictated. Sometimes you don't like what he finds, but you know that he did it honestly. He is a straight shooter.'' Indeed, he is.

We are a wonderful and diverse country, and we know that sometimes this is a very tough place to govern. And it comes with the territory that to be a good legislator, you need to be blessed with a lot of things. Luck is one. You need a great staff. You need a district back home that respects your decision-making, you need colleagues that know that you're somewhat of an expert and they will listen. But you also need a great spouse. All of those elements make a necessary and personal sacrifice to the success of your career.

Well, JOHN DINGELL has been one that has hit a home run with all of those qualities. He has been a man for all seasons. He is a true giant in the history of this institution. We wish him well in the many years that he has left.

I reserve the balance of my time.

Mr. PETERS. Mr. Speaker, I would like to thank my colleague from Michigan (Mr. KILDEE) for yielding, and for introducing this resolution honoring the distinguished dean of our delegation, Congressman JOHN D. DINGELL.

Mr. Speaker, I would also like to yield myself such time as I may consume.

GENERAL LEAVE

Mr. PETERS. I also, Mr. Speaker, would like to ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on House Resolution 154.

The SPEAKER pro tempore (Mr. MELANCON). Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. PETERS. Thank you, Mr. Speaker.

Here in Washington and across the country, Congressman DINGELL is known and respected for his legislative accomplishments. But as a lifelong resident of Southeast Michigan, I know that Mr. DINGELL's responsiveness and service to his constituents over 53 years is just as impressive. John Dingell has never lost touch with the people that he serves, and being their voice in Washington has always been his top priority. His service to the residents of his community sets an example for other lawmakers to follow, and certainly sets the bar for me, as a new Member of Congress.

Mr. DINGELL's constituents know that he cares more about getting things done for them than he does about getting honors for himself, and that's why I think it's fitting that, as we are honoring him here on the floor today, he is preparing to actively participate in a hearing being held by the Energy and Commerce Committee's Oversight and Investigation Subcommittee, making sure that the food that our children and our families consume is safe.

Mr. DINGELL is an inspiration for all of us.

I now yield 1 minute to the distinguished gentleman from Michigan (Mr. SCHAUER).

Mr. SCHAUER. Colleagues, I can think of no greater honor than to pay tribute to JOHN D. DINGELL, Jr. of Michigan, who, today, becomes the longest serving Member in the 220-year history of the U.S. House of Representatives.

As one of Michigan's newest Members, today is my 36th day as a Member of Congress. Today is JOHN DINGELL's 19,420th day. As Chairman DINGELL told the press this week, ''It isn't how long, it's how well.'' No one has done it better than Chairman DINGELL.

As a Representative whose district is next door to his, what is most remarkable to me is how universally loved, revered and respected he is by his constituents. Their faith in him is acknowledgment of his selfless service and unblemished record of always putting the needs of real people first, whether championing universal health care, clean water or good jobs and a strong middle class.

In the many years I've known Chairman DINGELL, he has been a great and supportive mentor. My first week on the job here, the Dean offered me a simple piece of advice, stay focused on the issues that are most important to your constituents and your district, and ignore the rest.

Chairman DINGELL, thank you for sharing your wisdom and being the statesman that our founders envisioned. And most of all, thank you for all that you continue to do.

Mr. UPTON. Mr. Speaker, at this point I would yield 1 minute to the distinguished minority leader of the House, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Let me thank my colleague from Michigan for sponsoring this resolution.

I rise today to congratulate our colleague and my friend, JOHN DINGELL, as the longest serving Member in the history of the United States House of Representatives. And while we've heard this said, I think, in some way before, it's not the fact that Mr. DINGELL is the longest serving man or Member of the House, it's the fact that he's been a giant of a man over all these years.

I know I've only been here 18 years and 2 months, but early on in my congressional career, I had a chance to work with Mr. DINGELL. And over the course of my time here in Washington, he and I have developed a very close friendship. And his word is his bond. Whether he's with you or against you, you never have to have any doubts about where JOHN DINGELL is.

And we've been on the same side, thankfully, many times. But even when we're in opposition to each other, it's not as though we are opposed to each other. We maybe have different ideas about which way to move ahead, but he really is someone that is revered by all of our colleagues on both sides of the aisle.

□ 1045

And it is my honor as the Republican leader, JOHN, to come here today and to say thank you and congratulations.

Mr. PETERS. Mr. Speaker, I would now yield 2 minutes to the distinguished gentleman from Indiana (Mr. HILL).

Mr. HILL. Mr. Speaker, some of you may know that, in my younger days, I broke a few athletic records, but today, JOHN DINGELL has broken a record that shows exactly what kind of man he is—a devoted public servant. I rise today to honor JOHN DINGELL's service to the people of Michigan and to the Nation.

He is an undeniable leader but also a teacher and a mentor. He has been in Washington for some years now, but he has never strayed from his midwestern roots. Everything he does is for the betterment of his constituents.

Mr. Speaker, back in the '50s and '60s, the reputation of Congress was much higher than what it is today. Today, the low approval ratings are of concern to me and to, I think, a lot of people, but back in the '50s and '60s when Mr. DINGELL was a prominent Member of this body, the reputation of Congress was high. People in America respected the Congress of the United States, and it was because of the way people like JOHN DINGELL respected the institution of our Congress.

We need to return to those days. The days of slashing and burning this institution need to disappear. We need to follow the leadership of people like JOHN DINGELL, who throughout his entire career was never a slash and burn politician. He was a person who may have disagreed with you, but he never disrespected you, and that is why all of us in this body respect a man like JOHN DINGELL. It has been an honor and a privilege for me to serve on the commerce committee with him. He has helped me tremendously.

JOHN, I pause today to thank you for your service and to tell you how much

I respect you, not only for what you have done for me but for what you have done for this institution.

Mr. UPTON. Mr. Speaker, at this point, I would yield 2 minutes to the gentleman from Michigan (Mr. MCCOTTER).

Mr. MCCOTTER. Mr. Speaker, it is a great day for Michigan. Having grown up there, I first heard the name DINGELL used in conjunction with the auto industry because the people in my neighborhood, whether they were blue collar, white collar or car dealers, knew that there was one person in this Congress who would always look out for them and that, as long as he was in this body, they would have a voice and a hope.

Today, we celebrate the fact that that voice has been in this Chamber longer than any other Member of the United States House. As someone from Michigan, I am eternally grateful, not only for his service to this institution but for his service to neighborhoods like mine throughout our entire State and our country.

As I have told you earlier, it is often said on the radio that mere greatness is fleeting but that goodness and greatness are timeless.

Chairman DINGELL, with your service to this institution, to your beloved State of Michigan and to the country which you defended as a veteran, they will always consider your service timeless as will be their gratitude for it.

Mr. PETERS. Mr. Speaker, I now would like to yield 3 minutes to a colleague of mine, the distinguished gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Well, for you, JOHN—and I guess I'm not supposed to be directing my comments to a particular Member. To JOHN DINGELL and to Debbie Dingell, this is an emotional moment, but it is for all of us.

To know JOHN DINGELL, one has to know his roots and his father's—coming from an area that saw the middle class develop. Really, for many, for the first time, there were jobs that really paid. There was health care for so many for the first time. They were provided pensions for the first time, and in most cases, in many cases for the first time, provided for a single family house.

For JOHN DINGELL, the automotive industry was not a special interest. It was an area that had interests that were special, and so JOHN DINGELL has never forgotten those roots. He has never forgotten the blossoming of the middle class and his determination to fight for it. JOHN DINGELL has never forgotten his roots. It is a good example for all of us.

Another example has been that JOHN DINGELL was able to grow beyond his roots in a sense, to have a sense that there were underdogs virtually everywhere. So JOHN DINGELL came here, not only fighting for those who were part of a new middle class but for those who were not, and he had the courage, if one remembers, it was not so easy, to fight for the rights of every human being.

As has been so often said, JOHN DINGELL's service here is more than the days numbered; it is the issues fought for with esteem and success. So this is an emotional moment for us all—as I said, for JOHN and Debbie DINGELL but, I hope, for all America—because his service has been a truly American service and story.

Mr. UPTON. Mr. Speaker, at this point, I would yield 2 minutes to the gentlewoman from the great State of Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, I come to the floor today to join so many of our colleagues, not just from the great State of Michigan but from the great, great Nation of America to honor our colleague here—truly a giant, a giant of this House and a legendary leader in Michigan as well—Congressman JOHN DINGELL, as he becomes the longest serving Member of this House in the history of this body.

Every Member of this House is addressed by the term ''the honorable,'' but perhaps no other Member of this House deserves that title more than the Honorable JOHN DINGELL.

For the last 19,420 days—an amazing number—more than 53 years, JOHN DINGELL has served the people of Michigan and of our Nation with honor and with distinction. He has been a vocal fighter for our State, a champion for working men and women across this great Nation. He is a man whose word is his bond, and I know that personally from so many experiences. His word is his bond. If he gives you his word, Mr. Speaker, take it to the bank.

None of us can ever doubt the sincerity with which he approaches his cause nor his ability to work with Members across the aisle in different Chambers to find solutions to the enormous challenges that have been facing our Nation during his long tenure here, and there is no better ally to have when fighting an issue than JOHN DINGELL. Again, I know this from personal experience because he is a zealous advocate for his cause and an incredible leader and, again, has that rare ability to bring people together.

As my colleague from Michigan said, there is simply no better person with whom to share a foxhole than JOHN DINGELL, and while I will respect and honor JOHN DINGELL for his service to the people of his district, Michigan and this Nation, the thing that gives me the greatest pleasure is to be able to call JOHN DINGELL ''friend.'' I say that with the greatest sincerity, Mr. DINGELL.

Congratulations, Mr. Chairman, and my sincere best wishes for another 19,000 days of service here in this establishment.

Mr. PETERS. Mr. Speaker, I would like to yield 2 minutes to the distinguished gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I rise in strong support of this resolution and with the greatest reverence for my colleague and my mentor, the Honorable JOHN DINGELL.

I was fortunate enough to join the Energy and Commerce Committee in 1999. Over the past 10 years, we have confronted difficult times and difficult legislation, but whether as ranking member or as chairman, JOHN led us all honorably and always with the greater good in mind.

As a nurse, working with Mr. DINGELL on health care has been an honor. Indeed, it has been the privilege of a lifetime. In fact, I have kept my R.N. current because, with Team Dingell, I work on health care advocacy as much in this body as I ever did as a school nurse in Santa Barbara County, whether it was in passing the Nurse Reinvestment Act or in opposing the misguided Medicare Modernization Act or, when we were back in the majority, in holding our very first hearing on children's health care, and in passing also the Genetic Information Nondiscrimination Act. First and foremost, Mr. DINGELL has always been concerned about improving health care for all Americans.

Of course, behind every great man is, quite often, a strong woman. This has never been more true than it is with the Dingells. In fact, I had the pleasure of getting to know Debbie Dingell before I really got to know JOHN because I first came to Washington as a congressional spouse. She worked hard with JOHN to ensure that the Energy and Commerce Committee remained collegial, and she would often keep JOHN and all of us company during late-night markups. I use this occasion then also to pay tribute to her today for all she does to support JOHN's great work and service.

Congratulations to Mr. JOHN DINGELL and to the entire Dingell family for reaching this incredible, amazing milestone.

Mr. UPTON. Mr. Speaker, I have a number of Members who may be coming over. We have no one here at the moment, but I would ask at this point to give all Members the opportunity to revise and extend their remarks and to be able to submit that material for the RECORD.

The SPEAKER pro tempore (Mr. SCHAUER). The request the gentleman is making was granted earlier in the debate.

Mr. PETERS. Mr. Speaker, I would like to yield 2 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. Many times you will hear us suggest that we are privileged to be on the floor and to be able to speak to a particular resolution. I know that the distinguished gentleman who I speak of this morning, Congressman DINGELL, is a respecter and a lover of this institution. He often supports and calls for regular

order, but this morning, I would like to be given a waiver to speak particularly in a personal manner because I believe that the courage of JOHN DINGELL truly has impacted my life. So, even though I might have been—and I can probably say this—just a junior high school student as JOHN DINGELL took his oath of office, he does not realize the many lives like mine that he impacted. I am what I am today because JOHN DINGELL had the courage and the fortitude, the strength and love of this country to stand in times of difficulty.

Where would this Nation be if a man by the name of Martin Luther King had not been listened to by a man like JOHN DINGELL, who then stood on the floor of the House, alongside of a southern President, and voted for the 1964 Civil Rights Act and the 1965 Voting Rights Act?

The southern districts were created and opportunities for many of us to ascend to higher office and to be welcomed in places of accommodation, maybe even for this young President, President Obama, to attend Columbia University or for myself to attend Yale University.

JOHN DINGELL was not thinking about individual persons, nameless persons like me, but he took a stand when he knew that he might be subjected to an enormous primary fight or that he would be considered, if you will, a lover of those colored people.

□ 1100

But like Thomas Jefferson said, ''Some men are born for the public.''

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

Mr. PETERS. Mr. Speaker, I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON-LEE of Texas. Jefferson continued, ''Nature, by fitting them for the service of the human race on a broad scale, has stamped them with the evidences of her destination and their duty.''

JOHN DINGELL has protected my mother. She's in a nursing home. How is she able to do that having worked 37 years as a vocational nurse? Because of Medicare. There are many children in my district who are glad that in 1997 I was able to join JOHN DINGELL for the implementation of the children's health coverage.

So JOHN, I know that you like regular order, but I decided to be personal today. I want to thank you for those 19,420 days because they were not in vain. You saved many lives, you gave us opportunities. I am forever grateful, and I stand here as a daughter of America saying thank you on behalf of the United States of America.

Mr. Speaker, I am overjoyed today that I have the opportunity to speak on one of America's true public servants. The resolution before us today on the House floor recognizes Representative JOHN DINGELL for his distinguished public service and for his holding the record as the longest serving member of the House of Representatives. I urge my colleagues to support this resolution.

Thomas Jefferson said that "Some men are born for the public. Nature by fitting them for the service of the human race on a broad scale, has stamped them with the evidences of her destination and their duty." If any man or woman I have ever served with is born for the public, it is my good friend from Michigan.

Congressman JOHN DINGELL has been devoted to this chamber since he first started working as a Congressional Page in 1938. He was already a seasoned Washington, D.C. veteran when he won a special election to replace his father who had served his constituents the last 22 years of his life. While few back then knew that he would serve undisrupted for 53 years, everyone knew that he would be a difference maker. He now has an office that is named for the Speaker of the House that first swore him in, Speaker Sam Rayburn from my home State of Texas.

In his illustrious career, Congressman DINGELL has seen it all. He has gone from rank and file member, to Chairman, and accomplished more than most can even dream possible. Starting his career under John F. Kennedy, he has been a driver on the course of history. He has never apologized for his beliefs even during a time when being a "Liberal" was as bad an insult as you could sling.

A devoted advocate for nationalized health care, he has never relented in introducing a national healthcare system at the start of every Congressional Session. He was never able to stomach that there were people among us who lacked the ability to have access to the basic right to care for their health. He has used his natural ability to talk to his fellow Members to help those who need the help the most.

A strict watchman for the people's resources, he went against his own leadership to bring attention to government waste. Making sure that any person, Democrat or Republican, who came to give testimony to his Committee were sworn in under oath, he made sure that even subjects that most would want to keep quiet, he brought in to the light. Whether it is holding hearings on $600 dollar Pentagon toilet seats or preventing scientific fraud with who discovered the AIDS virus, Congressman DINGELL is the quintessential defender of the little guy. He has never believed that just because an injustice is small it should not be fought with every ounce of effort that he had. I also must thank his lovely, wife Debbie; she has been a mighty force in all he has done and a great support for all his causes.

This man is an American hero and I am honored to be able to vote on this important resolution. We have a chance to thank the man who has done so much for all of our constituents and I hope to be one of the first "yes" votes on this resolution. This resolution can show us all that remaining committed to our constituents is the best path to keep our jobs.

Mr. Speaker, I strongly urge the passage of this resolution.

Mr. PETERS. Mr. Speaker, I would now like to yield 2 minutes to the distinguished gentlewoman from the State of California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, it's a privilege to stand here today to honor a man who is so many things to this body: public servant, respected legislator, champion of the working family, colleague, counsel, and friend. Above all, JOHN DINGELL is a legend in the halls of the Capitol.

He fought bravely in World War II and performed so admirably that he rose to the rank of second lieutenant. Yet, by the end of the war, JOHN's service to this country was just beginning. He probably did not expect that he would serve in this body for more than half a century. Longevity is impressive, particularly in a hard-nose business like politics.

But what makes JOHN's tenure here so significant is not how long he's served, but what he has accomplished during his tenure. Thousands and thousands of children and families across this country have lived healthier lives because of laws written by JOHN DINGELL. Workers and consumers enjoy protections today that they never had before JOHN came along.

It's been an honor for me to serve with JOHN as he burnishes his legacy on the Energy and Commerce Committee. He's achieved this feat while staying true to the values that drew him to public service: fairness, justice, hard work, and loyalty. And we cannot think about JOHN without thinking about Debbie, the love of his life. Their partnership is an inspiration for all of us, and we honor them both.

Congratulations, JOHN, on this honor and achieving this milestone. We look forward to many, many more.

Mr. PETERS. Mr. Speaker, I would now like to yield 3 minutes to the distinguished gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I want to thank the gentleman from Michigan (Mr. PETERS) for the time.

It is with great honor that I am a Member of this House and stand today on this resolution that honors one of the great Members of this House, the Honorable JOHN DINGELL of Michigan.

As a freshman Member last year, I knew of Mr. DINGELL's reputation—which all of America should know—but I knew it from personal knowledge from a former staffer, T.J. Oden, a good friend of mine in Memphis who always referred to Mr. DINGELL with great honor and great distinction and talked of stories of the past and I'd always heard of Mr. DINGELL.

So when I came here, it was one of the great pleasures to meet him, and he treated me not as a freshman, not as a person who wasn't necessarily expected to win their re-election and somebody who would be here for a blip, but as a fellow Member and an equal and offered me advice and courtesies that you don't always see from a senior Member extended to a freshman. And I certainly didn't see them from every Member in this body.

But his term here in the House should be an example to young people all over this Nation who want to enter public service.

While I was a freshman in this House, I was not a freshman in the legislative process having served 24 years in the

State Senate in Tennessee. In my political career, I've seen many people who get into office and the first thing that it seems they want to do is move to a higher office. They take the position and they take votes that will extend them to a higher constituency, whether it's a Congressperson wanting to be a senator, or a State representative wanting to be a State senator, or somebody wanting to be a governor or a statewide officer or President or cabinet member. That's not the purpose, the reason why one should hold public office and be a Member of this House of Representatives.

This is a position that is worthy of dedication unto itself and to this Chamber, as Mr. DINGELL has and his father has served for over three-quarters of a century. He has dedicated himself to this House and to his district and to the issues of importance and not to the advancement of JOHN DINGELL as Senator, Secretary, Governor, or President.

It is that resoluteness and that purpose that I think holds itself out as an example to young people who enter office is to enter an office and to do good in that office and know that that office, when you take an oath, is what you're sworn to uphold and the duty that you should stand to and not to seek self-promotion constantly.

Mr. DINGELL has done that, and that's part of what this record of service shows: a dedication to this House and his district and to the purpose of which he was elected.

In Washington, I have experienced a little over 2 years as a Member of this House, and I have seen people in this community who revere Mr. DINGELL and his bride.

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

Mr. PETERS. Mr. Speaker, I would yield another 30 seconds to the gentleman.

Mr. COHEN. And in law when a person's reputation and character is put on display for a jury, it is the reputation as they're known throughout the community. And in this community of Washington, there are no two people who are thought of more highly and more revered for their charitable works and their friendship than JOHN DINGELL and his lovely bride, Debbie.

So it's with those issues, the purpose for which he was elected in which he served for this House and for this country. And when he closed his remarks yesterday in the great Rotunda at a celebration honoring him, he closed by saying, ''God bless the United States of America.'' I think it was perfect for Mr. DINGELL because he loves this country, and that's why he served so long and so well.

So I join everybody and ask you to join in voting for this resolution.

Mr. UPTON. Mr. Speaker, at this point I would yield 2 minutes to another gentleman from the great State of Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Mr. Speaker, I am honored to stand here and give a moment of honor and praise to a gentleman who has committed himself to this institution and to his country and certainly to his State.

And I have often said along the way that if you ever want to tangle with somebody in politics, there is no better rival you can have than JOHN DINGELL, and you better buckle up and show up and be ready to go. And when you're on his side, there is no better friend to have in this House. And it has been a fun experience to get to know him in a better and more personal way the last 8 years that I've been here.

I will never forget the first day I got here. We happened to meet, I think, in the hallway on the way to the Chamber, and he offered his hand in congratulations. And I said, ''Sir, do you have any advice for a new Member here in the House of Representatives?'' And he thought about it for a minute and he said, ''Michael, if you're going to sup with the devil, make sure you do so with a very long spoon.'' I thought it was the very best advice that I have ever gotten in this Chamber and in the life of politics in the last 8 years.

He has always been there with a kind word and an offer for help. And when he's against you, as I said before, believe me, you'll know it. He even had some good advice when we were in opposition to certain positions along the way.

But he is truly one of the statesmen of this institution, and we shouldn't forget it. The fact that you can disagree and passionately disagree with civility has always been the hallmark of JOHN DINGELL. And he has that same passion, and you can imagine him having some 53-plus years ago when he showed up in these chambers. And that I draw inspiration from, to know that you can be through all of these tough and very difficult political issues and still show up with a little bit of hip in your getalong, as my dad used to say.

All of those years, all of those accomplishments, all of that civility, that, my friend, is what a statesman is all about.

It has been an honor and a privilege to know you, sir, in the capacity as a United States Representative. You're one of the intellectual giants. Thank you for your service to your State. Thank you for your service to your country.

Mr. PETERS. Mr. Speaker, I would like to reserve the balance of my time.

Mr. UPTON. Mr. Speaker, at this point I would yield 2 minutes to the gentleman from the good State of Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, I came to the institution of Congress as a very young man—not as young as you were, JOHN, perhaps—I was 32 years old. I was a fresh, young captain right out of the first gulf war, and I came to the institution of Congress because I wanted to serve my country in another capacity; and I was very upset having seen what men and women do in the name of liberty on a distant battlefield and then to see what had happened to Congress.

To my friend JOHN DINGELL, your party controlled for 40 years, and then the institution became dark and mismanaged, unorganized. There were some bad things that were going on. That propelled me to come to Congress.

And when I came to Congress, I then looked upon my mentors. As a young man, I had great respect because I grew up in an American Legion family, and those guys that would be out in the alley at the fish fries and shooing me out of the way because they were drinking a beer while they were telling stories and war stories, they were the World War II generation. And I come here to Congress and I got to serve, then, with some of the remaining World War II generation.

And upon my reflection, JOHN, as you reflect upon your 50 years-plus of being here in Congress, I think about what a joy it must have been to have served here in Congress in the 1950s and the 1960s when there were so many individuals here in Congress that were of the product of World War II and Korea. Because these were individuals who had truly crossed over and had seen the world in a different dimension and didn't have time for the political games; what were the great interests that could help our country move forward; Republicans and Democrats working together, building bridges across any of those divides of which individuals who didn't understand that type of dimension or reasoning or the bridge builders of those policies were the products of World War II and Korea.

And I kind of look back to your career and say, you know, it would have been a real joy to serve here in Congress during those two decades. And I got to see the end of that when I was here, and it was Bob Stump and Sonny Montgomery and others.

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

Mr. UPTON. I yield an additional 2 minutes to the gentleman from Indiana.

Mr. BUYER. And I think about what a real joy.

And then I watched you, not only as the great JOHN DINGELL, as what you were referred to here in the town as you led the Energy and Commerce Committee, and then how you also then served in the minority. You are a man who believes in the institution, and by that way you teach a lot of us on how to act, our deportment, our demeanor, our tone, and our tenor; but you also respect the institution. And when you respect the institution, that means you respect each other.

And right now, Lady Liberty is weeping. And the reason Lady Liberty is weeping is because we take one of the great men of this institution, and the Democrat leadership moved you out. And they moved you out, JOHN, because you were an institutional man. You're a man that respects open deliberation and debate, and that's who you are.

But if you're an individual who believes that no, it's my way or the highway and I'm going to do it my way, an individual who permits open debate and deliberation of all individuals—everyone here was elected to represent their districts. So we are in equal capacity.

But your leadership, JOHN, moved you out, and that was unfortunate. And that's why I said Lady Liberty is weeping today because right now, we're voting on bills that did not go through particular markups. You know, the Speaker, we spend that 10 hours in the Energy and Commerce Committee and do amendments, and she takes her own bill on up to the Rules Committee, brings it to floor, don't even do amendments so we don't even get to participate in the process.

□ 1115

The reason you can do that is because you move someone out like JOHN DINGELL.

This is a man that everyone in the institution respects, and so when I will reflect upon my tenure in Congress, I will say that I got to serve with some great men and women.

In particular, when I think of Henry Hyde, I will put him in the same arena as Daniel Webster and Henry Clay, the great orators. And I will put you in the same category as Sam Rayburn and some of those great individuals that have served this country, JOHN. I am proud to have served here with you.

Mr. PETERS. Mr. Speaker, it is indeed my great honor to yield 1 minute to the distinguished gentlewoman from California, our Speaker of the House, NANCY PELOSI.

Ms. PELOSI. Thank you very much. It's so wonderful to see the two gentlemen from Michigan, the two newest Members on the Democratic side from Michigan, one presiding, Mr. SCHAUER, and one controlling the time, Mr. PETERS, as we pay tribute to the dean of the House and certainly the dean of the Michigan delegation, Mr. DINGELL.

Pretty exciting, isn't it, Mr. Chairman, to see these two new young Members to come here to reinvigorate the Congress? You've seen that happen time and time again.

My colleagues, as you know, today, the American flag is flying over the Capitol in honor of the leadership and service of our colleague JOHN DINGELL for becoming the longest-serving Member of the House of Representatives. As we recognize JOHN today, we thank and congratulate his family for sharing him with us: his wife, the lovely Deborah as he refers to her; and his children, John, the Third, Christopher, Jeannie and Jennifer.

Last night, hundreds of people gathered under the Capitol dome as we had a reception on the eve of this historic event at the site of the original House of Representatives to pay tribute to JOHN DINGELL. It was an amazing group to see, Democrats and Republicans, new Members just newly sworn in, and those who had been here for decades.

We were honored to be joined by President Clinton, who on more than one occasion has honored JOHN DINGELL for his service. I think most recently before was for the 50-year anniversary of your service in Congress when many of us came together at that time.

We were joined also by Speaker Foley and former Minority Leader Bob Michel, again as a sign of bipartisanship. All came together to pay tribute to the 19,420 days JOHN DINGELL has served alongside us.

Today, we have an opportunity to again pay tribute on the actual day that he breaks the record. Yesterday was a tie; today, break the record.

It's also a personal privilege for me to speak about JOHN, as my father, Thomas D'Alesandro, Jr., served with JOHN's father in the Congress before JOHN came here.

Every chapter in JOHN DINGELL's life has been lived in service to our country. JOHN came first to these halls, as I mentioned last night and as we all know, as a congressional page. I see that all the pages are gathered in the back of the room to hear the story of one of their colleagues, a former page, who has reached the heights in the Congress of the United States. Thank you, Pages.

He was a page in 1941 when he was standing on the floor when President Roosevelt asked Congress to declare war on Japan. That war called JOHN to serve again, not now as a page but a few years older, and old enough to serve in the military where he rose to the rank of second lieutenant in the Army. It also began a public life dedicated to make America strong, both at home and abroad.

Just barely old enough to be a member of the Greatest Generation, JOHN DINGELL applied his brilliant mind, his great judgment, and his broad vision to making the future better for generations to come. JOHN always made clear that a strong America had to be a healthy America. Continuing a tradition his father had begun in every Congress, JOHN has introduced a bill for universal national health insurance.

Because of his tireless work in securing health care for the elderly, JOHN presided in the House in 1965—he presided where you stand now, Congressman SCHAUER—when Medicare was passed into law. He gaveled it down, and that gavel he used that day still sits on his desk.

To work alongside JOHN DINGELL is to be inspired by the history of our institution and humbled by the seriousness of our work.

JOHN, as I said, yesterday tied the record; today, he broke the record. And every day that he serves from now on he will continue to set a new record, certainly a new record of time in Congress, but that's the least of it, a record of leadership, combined with experience and longevity that makes him such a powerhouse.

To JOHN, we love and respect you, and by any measure, your leadership and your success have been unsurpassed. Congratulations on this wonderful honor. I look forward to working with you for many weeks, years, every day to break the record, a new record, but as that piles up into years, our country will continue to be well-served by your tremendous leadership.

Thank you, Mr. Chairman.

Mr. UPTON. Mr. Speaker, at this point, I would yield 4 minutes to the former chairman and now distinguished ranking member of the powerful and influential Energy and Commerce Committee, Mr. BARTON.

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

Mr. BARTON of Texas. Thank you, Congressman UPTON.

Mr. Speaker, we're here today to honor one of the true lions of the Congress. I feel like since this is the third time I've made this type of a speech that I'm at a funeral, except for the fact that our honoree is not only alive, but he's still kicking and has lots of life left to give to his constituency and to the Congress and certainly to the committee that he's served as chairman for so many years in the Energy and Commerce Committee.

I've known JOHN DINGELL in some ways since 1985 when I got sworn in as a freshman Member. I've served on the committee that he was the chairman of since 1987. I've served 22 years on the committee, and for the last 17 years, in some shape, form or fashion, I have sat beside him as subcommittee chairman, as ranking member, as full committee chairman, as ranking member of the full committee, and now again as ranking member with he as chairman emeritus.

There is a public side of JOHN DINGELL, and there is a private side of JOHN DINGELL. We have numerous stories about the public side of JOHN DINGELL, the powerful, gruff chairman. You know, some of the private sides of JOHN DINGELL, much less public but just as important, when I had my heart attack 3 years ago, JOHN DINGELL is one of the people that called and gave me solace and counsel and checked on my wife and made sure that she was okay.

When Terri and I had our son 3 years ago, JOHN and Debbie called and asked what kind of a gift, and knowing of their association with the auto industry, I thought a Cadillac Escalade might be in order. But what we got were car seats, a car seat for Washington and a car seat for Texas, very practical gift, also within the House ethics rules and also very thoughtful.

One of the things that has not been said that I'm aware of is that in spite of the many legislative achievements, the Clean Water Act, Safe Water Drinking Act, the Clean Air Act Amendments, a lead role in the original Clean Air Act, JOHN DINGELL is a very humble man. He has not asked that his name be put on any of that legislation.

When I chaired the energy conference report that later became the Energy Policy Act of 2005, I wanted my name on the bill and Senator Domenici and Senator BINGAMAN and Congressman DINGELL. And so I went to Mr. DINGELL. I said, Let's put your name on the bill; we will call it the Barton-Domenici-Dingell-Bingaman bill. And he said, no, he didn't want his name on the bill. I said, Is it because it's too controversial? He said, No, I don't believe that a man should be that presumptuous.

And I may be wrong, but I'm not aware of any piece of legislation that is called the Dingell bill because he just wants to get the job done. He's not interested in personal memorials.

As I've said numerous times, when they write the history of the Congress, of the 20,000 men and women who have had the honor to call themselves U.S. representatives, JOHN DINGELL will be one of those representatives that is highlighted.

I think he's probably the most influential House Member in the history of the Congress who has not been Speaker of the House, and he could have been Speaker at some point in time. And I don't mean that as a personal attack on our current Speaker. I'm just saying the esteem that this man has been held in for over 50 years is something that we should all try to emulate, because on both sides of the aisle, he is really, really held in high esteem and is considered, as I said earlier, one of the lions, not just of this Congress but every Congress.

I consider it one of the highest honors of my life that I have been able to serve with him and by him and learn from him and, on occasion, emulate him.

And, Mr. Speaker, I will also say that he still has work to do. The fact that we're all honoring him with this resolution today—

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

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

Mr. BARTON of Texas. The fact that we're honoring this fine gentleman today does not mean that he can rest on his laurels. I fully expect within the month to be totally engaged on opposite sides in the public health care debate as he tries to fulfill one of his lifetime obligations of moving some sort of a national health care bill. I believe in a more market-oriented, private sector approach.

So, while part of me says I wish he would go ahead and retire, the better part of me says we want you here, Chairman DINGELL. We want you engaged in the debate. We want you giving your ideas on what you think is right for the American people, just like you've been doing for the last 53-years-and-some-odd days, because on your best day you make this body and our country a better body and a better country, and even on your worst day, you improve the atmosphere and improve the prospects for a brighter future for our people of the United States of America.

God bless you.

Mr. PETERS. Mr. Speaker, before yielding more time I ask unanimous consent to extend the time by 10 minutes, equally split between both sides.

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

There was no objection.

Mr. PETERS. Mr. Speaker, I'd like to now yield 1 minute to the distinguished gentleman from Maryland and the majority leader of the House of Representatives, Mr. HOYER.

Mr. HOYER. I thank the two gentlemen from Michigan, Mr. PETERS and my good friend Mr. UPTON.

There is no partisanship on this floor today. There is a universal expression of respect, affection, admiration, sometimes fear, always awe. I rise to note the service of a great American, a good man, who has advantaged this House, his State, and the American people by his service.

Today, we honor a man who has sat in this Chamber for nearly a quarter of its existence. Think about it. He and his father have served longer than a quarter of the existence of this House. In so many ways, the history of this House is the history of JOHN DINGELL and his family.

His father helped create Social Security. JOHN presided over the House, as has been noted, when we passed Medicare. In his time here, JOHN has had his hand in everything from the Clean Air Act to the Endangered Species Act, to the just recently passed Children's Health Insurance Program.

And JOHN DINGELL sat to the right of the President of the United States as the President signed that bill, and President Obama took that first pen with which he signed that bill and turned to Chairman DINGELL and gave it to him. How appropriate it was for President Obama, a young and vigorous President, whose tenure in public office is relatively short, to turn and give that pen to an individual whose term in office has exceeded now that of every other American in history.

□ 1130

JOHN was here when we passed the first civil rights bill. JOHN was here when we put a man on the Moon. He was here when the Berlin Wall and the Twin Towers fell.

So much of our institutional memory is embodied in this one giant of a man, the longest-serving Member in the history of the House—a walking, talking, Library of Congress.

One way to last this long is to keep your head down, to stay quiet and unobtrusive, to hope that no one notices you year after year. That may be one way. It was not JOHN DINGELL's way. But the other way is to make yourself so instrumental that your constituents and this body could hardly imagine life and legislation without your input, without your advice, without your counsel, without your prodding, without your expressing a vision for a better America. Everyone here knows that that is the path that our friend JOHN DINGELL took.

For more than half a century—it's been mentioned, 19,420 days—JOHN came here, to this Chamber, every day, asking what he could do to bring a little more security, a little more dignity, a little more prosperity, to his constituents and to my constituents, and to all of our constituents, to his fellow citizens.

And he came here to this Chamber, every day, asking what he could do to advance the ideals that he has held so tenaciously and so ably and defended so passionately throughout his life and throughout his career in this body.

As Michael Barone wrote a few years ago, and I quote, ''Whether you agree or disagree, the social Democratic tradition is one of the great traditions in our history, and JOHN DINGELL has fought for it for a very long time.''

The good news for my great granddaughter is that JOHN DINGELL is still fighting for that tradition. Still fighting for her and the millions of her cohorts, very small. They will not know JOHN DINGELL personally, but all of them will benefit by JOHN DINGELL's service and passion and caring and effectiveness as a giant among the legislators of our history. He is still fighting. And he will go on fighting.

We know how much more JOHN has to contribute to the life of this House and this Nation as he adds to his record every 24 hours, from here on out. I want to join my friend JOE BARTON, who's JOHN DINGELL's friend, as is FRED UPTON, his friends and his admirers join JOE BARTON in saying that we look forward to JOHN DINGELL's leading us as we confront the issue of the passion of his life and of his father's life. And that is ensuring that every American has the availability of quality health care.

JOHN DINGELL will be the principal sponsor of that health bill, and our principal leader on that effort. He has much to do. As Ulysses once said, ''Tho' much is taken, much abides.''

I understand that President Clinton quoted that famous Ulysses poem by Alfred Lord Tennyson. That poem ends by saying that, ''Tho' we are not now that strength which in old days moved earth and heaven, that which we are, we are. One equal temper of heroic hearts, made weak by time and fate, but strong in will to strive, to seek, to find, and not to yield.''

Tennyson did not know JOHN DINGELL, but Tennyson spoke of the character and courage and commitment of our friend, of our historic colleague, our chairman, JOHN DINGELL of Michigan.

Congratulations, and thank you.

Mr. UPTON. Mr. Speaker, at this time I would yield 2 minutes to my good friend, the gentleman from California (Mr. DREIER).

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

Mr. DREIER. Mr. Speaker, the distinguished majority leader, my classmate and friend from Maryland, was absolutely right when he reminded us that just last night at the great ceremony in Statuary Hall, President Clinton directed us to in fact read Tennyson's Ulysses last night.

The thing that struck me as I listened to the majority leader again talk about JOHN DINGELL was something else that President Clinton said. He said, ''Interestingly enough, if you look at the number of Presidents with whom,'' and I underscore, John, with whom, as you said last night, ''JOHN DINGELL has served, it is 25 percent of the Presidents—25 percent of the Presidents that we have had in the United States of America.''

It is an absolutely amazing accomplishment, and it's a great privilege and honor for me to be able to be part of this.

JOHN DINGELL and I, Mr. Speaker, have not always agreed on every single issue, and I know that has clearly come to the forefront from probably people on both sides of the aisle. But one of the interesting things that I have observed is that alliances regularly shift around here.

In the early 1990s, there was a clash that Mr. DINGELL and I had over the issue of jurisdiction. I was charged by then-Speaker Gingrich early on to bring about a modification in committee jurisdiction. And I did some things that my friend JOHN DINGELL didn't particularly like.

But when I talk about how alliances shift, I have to say that then, just a few years ago, Mr. DINGELL approached me and asked me to help him as he was dealing with a jurisdictional challenge, and I totally agreed with what it was he was trying to do at that point.

And so as you look at a long period of time, while we can have passionate disagreements, it's clear that we can just as passionately come together and agree on some issues.

JOHN DINGELL is clearly an institutionalist. And I told him last night, Mr. Speaker, at the great ceremony in Statuary Hall, that I have always been struck—I have served in almost every capacity one can on the House Rules Committee just upstairs on the third floor, and as all of our colleagues know, this is where Members come to testify on behalf of amendments or proposals that they would like to have considered on the House floor.

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

Mr. UPTON. I yield the gentleman an additional 2 minutes.

Mr. DREIER. I thank my very good friend for yielding me additional time.

In the Rules Committee, Members have to stand in line to offer their testimony. And sometimes, if questions go on, we don't impose limits there on questioning, as in the case in other committees, and often one person can be there and testify for a long period of time if the questioning goes on.

Well, we will have maybe two-term, second-term Members come in and they will get antsy and start to pace around and grumble over the fact they are not being immediately recognized before the Rules Committee to testify on behalf of the legislation.

And I will say that I have been regularly struck at the fact that JOHN DINGELL, the Dean of the House, the chairman of the Energy and Commerce Committee, has often come before the House Rules Committee and literally sat patiently for 45 minutes, an hour, an hour and a half, as others have gone before him to testify, never thinking for one second that he should be recognized.

Now, of course I should say parenthetically that when I was chairman of the Rules Committee, I always wanted to rush to recognize JOHN DINGELL as quickly as I possibly could. But his understanding of this institution is, to me, evidenced in what he regularly did when I would see him in that capacity in the House Rules Committee.

And I have to say that he talked about staff members last night, and recognizing the people who give us the opportunity to do the work that we do is something that JOHN DINGELL did so well. And he, of course, talked about his wonderful partner, Debbie.

So, I have to say, Mr. Speaker, this job has a tendency to become very frustrating. When you have gone from the majority to the minority, and Mr. DINGELL knows this, it is frustrating and challenging and difficult. But I am in the minority now, and some of the days aren't as exciting as they were when I was in the majority.

To be able to be here on the day that recognizes JOHN DINGELL's amazing service to this institution is something of which I am very proud, and has given me just the boost that I need.

So, thank you very much, and I thank my friend for yielding.

Mr. PETERS. Mr. Speaker, I would now like to yield 2 minutes to the distinguished gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS of Maryland. As I am a junior Member of the House of Representatives, I am very pleased to join you, Mr. Speaker, in this recognition. I know that there are a lot of old friends in the House of Representatives. But, Mr. Speaker, I hope that Mr. DINGELL will count me as one of his new friends.

19,420 days. I can't even imagine, having only served in this House for a mere 7½ months. And, today I think, Mr. Speaker, we value more than just the longevity of the service, but we value its character, its quality, its substance, and its leadership.

And so I am really pleased to be here today, Mr. Speaker, in celebration of a wonderful time of public service in this institution. And I want to share with you that when I arrived in this Congress, Mr. Speaker, there was one gentleman who pulled me aside in the Members' Cloakroom and he said to me something that I won't forget, and I believe will carry many of our junior Members through our time in service.

Mr. DINGELL said, ''You are my peer, and don't you ever forget that, because it will serve you well in this institution.'' And already that has been true.

Now we talk a lot about the substance of the legislation that Mr. DINGELL has ushered through for all of us—for my parents, my grandparents, for me. But I'd like to talk to about what it means to be a Member because very recently Mr. DINGELL approached me about a situation with a group of high school students from Wyandotte High School in Michigan, who were staying in Hershey, Pennsylvania, but had to play in the inauguration. And it would have been impossible for them to get to the inauguration on time. And so we found a high school out in the Fourth Congressional District in Maryland for these students from Wyandotte.

And what that demonstrated to me again, Mr. Speaker, is that Mr. DINGELL isn't simply about the substance and about the time, but the service.

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

Mr. PETERS. I yield 1 additional minute.

Ms. EDWARDS of Maryland. Thank you. But it isn't simply about that substance, but it's also about what it means to serve the people. And sometimes that service comes in small ways, and other times it comes in big ways.

And so, already, Mr. Speaker, Mr. DINGELL has demonstrated to me that we are here for the public service, and that means to our constituents in Michigan, in Maryland, and across this country. But we can't forget that. And so I thank Mr. DINGELL for his longevity and for his knowledge and the breadth and also for teaching me a lesson as a junior Member of this institution about what it means to serve.

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

Mr. PETERS. Mr. Speaker, I would now like to yield 2 minutes to the distinguished gentleman from Massachusetts (Mr. MARKEY).

□ 1145

Mr. MARKEY of Massachusetts. I thank the gentleman from Michigan very much.

I think that this is just an incredibly appropriate moment to be honoring Mr. DINGELL, because he is the living link to the principles of fairness, justice, and advancing the public interest that animated the New Deal, and which remain so relevant today to the important issues which we are discussing here, not only on the floor of the House, but all across America: The lessons of why we regulate Wall Street, why we ensure that those who control the finances of all the families in our country have to be watched with an

eagle eye. Mr. DINGELL, who ensured that our securities laws were rewritten to provide for protection against insider trading, curbing penny stock manipulation, increased civil penalties, the 1990 Market Reform Act. He is responsible for so many of the laws that are now going to be looked to, to ensure that we enforce our securities laws against those who have abused the public trust.

So while many people look at his work on the National Environmental Policy Act, the Clean Air Act, the Endangered Species Act, the Children's Health Insurance Act, North America's first international wildlife refuge, there are so many other areas that Mr. DINGELL has been working on, including the financial regulatory area, and all of the telecommunications laws that have made it possible for us to have this revolution which now has the words Google and E-Bay and Amazon and YouTube part of our vocabulary.

But for me, the six words that will be remembered are those six words that are the most feared words that have ever been spoken in the history of the United States Congress, ''I'm just a poor Polish lawyer.'' Those words always preceded a dissection by Mr. DINGELL in brilliant form of the arguments made by those making presentations to the Energy and Commerce Committee.

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

Mr. PETERS. I yield 1 additional minute to the gentleman.

Mr. MARKEY of Massachusetts. Invariably, this brilliant dissection of the flaws and the arguments of those who were testifying before our committee resulted in legislation that ultimately produced protections for the American people in areas across the entire spectrum of the lives of every single American. And this legendary legislator has left a legacy which will benefit families in our country for centuries to come, because like the New Deal principles that his father fought to put on the books, JOHN DINGELL has ensured that those principles were carried forward in the laws that were written during his time here. They have been embodied and extended in a way that will protect families in our country and, I might say, around the world, because they will be emulated for generations to come. And we come here today to honor our friend JOHN DINGELL for the incredible service that he has provided to our country.

Mr. UPTON. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I just want to say that my good friend ED MARKEY's statement that, ''I'm just a poor Polish lawyer,'' that reminds me of a story. I wasn't going to tell this until then, but those of us on the committee certainly know the story because our good friend Mr. Tauzin has told this story many, many times. And that was when Mr. DINGELL, I think then the chairman, used that line, ''I'm just a poor Polish lawyer.'' And Mr. Tauzin, who is always known to have one of the best wits ever not only in this body but across the country, was about to relate to him a ''Polish joke,'' Mr. DINGELL reminded him that he was just a poor Polish lawyer. And Mr. Tauzin then said, ''Well, I will then tell the joke very slowly.''

Mr. Speaker, in the short time that I have served in this body, JOHN DINGELL and I have had really countless conversations and stories. Our offices were across the hall for a number of years, so we would walk to the floor for votes. We would do joint press conferences. We often sat together on the Northwest flight to Detroit, where I then would fly on to Kalamazoo or South Bend and he would stay with his constituents on that side of the State. We obviously worked very closely and in my work on the committee and subcommittees in so many different ways, as not only the dean of the House for Mr. DINGELL, he was also the dean of our delegation and I have been dean of the Republican side of that delegation as well. So our delegations work very closely on many fronts. And in all of those conversations, I want to say I think they have all ended with his closing, ''God bless you, my friend.''

We are fortunate that God has blessed the Dingell family, certainly this House in all the great work that he has done as a real legislator, a good friend of all the people regardless of party or affiliation, or staying on the issue. He has been there for the country.

So we say, God bless you, our friend, Mr. DINGELL. We salute you for your service. And we look forward to our continuing strong relationship in so many ways.

I yield back the balance of my time.

Mr. PETERS. Mr. Speaker, I would certainly like to thank Mr. UPTON for his comments and for managing the time on his side, and I would also like to thank Mr. KILDEE for putting forth this resolution.

Today, we have certainly heard some just incredible testimonials from individuals in this House honoring the incredible work of an incredible public servant and statesman, Mr. DINGELL. It certainly is an honor for me to be here and serving with Mr. DINGELL, and it is certainly going to be an honor to continue to serve with him in the weeks and years ahead.

So it is with great pride that I move that the House suspend the rules and agree to House Resolution 154.

Mr. BOSWELL. Mr. Speaker, I rise today to honor a great American, a great servant of the people, a great patriot, and a great friend, the longest serving Member of the House, the gentleman from Michigan, Congressman JOHN D. DINGELL.

Mr. Speaker, JOHN DINGELL has served his district, his State, his Nation, and this great and noble body with distinction and honor. His achievements on behalf of our Nation are profound, and they are numerous. John's unyielding commitment to bettering the lives of the people he serves, in fact bettering the lives of all Americans, in this great body shines as an example that we can only hope to live up to.

The gentleman's contribution to our country, and the House of Representatives, will stand the test of time. I wish him many more years of good health, active service, and I look forward to working with him on meeting many of the challenges that we face today. I for one can say, with all honesty and a sense of humility, that I feel fortunate to have been able to serve with our dean, the gentleman from Michigan, JOHN DINGELL.

Mr. HOEKSTRA. Mr. Speaker, it is with great honor that I recognize JOHN D. DINGELL and his service to the House of Representatives.

JOHN DINGELL has proven to be a friend, a colleague and an effective legislator in all of the years that I have known him as a Member of Congress.

As a fellow member of the Michigan delegation, I am very familiar with his tireless advocacy on behalf of his constituents in the State of Michigan. With JOHN, Michigan always comes first. You can always turn to him for help, regardless of your party.

For more than 53 years, he has proven to be an unwavering champion of Michigan's working men and women.

His powerful voice is appreciated across the State of Michigan, throughout the American automotive and manufacturing industries, and within our delegation.

Congratulations on your historic achievement, Representative DINGELL. Your dedication to this institution and the people you represent is beyond compare.

Mr. LARSON of Connecticut. Mr. Speaker, I would like to join the House of Representatives in honoring Representative JOHN DINGELL as the longest serving member of the House. Mr. DINGELL began his service to his country at the young age of 18, when he decided to join the Army. Ten years later, Mr. DINGELL, the son of a Michigan Congressman, would soon follow in his father's footsteps; in 1955, he was elected to represent a Michigan district outside Detroit and would continue to serve this district for 54 years under 11 presidents.

A friend and colleague from whom I have gained insight and inspiration, Mr. DINGELL has provided this chamber with unprecedented leadership, presiding over the House Energy and Commerce Committee for 15 years and heading important issues such as air quality, consumer protection, health care, protection for automakers, and energy policy. He authored notable bills such as the National Environmental Policy Act of 1970 and the Endangered Species Act of 1973. Today, I regard Mr. DINGELL as one of Washington's most skilled law makers, and am eager to work with him as he helps oversee one of the most important reforms in this Congress: health care legislation. Throughout his legislative career and continuing today, Mr. DINGELL has been focused and has acted with purpose—a purpose to improve social conditions for not only his constituents, but for people across the Nation.

Representative DINGELL continues to provide exceptional leadership to the House of Representatives and will serve as an example of democratic leadership long after he leaves this chamber. I am proud to extend my congratulations and thanks to the Honorable JOHN DINGELL.

Mr. STEARNS. Mr. Speaker, I rise today to honor the distinguished gentleman from Michigan, JOHN DINGELL, has now become the longest serving Member of the U.S. House of Representatives. While Mr. DINGELL's service to this Congress is worth recognition alone, his many accomplishments ensures that he will go down as one of the most influential members in the history of Congress.

JOHN DINGELL's service to this body started all the way back in 1938, when he served as a Page. Later on, he served in the United States Army leaving with the rank of Second Lieutenant. In 1955, Mr. DINGELL was sworn into office to succeed his father and began a remarkable and productive career as a Member of the House.

In 1981, Mr. DINGELL's tenure as the top Democrat on the Energy and Commerce Committee began and continued until this very year. I have served with Mr. DINGELL on the Energy and Commerce Committee for 16 years. In all that time, he always treated Republicans with respect even when we vociferously disagreed, which was fairly often. He was always fair and willing to work to find common ground. He is a true model for all of us to follow.

Mr. DINGELL has received so many awards and so much recognition in his career, that I do not have time to list them all. So I'll highlight a few. He has received recognition from the NAACP for his avid support of civil rights and from the NRA for his support of the Second Amendment. In addition, Mr. DINGELL has been Congress' most outspoken and tireless advocate for the American automobile industry, which is a key component of our nation's economy and of particular importance to the district he represents.

In closing, let's all honor JOHN DINGELL for his vigorous and unflagging support for this institution and for his long and productive tenure in Congress.

Mr. MCGOVERN. Mr. Speaker, it is my honor to rise today alongside my colleagues to pay tribute to an extraordinary legislator, my friend JOHN DINGELL.

JOHN DINGELL is, quite simply, a giant of this House. Today he reaches a remarkable milestone, becoming the longest-serving member of this institution. That achievement alone would be worthy of commemoration and celebration. But it's not simply the length of his service that makes JOHN remarkable—it's what he has accomplished in those 53 years.

He held the gavel when the House passed the original Medicare legislation. He shepherded the landmark Clean Air Act into law. He championed the Endangered Species Act. He has fought for health care, for workers' rights and for the people of his beloved Michigan.

He has done all of this—all of this amazing work—with wit, passion, and an unshakeable belief in the American spirit. As he recently said in an interview, ''Eighty-two years ago, I hit the jackpot. I was born in the United States of America. That's the greatest thing that ever happened to me.''

And on a personal note, Mr. Speaker, I want to thank JOHN and his wife Debbie for their kindness and friendship to my wife Lisa and me. They have enriched our lives in so many ways, and we will be forever grateful.

So congratulations, JOHN DINGELL. Here's to another 53 years of service to America.

Mr. EHLERS. Mr. Speaker, I rise in strong support of House Resolution 140 to honor Congressman JOHN D. DINGELL for holding the record as the longest serving Member of the House of Representatives.

JOHN D. DINGELL's exemplary record of public service and dedication to serving the American people began at the age of 18. During World War II, he served as a Second Lieutenant in the United States Army and received orders to take part in the first wave of a planned invasion of Japan. Fortunately, the war ended, probably saving the life of Mr. DINGELL.

After finishing his military service, Congressman DINGELL attended Georgetown University where he studied Chemistry, and later continued his studies at Georgetown Law School. Mr. DINGELL returned to Michigan to work successively as a National Park Ranger, a prosecuting attorney for Wayne County, and he also ran his own private law office.

In 1955, JOHN D. DINGELL took office in the U.S. House of Representatives after winning a special election to replace his father. Congressman DINGELL was elected to his 28th term this past November, and has served as Dean of the House since the 104th Congress.

As a scientist, I recognize that JOHN D. DINGELL's background in Chemistry and his experience as a National Park Ranger helped him understand science and environmental policy. In fact, Congressman DINGELL has authored or been instrumental in the passage of some of our nation's most important environmental laws, including the National Environmental Policy Act, the Endangered Species Act, and the Clean Air Act Amendments of 1990.

Mr. DINGELL's more than 53-year length of service has given him considerable wisdom and a deep understanding of Congressional procedures. He has earned the titles ''Dean of the House'' and ''Dean of the Michigan Delegation''. He is a model public servant, and we all benefit from his wisdom and good counsel. New Members of Congress and our youth should seek his advice.

On a personal note, I am deeply grateful for Congressman DINGELL's helpful guidance when I joined the U.S. House of Representatives after winning a special election. Also, I sincerely appreciate his willingness to work with me on environmental policy issues. I truly value Mr. DINGELL's friendship and certainly wish him many more years of successful work in the U.S. Congress.

Congressman has tirelessly advocated on behalf of his constituents and the people of Michigan. He deserves to be honored for his lifelong commitment to public service, and his dedication to the U.S. Congress should be celebrated.

Please join me honoring JOHN D. DINGELL by supporting this important resolution.

Mr. RAHALL. Mr. Speaker, history is fleeting, unless you are part of making it. Few in this House, nor outside this body, would take issue with the proposition that JOHN D. DINGELL has been a maker of history most of his days here. I rise today to honor our esteemed colleague, Congressman JOHN D. DINGELL, as the longest serving member of the U.S. House of Representatives.

As the youngest elected, longest serving Member of Congress in the history of the House, I can attest to the trials and tribulations, the trophies and triumphs of tenure. It has been my honor to work alongside Mr. DINGELL over the last 32-plus years.

We have fought together in the trenches of Congress to bring affordable healthcare to the elderly, to craft a reasoned and balanced view of the U.S. role in a lasting peace in the Middle East, and to champion the safe usage of our precious natural resources.

Today, the ''Dynamo of Detroit'' has reached a remarkable milestone: 19,420 days of service in the House of Representatives. He stepped into a seat vacated by his late father, John Dingell, Sr., on September 19, 1955, but his service to our Nation began many years prior.

In 1941, when serving as a congressional page in our hallowed halls, he was standing on the House Floor, when President Roosevelt asked Congress to declare war on Japan. He not only heard that call but answered it, and went on to serve in the Army, rising to the rank of second lieutenant.

After taking up his father's mantle to represent the people of Michigan's 15th Congressional District, he worked on legislation that has strengthened the fabric of our Nation, voting on the Civil Rights legislation of the 1960s and helping pass into law Medicare in 1965.

Congressman DINGELL has not just lived history; he has truly made history.

Public service at times rises and sadly falls in the imaginations of our Nation's youth. As testament to what can be the very best of public service, we need to look no further than the legacy of JOHN DINGELL. The length of his tenure only serves to underscore his noble service.

Mr. Speaker, I take this opportunity to congratulate my colleague on this great milestone. It has been an honor and unique privilege to serve beside him as my senior colleague, my mentor, and my friend. With my election to this Congress, I am now the longest serving House member from the State of West Virginia, and I look forward to many more years of working together with the gentleman who has served his State and this Nation longer than anyone in the history of this House.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to honor JOHN DINGELL as the longest serving member of the House of Representatives and to offer my support for this resolution. He has been a mentor to many members of Congress, including me.

I have had the privilege of serving and working with Congressman DINGELL on the Energy and Commerce Committee since joining that Committee in 1996. Under his leadership, we have worked to expand and improve healthcare coverage, develop sound energy policy, enhance consumer protection, and address numerous other issues under the Committee's jurisdiction.

I cannot say enough about his leadership to make healthcare more affordable and accessible to all Americans. We worked together on the State Children's Health Insurance Program, or SCHIP reauthorization, which the President signed into law last week, and legislation to expand federally qualified health centers that significantly improves healthcare access for individuals in underserved areas like our district.

Over his career, JOHN DINGELL has had a hand in pieces of legislation from Medicare passing in 1965, to the Clean Air Act, to the Endangered Species Act, the Do Not Call list, and numerous other laws. He also played an unprecedented and vigorous roll in oversight while Chairman of the Committee to ensure government programs are working for the people, and he continues to do so today.

It has truly been an honor to serve with JOHN DINGELL and work closely with him on the Energy and Commerce Committee. I congratulate him becoming the longest serving member in the history of the House of Representatives, and look forward to continuing to work with him on the many issues he has championed as long as I have known him.

Mr. HINOJOSA. Mr. Speaker, I rise today to commend my colleague Congressman JOHN DINGELL on his five decades of distinguished service to the people of Michigan and the United States.

Today we celebrate Congressman DINGELL becoming the longest-serving Member of the United States House of Representatives in this body's history. As we recognize our colleague's longevity, we reserve our highest of praise for the exceptional record of service he has compiled over his years of service.

Our Nation owes a debt of gratitude for Mr. DINGELL's career. If not for JOHN DINGELL, millions of children would not have received health care under the Children's Health Insurance Program. If not for JOHN DINGELL, hundreds of animal species would not have been saved from extinction by the Endangered Species Act. If not for JOHN DINGELL, our atmosphere would not have been protected by the effects of the Clean Air Act. If not for JOHN DINGELL, our Nation's workers, environment, children, and people would not enjoy so many of the protections they do today.

As we commemorate this historical milestone in Congressman DINGELL's career, we must recognize his determination to continue advocating on behalf of all American citizens. Every Congress, Congressman DINGELL introduces legislation creating a health care system guaranteeing coverage to every American. As this House honors its Dean with our words today, I hope that we may have the opportunity to honor him with our deeds by finally creating a long-overdue universal health care system before the end of this Congressional session.

I join my colleagues in applauding the career of Congressman DINGELL and thank Mr. DINGELL for his decades of service to our Nation.

Ms. MCCARTHY of New York. Mr. Speaker, I rise in honor of Representative JOHN DINGELL Jr., who today becomes the longest serving Member in House history passing the Honorable Jamie L. Whitten. I want to thank Representative DINGELL for his friendship and all the guidance he has shown me over the more than twelve years I have been in Congress. From his service in the United States Army to his diligent study of law at Georgetown University, his unwavering commitment and service to our nation has and will continue to be a benchmark my colleagues and I strive to match.

Representative DINGELL, Jr. began his service in the House on December 13, 1955, and since then has honorably filled the seat his father once held. Over the course of his accomplished career, he has championed legislation that over time has proven to be critical to our nation's well being. As chairman of the Energy and Commerce Committee for twelve years, he was an ardent advocate of environmental legislation and broke down partisan barriers in his pursuit to uncover instances of government waste and corruption. Under his watch, the Committee became one of the largest and wide-ranging in the House carrying with it a reputation for intolerance of federal mismanagement.

While steadfast in his own principles, the Representative's determination to work with others continually sets him apart from other lawmakers. On a personal note, his critical work with me in passing the National Instance Criminal Background Check System (NICS) Improvement Amendments Act of 2007 is a testament to his uncanny ability to find middleground on often divisive issues. The work that we did on that legislation will hopefully go a long way towards making our communities safer.

As Representative DINGELL, Jr. begins his 19,420th day in office, I extend my congratulations to him in what has been and what will continue to be an exceptional career.

Mr. CARNAHAN. Mr. Speaker, today I congratulate Chairman Emeritus DINGELL for achieving a great milestone that no one has achieved before—serving the people of Michigan for 19,420 days and becoming the longest serving member of the House of Representatives in U.S. history.

Long before I was elected to Congress, I looked to Chairman DINGELL for inspiration and guidance. In fact his service began before I was born.

I was deeply honored after being elected to represent Missouri in this great body when DINGELL, as the Dean of the House, agreed to meet with me and offer his unmatched advice and counsel. What made it even more worthwhile was the fact that he had served with my grandfather ASJ Carnahan in this same body in the 1950s. It was a pleasure to hear of stories he and my grandfather shared together.

He has achieved a great deal since 1955 when he was first elected having presided over the House when Medicare was created to care for some of our most vulnerable citizens 10 years after he was first elected.

Both Congressman John D. Dingell Sr., the Chairman's father, and President Harry S. Truman of Missouri fought for a national health care system together. It was a cause important to Congressman Dingell Sr. and has continued to be a cause Chairman DINGELL has championed. Chairman DINGELL has worked with eleven U.S. presidents spanning his career—a quarter of the 44 Presidents in the entire history of our country.

Today I am delighted that I can continue to tell friends and family that I have served with Chairman DINGELL and look forward to working with him to expand health care so that the more than 47 million Americans without health care can have the peace of mind that they and their loved ones will be cared for.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. KILDEE) that the House suspend the rules and agree to the resolution, H. Res. 154.

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. PETERS. 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 SIGNIFICANCE OF MERCED ASSEMBLY CENTER

Mr. COHEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 129) recognizing the historical significance of the Merced Assembly Center to the Nation and the importance of establishing an appropriate memorial at that site to serve as a place for remembering the hardships endured by Japanese-Americans, so that the United States remains vigilant in protecting our Nation's core values of equality, due process of law, justice, and fundamental fairness.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 129

Whereas, on February 19, 1942, President Franklin D. Roosevelt signed Executive Order No. 9066, authorizing the forced internment of both United States citizens and legal residents of Japanese ancestry during World War II;

Whereas in the largest single relocation of individuals in the history of our Nation, approximately 120,000 Japanese-Americans were forced into internment camps by the United States Government in violation of their fundamental constitutional rights;

Whereas due to this unjust internment, these Japanese-Americans faced tremendous hardships, such as family separation, the loss of their homes, businesses, jobs, and dignity;

Whereas following Executive Order No. 9066, Japanese-Americans in parts of Washington, Oregon, California, and southern Arizona were ordered to report to assembly centers before being removed to more permanent war relocation centers;

Whereas the Merced Assembly Center, located in Merced, California, was the reporting site for 4,669 Japanese-Americans;

Whereas as a young child, United States Congressman Mike Honda and his family were held at the Merced Assembly Center prior to being interned in Amache, Colorado, and his public career has been dedicated to educating and preventing this type of injustice from reoccurring;

Whereas in 1998, then Assembly member Mike Honda authored the World War II Internment of Japanese-Americans: California Civil Liberties Public Education Act, which became California public law in 1999 and serves as an important program to educate the public about the internment;

Whereas February 19th, the 67th anniversary of Executive Order No. 9066, is known as the Day of Remembrance;

Whereas the Merced Assembly Center Commemorative Committee has been charged with the task of establishing a memorial to recognize the historic tragedy that took place at the Merced Assembly Center; and

Whereas the unveiling ceremony for the memorial at the Merced Assembly Center will take place on February 21, 2009: Now, therefore, be it

Resolved, That the House of Representatives recognizes the historical significance of the Merced Assembly Center to the Nation and the importance of establishing an appropriate memorial at that site to serve as a place for remembering the hardships endured by Japanese-Americans, so that the United States remains vigilant in protecting our Nation's core values of equality, due process of law, justice, and fundamental fairness.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Tennessee (Mr. COHEN) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. COHEN. 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 Tennessee?

There was no objection.

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

Born of war hysteria and racial prejudice, Executive Order 9066, issued 2 months after the United States entered World War II, would come to represent a stain on America's reputation.

Pursuant to Executive Order 9066, 120,000 Japanese Americans were ordered to leave behind their entire lives, and bring only their bare necessities to an unknown place with an unknown future. They spent 3 long years in internment camps in Arizona, Northern and Central California, Wyoming, Utah, Colorado, Arizona, and Arkansas. And when the war ended and they attempted to return home, many found their houses looted. Others lost their homes to foreclosure in their absence, and many could not find jobs to feed and shelter their families.

One of those wrongly interned was our own Representative MIKE HONDA from California. He was a young boy when he and his family were ordered to report to the Merced Assembly Center in California, along with close to 5,000 other Japanese Americans. He and his family were sent from Merced to internment in Colorado.

Sadly, it took our government almost 50 years to formally apologize for this mistake and offer compensation to those who suffered through internment.

On August 10, 1988, the Civil Liberties Act was signed into law, offering an official apology for internment and authorizing payments of $20,000 to each person wrongfully interned.

Although there is hardly anything that can replace 3 years of freedom wrongfully lost to internment, an official apology and some compensation provided solace to those who had suffered and helped heal a Nation stained by this terrible mistake during World War II.

It is extremely important that this Nation never forget this dark chapter in American history so that it is never repeated. As part of that effort of remembrance, a memorial to that dark chapter is being placed at the Merced Center later this month. So today, with this resolution introduced by Representative DENNIS CARDOZA of California, we recognize the historical significance of the Merced Assembly Center to the United States, and the importance of that memorial being placed there as a pledge to national vigilance in protecting our core values of equality, due process of law, justice, and fundamental fairness. I strongly urge the House to support this resolution.

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 129, which recognizes the historical significance of the Merced Assembly Center to the memory of the internment of Japanese Americans during World War II.

Following the attack on Pearl Harbor on December 7, 1941, President Franklin Delano Roosevelt signed his Executive Order 9066, which authorized the internment of Japanese Americans. President Roosevelt took this action even though, as chief historian for the Army Stetson Conn said, ''The only responsible commander in the military who backed the War Department's mass evacuation plan was the President himself, the Commander in Chief.'' Even Attorney General Frances Biddle and FBI Director J. Edgar Hoover advised against this policy.

□ 1200

In 1942, President Roosevelt authorized the Army to evacuate more than 100,000 Japanese Americans from the Pacific coast States including Washington, Oregon, California and Arizona.

Interestingly, Mr. Speaker, many Japanese Americans loyally served in the United States military during World War II while their families were interned. This overbroad and unnecessary approach to maintaining America's security serves as a continuing reminder that the civil rights of American citizens should never be lost even in the mist of the chaos of war. Also, Mr. Speaker, this policy did not apply to German-Americans. Approximately 20 percent of the United States military during World War II were made up of Americans with German heritage. But German-Americans were not interned as Japanese Americans were.

Congress eventually enacted the Civil Liberties Act of 1988 in which it apologized on behalf of the Nation for the fundamental violations of the basic civil liberties and constitutional rights of these individuals of Japanese descent. President Ronald Reagan signed that act into law on August 10, 1988, proclaiming it ''a great day for America.''

Over 20 years later, we stand here today to renew our Nation's commitment to remember the past and shepherd its lessons into the future. Part of remembering those lessons is remembering some of the tragic details. One site in particular, the Merced Assembly Center, located in Merced, California, was the reporting site for almost 5,000 Japanese Americans during the war. As a young child, it has already been said, our colleague MIKE HONDA and his family were held at the Merced Assembly Center prior to being interned in Colorado. Since then, he has championed the cause of preventing this type of injustice from ever happening again.

The Merced Assembly Center serves as a symbol of America's stumbling. But our country has regained footing and has appropriately apologized for the tragic mistake of President Roosevelt and his Executive Order 9066. And it is reaffirming its commitment, through this resolution before us today, to never forget its mistakes lest they be repeated to the detriment of our children and our children's children.

I urge all my colleagues to join me in supporting this resolution.

I reserve the balance of my time.

Mr. COHEN. Mr. Speaker, I yield as much time as the gentleman from California (Mr. CARDOZA) may consume.

Mr. CARDOZA. Mr. Speaker, I rise today on this momentous occasion of honoring a great man, JOHN DINGELL. And as we do so, I remember another colleague who is no longer with us, Bob Matsui from California, whose wife, DORIS MATSUI, so ably serves with us today in remembering the work he did on the bill to establish reparations and to make sure that we never forget what happened in the past. President Roosevelt was a great President. He led us through a great war. But he did not do so without making some errors.

Mr. Speaker, as it has been said, February 19, 1942, on that day, President Roosevelt signed Executive Order 9066 setting in motion the forced relocation of 120,000 Japanese Americans. As a result, on May 7, 1942, all persons of Japanese ancestry were ordered to leave their homes and property, their farms, and take with them only what they could carry and report to a designated assembly center before 12 o'clock noon on Wednesday, May 13. This order was issued by the U.S. War Department and posted to telephone poles, store windows, placed across lawns of Japanese American's homes in Merced County, in my home city and throughout the West Coast.

Nearly 4,700 Japanese Americans from over seven counties reported to a structure that had been built in just 11 days at the Merced County fairgrounds in my district. They entered the assembly center not as Japanese Americans but as prisoners. Families were searched for weapons and surrounded by barbed wire. Armed guards watched over them as they settled in to makeshift housing. Mr. Speaker, no one had ever been accused of any crime, yet they were detained for over 131 days.

Among the victims of this unconscionable act was a young child and his family, someone very familiar to this Chamber, as has been mentioned. He was born of Japanese ancestry. His name is Congressman MIKE HONDA. And his family were among those assembled at the fairgrounds in Merced before taken to a more permanent internment camp in Colorado.

There were hundreds of other of my friends that I have gotten to know over

the years, also, that lost their farms from Livingston, California, from so many areas throughout the Central Valley. And it just pains me to remember how they lost so much during this relocation.

Each year, the Japanese American community comes together for a Day of Remembrance to reflect on the events that took place and to educate the community on the need to remain vigilant in protecting America's values of equality, justice, due process of law and fundamental fairness.

This February 21, the Merced Assembly Center Commemorative Committee will unveil a memorial on the fairgrounds to remember this time in our Nation's history and the unjust hardships faced by so many of our brothers and sisters. Mr. Speaker, I can also tell you that in that event there will be a lot of people thinking about our U.S. Constitution and reaffirming our devotion to it.

To my friend and colleague, Mr. HONDA, I want to say, I'm sorry this took so long. I have served with you for over 12 years. You have been my friend all that time. And I am just glad that we can honor you in this way now. To my friends back home in the Merced area and in the Nissei farming community, I want to say I'm sorry it took so long, but I am so proud that I am the person who is able to do this. You are truly great mentors to me and great friends to our community.

Mr. Speaker, there is no better time to come together as a community, to heal the wounds of our past and to reaffirm our commitment to preserving the fundamental values of our great Nation than today. I wish my friend, Bob Matsui, was here to pass this bill with us.

Mr. POE of Texas. Mr. Speaker, I yield 5 minutes to my fellow Texan, Mr. BARTON.

Mr. BARTON of Texas. Mr. Speaker, I thank the distinguished gentleman from Houston, Texas (Mr. POE).

Mr. Speaker, I first want to say I support this particular bill. And I will vote for it based on Mr. POE's recommendation.

But the real reason I'm here is that I'm getting a little bit frustrated on behalf of the American people of being shut out of the process. We have this suspension bill and then three or four others from the Science Committee this afternoon. We're basically treading water because a decision was made last night by our Speaker and the majority leader in the Senate and the President to lock down the stimulus conference. The Speaker apparently has a plane trip scheduled to leave to go to Italy on Friday at 6:00 and can't be bothered with an open and transparent process on spending in the neighborhood of $800 to $900 billion to theoretically stimulate the economy. And to put that number in perspective, that is larger than the entire economy of the nation of Australia. It is 20 years worth of State spending. The State budget of the State of Texas, which I represent, is the second largest in terms of population in the country, second only to California. You would think if we were going to spend that kind of money, and it is an issue of such importance, that we would have some sort of a process around here that would have input from everybody.

Well, the committee that I'm on, Energy and Commerce Committee, Chairman WAXMAN did hold a markup. But the Republican amendments that were accepted, most of them were stripped out when the bill came to the floor. They did allow a few Republican amendments on the bill that came to the floor. And one or two of those were accepted. It went to the Senate. The Senate has worked its will. We have come back here. And now we have a conference that has been appointed so-called, it is the ''no conference'' conference. It is not going to meet because the deal has been made. There are five Members from the House. There are five Members from the Senate. At some point in time, the two House Members, Mr. LEWIS, the senior Republican on the Appropriations Committee, and Mr. CAMP, the senior Republican on the Ways and Means Committee, are going to be given a report, probably just a document sheet, that says sign or don't sign, and oh, by the way, you can maybe offer minority views if you object.

There is no conference going on right now. There's nothing happening. And in the case of the committee that I'm on, for the first time that I can ever tell, we don't even officially have a conferree. Now Chairman WAXMAN is a conferree. And he should be. But as the ranking member, I'm not a conferee nor is the Health ranking Republican, Mr. DEAL, or Mr. STEARNS, the ranking Republican on the Telecommunications, or Mr. UPTON, the ranking member on Energy. This bill only spends $200 billion under the jurisdiction of the Energy and Commerce Committee. It's only $200 billion. But, again, there is not going to be a conference.

Now I think the American people have a right to know. I think there ought to be a real conference. I think there ought to be a transparent process. I think we can take an extra day or two. If Speaker PELOSI doesn't get to leave to go to Italy until Monday or Tuesday, Italy is still going to be there. The ruins in the Forum are still going to be there. Venice is still going to be there. Pompeii is still going to be there. I'm not sure where she is going in Italy.

But I just think it is wrong. Eight hundred billion dollars or $900 billion is a lot of money. There is a process. We just honored JOHN DINGELL of Michigan for the being the longest-serving Member. He believes in process. He believed in it when he was chairman. He believed in it when I became chairman of the Energy Committee. If he told me once, he told me 100 times, you have got to have regular order. You have got to have hearings. You have got to have subcommittee markups. You have got to have full committee. You have got to have markup. You have got to go to the Rules Committee. You have to make sure that the minority views are heard. And I believed him. That is one reason he has got such acclamation.

So we're here doing the suspension bill. The people who are sponsors of it, bless their hearts. It is a good thing to do. But there are a lot of other things that we ought to be doing, Mr. Speaker, and we're not doing them. The American people are in the dark. We've got the ''no-conference'' conference with no Republican input from the House side. And we've got to vote it before 6:00 o'clock Friday. I think that is a tragedy. It is a disservice to the American people.

Mr. COHEN. Mr. Speaker, we don't have any further speakers, and I would like to know if the minority has any speakers.

Mr. POE of Texas. I have one other speaker.

Mr. COHEN. Then we reserve the balance of our time, and we will return to the subject matter at hand.

Mr. POE of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman for speaking, and I certainly am going to support this bill.

All I have to say is here we are with high unemployment, with economic disaster happening, and yet we are spending time debating a bill which is going to pass by 435 votes. It is a good bill. It is a noncontroversial bill. It will pass. It should be voice voted. But why are we spending time to do this when we have millions of unemployed Americans and other people who are on the brink of getting laid off?

We have a stimulus bill that the Democrats are very proud about. It has about $830 billion price tag at the moment. It creates 3.7 million jobs. Now the Republican alternative is half the cost and twice the jobs. I want to repeat that. Twice the jobs and half the cost. It is a bill that targets small business job creation. It targets Main Street, not Washington, D.C., not Wall Street, but Main Street, so that the jobs could come from the bottom up rather than centralized bureaucratic governmental planning here in Washington, which failed in Moscow. It has failed everywhere else that the government thinks they know best.

The Democrat bill costs $280,000 per job in a country where the household income, on an average, is $50,000. Just 7 percent of this money goes to public works, roads, bridges, highways, things that actually put people to work with shovel-in-hand, only 7 percent of their money. And the nonpartisan Congressional Budget Office has determined that only 22 percent of the entire bill could be spent this year. So much for urgency.

And one interesting provision that now the Senate has rejected is the E-

Verify, the electronic verification language of the House that will make sure that the jobs go to legal American workers, now that might get thrown out. Boy, that is such a signal to our Americans. The Senate compromise continues the House folly of creating 32 net new Federal programs.

□ 1215

Some of the programs include $29 billion for weatherization, $1.2 billion for the National Science Foundation, $1.3 billion for NASA.

Now, remember, this is a jobs program. It's not a normal appropriations program. These things the Federal Government has a hand in. I understand that. But they're not job creation.

This bill has $200 billion in undisclosed, phantom earmarks, $200 billion which will be used for earmarks, but it won't be disclosed because decisions will be made by State and local government.

It contains about $8 billion for corporate welfare, by saying to telecommunication companies who want to expand broadband, we know you're doing that right now with your own money, but we want to give you the money to do that. In fact, there's even language in there that specifies the speed at which the broadband tax credits will be available, and there's only one company that will be eligible for that.

This bill rolls back the 10-year long welfare reform. It eliminates the back-to-work provision in welfare, and you don't have to necessarily land a job, you have to be searching for the job if you're able-bodied, and this bill eliminates that.

This bill creates a brand new program, $100 million to allow schools to buy new lunchroom equipment. Popcorn, anybody? Smoothies? Don't worry, the Federal Government will put the machine in the lunchroom near you.

And then $100 million for an ag disaster, even though we just passed a permanent agriculture disaster bill in the farm bill. This bill still goes out and puts another $100 million for it.

This bill doubles the annual budget for the Department of Energy. It goes from $23 billion to $40 billion.

This bill allows a new program which puts the Federal Government in charge of buying $300 million worth of electric cars like this. Now, I am a strong proponent of alternative energy, and I think that these cars have a purpose. But it doesn't belong in a jobs bill. We do not need that in a jobs bill at this point.

The list goes on. This bill has $4 million for a Federal high-performance green buildings office. This bill actually has language in there to study the private sector profits in the Northern Mariana Islands and American Samoa.

The SPEAKER pro tempore (Mr. PASTOR). The time of the gentleman has expired.

Mr. POE of Texas. I yield the gentleman 1 additional minute.

Mr. KINGSTON. Why is that money there? What is the interest of the Speaker with American Samoa and the Northern Mariana Islands? What is that about? Why would that be in a jobs bill? To study private sector profits? It makes no sense.

You know, our national debt right now is $10.6 trillion. We spend $450 billion each year just paying interest on the debt. That's almost as much as what we pay for the entire Department of Defense. We are letting the generation that's in charge rob from the next generation. That would be our kids.

You know, Democrats and Republicans have done a lousy job of controlling spending and, certainly, as a Republican, I want to say we have not done the job we should have done. But our worst deficit when we were in charge of Congress was $412 billion. This quarter, this quarter alone, the Democrats will exceed $1 trillion in deficit spending.

Ladies and gentlemen, we need to go back to the table. The Republican bill provides twice the jobs at half the cost.

Mr. COHEN. I would like to inquire if the minority has any additional speakers.

Mr. POE of Texas. We have two additional speakers.

Mr. COHEN. With the understanding that they don't have to be germane, but with my personal concern because I think this is a solemn moment honoring Japanese Americans interned during World War II and should be respected as such, I yield to the minority to continue.

I reserve my time to speak on this important resolution that recognizes a failing of our country and the fact that we apologized and we will find times to reflect on that error to the Japanese Americans and other minorities, and that this respectful moment should conclude with my remarks.

Mr. POE of Texas. May I inquire of the Speaker how much time I have left?

The SPEAKER pro tempore. The gentleman from Texas has 6 minutes.

Mr. POE of Texas. I yield 2 minutes to the gentleman from Kentucky (Mr. ROGERS).

(Mr. ROGERS of Kentucky asked and was given permission to revise and extend his remarks.)

Mr. ROGERS of Kentucky. Mr. Speaker, on the so-called stimulus bill, instead of engaging in constructive solutions to address the economic crisis gripping the Nation, the majority chooses to take advantage of it, using fear tactics to try and shame us into supporting an over $1 trillion spending package loaded with questionable programs that have nothing to do with getting the American people back to work.

At the end of January, the Federal debt stood at a whopping $10.6 trillion, a third of which was held by foreign nations, mainly and namely, Communist China. This month, the Treasury has already announced a record debt sale, thanks in part to our failed $700 billion Wall Street bailout. A staggering $941 billion was added to our children's tab this year alone, and with passage of this latest package, the Federal debt will reach a record $13 trillion by the end of fiscal 2009.

In the next few months, for the first time in world history, the United States will be offering for sale on the market upwards of $5 trillion worth of Treasury notes. Who's going to buy those notes? Will we have to raise interest to attract that capital? What happens when we raise interest rates? That means inflation takes over and the devaluation of the dollar continues unabated. That's what the result will be.

And while the majority celebrates over the so-called stimulus package, the effects of this bill will be the opposite: interest rates will soar, inflation will rise, the value of the dollar will plummet.

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

Mr. POE of Texas. I give the gentleman an additional 30 seconds.

Mr. ROGERS of Kentucky. The world has never seen a nation borrow so much money in the span of just a few months. Any temporary gains or glamorous headlines brought on by this stimulus bill will soon be forgotten when the recession deepens, and our children bear the long-term effects of a massive government spending spree.

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

Mr. POE of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. As we talk about this resolution that we're debating that's a resolution I support, I want to read the very last segment of this, in the resolve portion, where it says, ''so that the United States remains vigilant in protecting our Nation's core values of equality, due process of law, justice and fundamental fairness.'' I think it would be real helpful for a lot of people on the other side to go and read those statements and then look at what's happening with this massive $840 billion spending bill that's rolling through this Congress at breakneck speed, with no debate, no opportunity, as we're finding out, to have any real formal presentation of a conference report on a bill that's going to saddle our next generation and future generations with the most massive debt in this biggest spending bill in the history of our country.

And I think if we look, we're starting to hear today that one of the reasons that they're rolling with so much haste, much more important to them that they pass it quickly than that we get it right, and one of the reasons we're finding out is that some of the leadership are taking a vacation.

Now, I don't know about other Members, but I know people in my district

that are unemployed that are looking for jobs, would much rather see us spend the time, stay here, cancel the vacations, because many of them are canceling their vacations; make sure we spend the time to get it right. That's the most important thing to the American people.

And so as we look at this bill that we're debating, this resolution that talks about fundamental fairness, I think we need to be concerned about the fundamental fairness to the American people of getting it right. And we don't need to look back and figure out how to start over from scratch. History tells us that massive spending doesn't work. FDR's Treasury Secretary, in one of the largest spending bills in history, this bill, this spending bill that the administration's pushing through tops it. FDR's own Treasury Secretary said, we have tried spending money. We're spending more money than we ever have spent before and it does not work.

We need to take a different approach. There's a much better alternative on the table, and for whatever reason, some in the leadership don't even want to look at it. Let's take the time and get it right.

Mr. COHEN. Mr. Speaker, once again I inquire whether the minority has any more time or if they are going to yield.

Mr. POE of Texas. I'm prepared to close. We have no other speakers.

Mr. COHEN. I will reserve my time.

Mr. POE of Texas. I yield myself the balance of the time.

Mr. Speaker, I want to thank Mr. CARDOZA from California for bringing this bill to the House floor, and I agree with my friend from Tennessee (Mr. COHEN) that we need to refocus on the legislation presently before the House of Representatives. This bill brings a close to a long memory, a bad memory in the United States of the internment of Japanese Americans during World War II. We need to show all Americans, and in this case, Japanese Americans, the due respect that they are entitled to, as being American citizens. And that's why this resolution is very important to establish the Merced Center in California.

I yield back the balance of my time, and urge the adoption of this resolution.

Mr. COHEN. Mr. Speaker, first I would like to thank the honorable gentleman from Texas for his remarks and the bringing back to the purpose of this resolution and why we're here now.

It is, I understand, the rules of the House, and when one is in the minority, one takes the opportunity to have time on this floor to speak to the American people when they can. Although we just honored Mr. DINGELL, and one of the things we honored Mr. DINGELL for was his appropriateness and order and appreciation for the House and germaneness.

Now, I was a history major, Mr. Speaker, and maybe because of that I've got a certain perspective of these type of resolutions. I'm also Jewish, and being a minority, I've known discrimination in my life, and known discrimination against Jewish people all over this globe. And so, because this particular resolution recognizes a failing of our country in our efforts to become a more perfect union, and talks about the errors of the past in interning what shouldn't have to be hyphenated people, Japanese Americans, interning Americans in work camps and prison camps for 3 years, including one of our very own members, the Honorable MIKE HONDA. I find it a moment that should be dealt with with solemnity, and we should reflect on the errors of the past and understand that we can become a more perfect union if we remember those times and correct those injustices. This Congress did that in 1988, and now, in Merced, California, and this resolution talks about that, they are placing a marker to remind all Americans of the injustices that were done in World War II to Japanese Americans.

This Congress, in the 110th Congress, we recognized for the first time in our country's history, the errors of our ways in Jim Crow and slavery laws in this country and what we did to African Americans. There have been several incidents, with African Americans, with Japanese Americans, with American Indians, where this country has done wrong, but we've tried to correct those ways with apologies and with memorials.

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It is appropriate that this resolution by Mr. CARDOZA be brought and that it be considered and that it be passed. I am honored to speak in favor of it and ask that all Members vote in favor of it.

I know the other side did not mean to disrespect Japanese Americans or others who have been dishonored by errors in our country's past or, in fact, our country for taking such a noble step as to apologize, which a great country does, and the rules permit what they did. So I know they did not intend to do that, but I, as a history major and as a minority, feel somewhat concerned that Japanese Americans could feel that way.

Mr. Speaker, I am proud that this Congress in 1988 apologized. I am proud that this Congress apologized last year to African Americans. In order to become a more perfect union, we have to see our wrongs and try to correct them. The city of Merced, California, at the Merced Assembly Center, is trying to do that. They will be placing a marker, which Mr. CARDOZA, I am sure, will participate in and in this House of Representatives resolution which recognizes the significance of that with an appropriate marker to remember the hardships endured by Japanese Americans so that United States, the country and its citizens, remain vigilant in protecting our Nation's core values of equality, due process of law, justice, fundamental fairness, and respect for the process and for people.

I would like to ask that all Members vote in favor of H. Res. 129.

Mr. HONDA. Mr. Speaker, I rise today to express my support for H. Res. 129, a resolution which recognizes the historical significance of the Merced Assembly Center.

I want to thank my friend, Congressman DENNIS CARDOZA, for taking the initiative to introduce this resolution. The Merced Assembly Center is a meaningful piece of our nation's history, and it strikes a very personal chord with me. I am grateful and honored that Congressman CARDOZA asked to include me in this resolution.

Mr. Speaker, February 19th, known as the Day of Remembrance, marks the day in 1942 that President Franklin D. Roosevelt signed Executive Order 9066, which forced approximately 120,000 Japanese Americans into holding centers and subsequently internment camps. As February 19th approaches and we recognize the Day of Remembrance, we are again reminded of the lessons learned from this experience.

Internment changed the paths of many lives. Families were separated, relocated in some cases across the country, and property and businesses were lost. As some of my colleagues know, when I was a young child, my family was uprooted from California and I spent time at the Merced Assembly Center before moving to an internment camp in Amache, Colorado. This experience undoubtedly shaped my life and my career, as I have fought arduously to protect civil liberties in our nation, and make sure that no community experiences the discrimination and violation of rights that Japanese Americans did during World War II.

During my time in the California State Assembly, I authored AB1915, the World War II Internment of Japanese Americans: California Civil Liberties Public Education Act, which became California public law in 1999. This legislation provides competitive grants for public educational activities and the development of educational materials to ensure that the events surrounding internment will be remembered and taught.

As a former teacher, I place a high value on education in order to understand the mistakes our Government has made, and how we can learn from them. I firmly believe that through education, our Nation will improve itself and avoid making the same mistake twice.

The Merced Assembly Center Commemorative Committee is currently charged with establishing a memorial to recognize the historic tragedy that took place at the Merced Assembly Center. This Memorial, which will be unveiled on February 21, 2009, will also serve to educate our Nation that we are committed to healing historical wounds and replacing prejudice and fear with the American values of equality and justice.

Once again, Mr. Speaker, I commend my friend, Congressman CARDOZA, for his leadership on this resolution, for personally reaching out to me, and for rightfully recognizing the significance of the significance of the Merced Assembly Center.

Mr. COSTA. Mr. Speaker, I rise today in support of House Resolution 129, recognizing

the historical significance of the Merced Assembly Center in California, which will be unveiled February 21st 2009. I thank my distinguished colleague and fellow San Joaquin Valley Representative, DENNIS CARDOZA, for his leadership and perseverance on this issue.

As we all know, on February 19, 1942, President Franklin D. Roosevelt signed the Executive Order 9066 authorizing the forced internment of 120,000 Japanese Americans, placing tremendous hardship on the innocent that in many cases resulted in the loss of their jobs, businesses, property, and dignity. The Merced Assembly Center was the reporting site for 4,669 Japanese Americans, before they were removed to more permanent war relocation centers.

A dear friend of mine and a beloved Member of this body, Congressman MIKE HONDA, arrived at the Merced Assembly Center with his family as a young boy. As Japanese Americans, they were forced to endure years of hardship at an internment camp in Colorado. Congressman HONDA fought against the odds, and despite prejudice and adversity, has risen to become a great leader in this nation.

What once was a place of loss, hatred and fear now will be transformed into a place for remembrance, healing and hope. The Memorial would not be possible without the dedication, diligence and passion of my college and friend, Congressman DENNIS CARDOZA, and I commend him for his efforts to this end. I would also like to recognize the efforts of the Merced Assembly Center Commemorative Committee. Two years ago, the Pinedale Assembly Center Memorial Project established a similar memorial in Fresno County which recognizes the historic tragedy that took place at that site. Its been said that, "Those who cannot learn from history are doomed to repeat it." This memorial will help us learn.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and agree to the resolution, H. Res. 129.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL NANOTECHNOLOGY INITIATIVE AMENDMENTS ACT OF 2009

Mr. GORDON of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 554) to authorize activities for support of nanotechnology research and development, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 554

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 ''National Nanotechnology Initiative Amendments Act of 2009''.

SEC. 2. NATIONAL NANOTECHNOLOGY PROGRAM AMENDMENTS.

The 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501 et seq.) is amended—

(1) by striking section 2(c)(4) and inserting the following new paragraph:

''(4) develop, within 12 months after the date of enactment of the National Nanotechnology Initiative Amendments Act of 2009, and update every 3 years thereafter, a strategic plan to guide the activities described under subsection (b) that specifies near-term and long-term objectives for the Program, the anticipated time frame for achieving the near-term objectives, and the metrics to be used for assessing progress toward the objectives, and that describes—

''(A) how the Program will move results out of the laboratory and into applications for the benefit of society, including through cooperation and collaborations with nanotechnology research, development, and technology transition initiatives supported by the States;

''(B) how the Program will encourage and support interdisciplinary research and development in nanotechnology; and

''(C) proposed research in areas of national importance in accordance with the requirements of section 5 of the National Nanotechnology Initiative Amendments Act of 2009;'';

(2) in section 2—

(A) in subsection (d)—

(i) by redesignating paragraphs (1) through (5) as paragraphs (2) through (6), respectively; and

(ii) by inserting the following new paragraph before paragraph (2), as so redesignated by clause (i) of this subparagraph:

''(1) the Program budget, for the previous fiscal year, for each agency that participates in the Program, including a breakout of spending for the development and acquisition of research facilities and instrumentation, for each program component area, and for all activities pursuant to subsection (b)(10);''; and

(B) by inserting at the end the following new subsection:

''(e) STANDARDS SETTING.—The agencies participating in the Program shall support the activities of committees involved in the development of standards for nanotechnology and may reimburse the travel costs of scientists and engineers who participate in activities of such committees.'';

(3) by striking section 3(b) and inserting the following new subsection:

''(b) FUNDING.—(1) The operation of the National Nanotechnology Coordination Office shall be supported by funds from each agency participating in the Program. The portion of such Office's total budget provided by each agency for each fiscal year shall be in the same proportion as the agency's share of the total budget for the Program for the previous fiscal year, as specified in the report required under section 2(d)(1).

''(2) The annual report under section 2(d) shall include—

''(A) a description of the funding required by the National Nanotechnology Coordination Office to perform the functions specified under subsection (a) for the next fiscal year by category of activity, including the funding required to carry out the requirements of section 2(b)(10)(D), subsection (d) of this section, and section 5;

''(B) a description of the funding required by such Office to perform the functions specified under subsection (a) for the current fiscal year by category of activity, including the funding required to carry out the requirements of subsection (d); and

''(C) the amount of funding provided for such Office for the current fiscal year by each agency participating in the Program.'';

(4) by inserting at the end of section 3 the following new subsection:

''(d) PUBLIC INFORMATION.—(1) The National Nanotechnology Coordination Office shall develop and maintain a database accessible by the public of projects funded under the Environmental, Health, and Safety, the Education and Societal Dimensions, and the Nanomanufacturing program component areas, or any successor program component areas, including a description of each project, its source of funding by agency, and its funding history. For the Environmental, Health, and Safety program component area, or any successor program component area, projects shall be grouped by major objective as defined by the research plan required under section 3(b) of the National Nanotechnology Initiative Amendments Act of 2009. For the Education and Societal Dimensions program component area, or any successor program component area, the projects shall be grouped in subcategories of—

''(A) education in formal settings;

''(B) education in informal settings;

''(C) public outreach; and

''(D) ethical, legal, and other societal issues.

''(2) The National Nanotechnology Coordination Office shall develop, maintain, and publicize information on nanotechnology facilities supported under the Program, and may include information on nanotechnology facilities supported by the States, that are accessible for use by individuals from academic institutions and from industry. The information shall include at a minimum the terms and conditions for the use of each facility, a description of the capabilities of the instruments and equipment available for use at the facility, and a description of the technical support available to assist users of the facility.'';

(5) in section 4(a)—

(A) by striking ''or designate'';

(B) by inserting ''as a distinct entity'' after ''Advisory Panel''; and

(C) by inserting at the end ''The Advisory Panel shall form a subpanel with membership having specific qualifications tailored to enable it to carry out the requirements of subsection (c)(7).'';

(6) in section 4(b)—

(A) by striking ''or designated'' and ''or designating''; and

(B) by adding at the end the following: ''At least one member of the Advisory Panel shall be an individual employed by and representing a minority-serving institution.'';

(7) by amending section 5 to read as follows:

''SEC. 5. TRIENNIAL EXTERNAL REVIEW OF THE NATIONAL NANOTECHNOLOGY PROGRAM.

''(a) IN GENERAL.—The Director of the National Nanotechnology Coordination Office shall enter into an arrangement with the National Research Council of the National Academy of Sciences to conduct a triennial review of the Program. The Director shall ensure that the arrangement with the National Research Council is concluded in order to allow sufficient time for the reporting requirements of subsection (b) to be satisfied. Each triennial review shall include an evaluation of the—

''(1) research priorities and technical content of the Program, including whether the allocation of funding among program component areas, as designated according to section 2(c)(2), is appropriate;

''(2) effectiveness of the Program's management and coordination across agencies and disciplines, including an assessment of the effectiveness of the National Nanotechnology Coordination Office;

''(3) Program's scientific and technological accomplishments and its success in transferring technology to the private sector; and

''(4) adequacy of the Program's activities addressing ethical, legal, environmental, and other appropriate societal concerns, including human health concerns.

''(b) EVALUATION TO BE TRANSMITTED TO CONGRESS.—The National Research Council shall document the results of each triennial review carried out in accordance with subsection (a) in a report that includes any recommendations for ways to improve the Program's management and coordination processes and for changes to the Program's objectives, funding priorities, and technical content. Each report shall be submitted to the Director of the National Nanotechnology Coordination Office, who shall transmit it to the Advisory Panel, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Science and Technology of the House of Representatives not later than September 30 of every third year, with the first report due September 30, 2010.

''(c) FUNDING.—Of the amounts provided in accordance with section 3(b)(1), the following amounts shall be available to carry out this section:

''(1) $500,000 for fiscal year 2010.

''(2) $500,000 for fiscal year 2011.

''(3) $500,000 for fiscal year 2012.''; and

(8) in section 10—

(A) by amending paragraph (2) to read as follows:

''(2) NANOTECHNOLOGY.—The term 'nanotechnology' means the science and technology that will enable one to understand, measure, manipulate, and manufacture at the nanoscale, aimed at creating materials, devices, and systems with fundamentally new properties or functions.''; and

(B) by adding at the end the following new paragraph:

''(7) NANOSCALE.—The term 'nanoscale' means one or more dimensions of between approximately 1 and 100 nanometers.''.

SEC. 3. SOCIETAL DIMENSIONS OF NANOTECHNOLOGY.

(a) COORDINATOR FOR SOCIETAL DIMENSIONS OF NANOTECHNOLOGY.—The Director of the Office of Science and Technology Policy shall designate an associate director of the Office of Science and Technology Policy as the Coordinator for Societal Dimensions of Nanotechnology. The Coordinator shall be responsible for oversight of the coordination, planning, and budget prioritization of activities required by section 2(b)(10) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501(b)(10)). The Coordinator shall, with the assistance of appropriate senior officials of the agencies funding activities within the Environmental, Health, and Safety and the Education and Societal Dimensions program component areas of the Program, or any successor program component areas, ensure that the requirements of such section 2(b)(10) are satisfied. The responsibilities of the Coordinator shall include—

(1) ensuring that a research plan for the environmental, health, and safety research activities required under subsection (b) is developed, updated, and implemented and that the plan is responsive to the recommendations of the subpanel of the Advisory Panel established under section 4(a) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7503(a)), as amended by this Act;

(2) encouraging and monitoring the efforts of the agencies participating in the Program to allocate the level of resources and management attention necessary to ensure that the ethical, legal, environmental, and other appropriate societal concerns related to nanotechnology, including human health concerns, are addressed under the Program, including the implementation of the research plan described in subsection (b); and

(3) encouraging the agencies required to develop the research plan under subsection (b) to identify, assess, and implement suitable mechanisms for the establishment of public-private partnerships for support of environmental, health, and safety research.

(b) RESEARCH PLAN.—

(1) IN GENERAL.—The Coordinator for Societal Dimensions of Nanotechnology shall convene and chair a panel comprised of representatives from the agencies funding research activities under the Environmental, Health, and Safety program component area of the Program, or any successor program component area, and from such other agencies as the Coordinator considers necessary to develop, periodically update, and coordinate the implementation of a research plan for this program component area. In developing and updating the plan, the panel convened by the Coordinator shall solicit and be responsive to recommendations and advice from—

(A) the subpanel of the Advisory Panel established under section 4(a) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7503(a)), as amended by this Act; and

(B) the agencies responsible for environmental, health, and safety regulations associated with the production, use, and disposal of nanoscale materials and products.

(2) DEVELOPMENT OF STANDARDS.—The plan required under paragraph (1) shall include a description of how the Program will help to ensure the development of—

(A) standards related to nomenclature associated with engineered nanoscale materials;

(B) engineered nanoscale standard reference materials for environmental, health, and safety testing; and

(C) standards related to methods and procedures for detecting, measuring, monitoring, sampling, and testing engineered nanoscale materials for environmental, health, and safety impacts.

(3) COMPONENTS OF PLAN.—The plan required under paragraph (1) shall, with respect to activities described in paragraphs (1) and (2)—

(A) specify near-term research objectives and long-term research objectives;

(B) specify milestones associated with each near-term objective and the estimated time and resources required to reach each milestone;

(C) with respect to subparagraphs (A) and (B), describe the role of each agency carrying out or sponsoring research in order to meet the objectives specified under subparagraph (A) and to achieve the milestones specified under subparagraph (B);

(D) specify the funding allocated to each major objective of the plan and the source of funding by agency for the current fiscal year; and

(E) estimate the funding required for each major objective of the plan and the source of funding by agency for the following 3 fiscal years.

(4) TRANSMITTAL TO CONGRESS.—The plan required under paragraph (1) shall be submitted not later than 60 days after the date of enactment of this Act to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science and Technology of the House of Representatives.

(5) UPDATING AND APPENDING TO REPORT.—The plan required under paragraph (1) shall be updated annually and appended to the report required under section 2(d) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501(d)).

(c) NANOTECHNOLOGY PARTNERSHIPS.—

(1) ESTABLISHMENT.—As part of the program authorized by section 9 of the National Science Foundation Authorization Act of 2002, the Director of the National Science Foundation shall provide 1 or more grants to establish partnerships as defined by subsection (a)(2) of that section, except that each such partnership shall include 1 or more businesses engaged in the production of nanoscale materials, products, or devices. Partnerships established in accordance with this subsection shall be designated as ''Nanotechnology Education Partnerships''.

(2) PURPOSE.—Nanotechnology Education Partnerships shall be designed to recruit and help prepare secondary school students to pursue postsecondary level courses of instruction in nanotechnology. At a minimum, grants shall be used to support—

(A) professional development activities to enable secondary school teachers to use curricular materials incorporating nanotechnology and to inform teachers about career possibilities for students in nanotechnology;

(B) enrichment programs for students, including access to nanotechnology facilities and equipment at partner institutions, to increase their understanding of nanoscale science and technology and to inform them about career possibilities in nanotechnology as scientists, engineers, and technicians; and

(C) identification of appropriate nanotechnology educational materials and incorporation of nanotechnology into the curriculum for secondary school students at one or more organizations participating in a Partnership.

(3) SELECTION.—Grants under this subsection shall be awarded in accordance with subsection (b) of such section 9, except that paragraph (3)(B) of that subsection shall not apply.

(d) UNDERGRADUATE EDUCATION PROGRAMS.—

(1) ACTIVITIES SUPPORTED.—As part of the activities included under the Education and Societal Dimensions program component area, or any successor program component area, the Program shall support efforts to introduce nanoscale science, engineering, and technology into undergraduate science and engineering education through a variety of interdisciplinary approaches. Activities supported may include—

(A) development of courses of instruction or modules to existing courses;

(B) faculty professional development; and

(C) acquisition of equipment and instrumentation suitable for undergraduate education and research in nanotechnology.

(2) COURSE, CURRICULUM, AND LABORATORY IMPROVEMENT AUTHORIZATION.—There are authorized to be appropriated to the Director of the National Science Foundation to carry out activities described in paragraph (1) through the Course, Curriculum, and Laboratory Improvement program from amounts authorized under section 7002(c)(2)(B) of the America COMPETES Act, $5,000,000 for fiscal year 2010.

(3) ADVANCED TECHNOLOGY EDUCATION AUTHORIZATION.—There are authorized to be appropriated to the Director of the National Science Foundation to carry out activities described in paragraph (1) through the Advanced Technology Education program from amounts authorized under section 7002(c)(2)(B) of the America COMPETES Act, $5,000,000 for fiscal year 2010.

(e) INTERAGENCY WORKING GROUP.—The National Science and Technology Council shall establish under the Nanoscale Science, Engineering, and Technology Subcommittee an Education Working Group to coordinate, prioritize, and plan the educational activities supported under the Program.

(f) SOCIETAL DIMENSIONS IN NANOTECHNOLOGY EDUCATION ACTIVITIES.—Activities supported under the Education and Societal Dimensions program component area, or any

successor program component area, that involve informal, precollege, or undergraduate nanotechnology education shall include education regarding the environmental, health and safety, and other societal aspects of nanotechnology.

(g) REMOTE ACCESS TO NANOTECHNOLOGY FACILITIES.—(1) Agencies supporting nanotechnology research facilities as part of the Program shall require the entities that operate such facilities to allow access via the Internet, and support the costs associated with the provision of such access, by secondary school students and teachers, to instruments and equipment within such facilities for educational purposes. The agencies may waive this requirement for cases when particular facilities would be inappropriate for educational purposes or the costs for providing such access would be prohibitive.

(2) The agencies identified in paragraph (1) shall require the entities that operate such nanotechnology research facilities to establish and publish procedures, guidelines, and conditions for the submission and approval of applications for the use of the facilities for the purpose identified in paragraph (1) and shall authorize personnel who operate the facilities to provide necessary technical support to students and teachers.

SEC. 4. TECHNOLOGY TRANSFER.

(a) PROTOTYPING.—

(1) ACCESS TO FACILITIES.—In accordance with section 2(b)(7) of 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501(b)(7)), the agencies supporting nanotechnology research facilities as part of the Program shall provide access to such facilities to companies for the purpose of assisting the companies in the development of prototypes of nanoscale products, devices, or processes (or products, devices, or processes enabled by nanotechnology) for determining proof of concept. The agencies shall publicize the availability of these facilities and encourage their use by companies as provided for in this section.

(2) PROCEDURES.—The agencies identified in paragraph (1)—

(A) shall establish and publish procedures, guidelines, and conditions for the submission and approval of applications for use of nanotechnology facilities;

(B) shall publish descriptions of the capabilities of facilities available for use under this subsection, including the availability of technical support; and

(C) may waive recovery, require full recovery, or require partial recovery of the costs associated with use of the facilities for projects under this subsection.

(3) SELECTION AND CRITERIA.—In cases when less than full cost recovery is required pursuant to paragraph (2)(C), projects provided access to nanotechnology facilities in accordance with this subsection shall be selected through a competitive, merit-based process, and the criteria for the selection of such projects shall include at a minimum—

(A) the readiness of the project for technology demonstration;

(B) evidence of a commitment by the applicant for further development of the project to full commercialization if the proof of concept is established by the prototype; and

(C) evidence of the potential for further funding from private sector sources following the successful demonstration of proof of concept.

The agencies may give special consideration in selecting projects to applications that are relevant to important national needs or requirements.

(b) USE OF EXISTING TECHNOLOGY TRANSFER PROGRAMS.—

(1) PARTICIPATING AGENCIES.—Each agency participating in the Program shall—

(A) encourage the submission of applications for support of nanotechnology related projects to the Small Business Innovation Research Program and the Small Business Technology Transfer Program administered by such agencies; and

(B) through the National Nanotechnology Coordination Office and within 6 months after the date of enactment of this Act, submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science and Technology of the House of Representatives—

(i) the plan described in section 2(c)(7) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501(c)(7)); and

(ii) a report specifying, if the agency administers a Small Business Innovation Research Program and a Small Business Technology Transfer Program—

(I) the number of proposals received for nanotechnology related projects during the current fiscal year and the previous 2 fiscal years;

(II) the number of such proposals funded in each year;

(III) the total number of nanotechnology related projects funded and the amount of funding provided for fiscal year 2004 through fiscal year 2008; and

(IV) a description of the projects identified in accordance with subclause (III) which received private sector funding beyond the period of phase II support.

(2) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—The Director of the National Institute of Standards and Technology in carrying out the requirements of section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n) shall—

(A) in regard to subsection (d) of that section, encourage the submission of proposals for support of nanotechnology related projects; and

(B) in regard to subsection (g) of that section, include a description of how the requirement of subparagraph (A) of this paragraph is being met, the number of proposals for nanotechnology related projects received, the number of such proposals funded, the total number of such projects funded since the beginning of the Technology Innovation Program, and the outcomes of such funded projects in terms of the metrics developed in accordance with such subsection (g).

(3) TIP ADVISORY BOARD.—The TIP Advisory Board established under section 28(k) of the National Institute of Standards and Technology Act (15 U.S.C. 278n(k)), in carrying out its responsibilities under subsection (k)(3), shall provide the Director of the National Institute of Standards and Technology with—

(A) advice on how to accomplish the requirement of paragraph (2)(A) of this subsection; and

(B) an assessment of the adequacy of the allocation of resources for nanotechnology related projects supported under the Technology Innovation Program.

(c) INDUSTRY LIAISON GROUPS.—An objective of the Program shall be to establish industry liaison groups for all industry sectors that would benefit from applications of nanotechnology. The Nanomanufacturing, Industry Liaison, and Innovation Working Group of the National Science and Technology Council shall actively pursue establishing such liaison groups.

(d) COORDINATION WITH STATE INITIATIVES.—Section 2(b)(5) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501(b)(5)) is amended to read as follows:

''(5) ensuring United States global leadership in the development and application of nanotechnology, including through coordination and leveraging Federal investments with nanotechnology research, development, and technology transition initiatives supported by the States;''.

SEC. 5. RESEARCH IN AREAS OF NATIONAL IMPORTANCE.

(a) IN GENERAL.—The Program shall include support for nanotechnology research and development activities directed toward application areas that have the potential for significant contributions to national economic competitiveness and for other significant societal benefits. The activities supported shall be designed to advance the development of research discoveries by demonstrating technical solutions to important problems in such areas as nano-electronics, energy efficiency, health care, and water remediation and purification. The Advisory Panel shall make recommendations to the Program for candidate research and development areas for support under this section.

(b) CHARACTERISTICS.—

(1) IN GENERAL.—Research and development activities under this section shall—

(A) include projects selected on the basis of applications for support through a competitive, merit-based process;

(B) involve collaborations among researchers in academic institutions and industry, and may involve nonprofit research institutions and Federal laboratories, as appropriate;

(C) when possible, leverage Federal investments through collaboration with related State initiatives; and

(D) include a plan for fostering the transfer of research discoveries and the results of technology demonstration activities to industry for commercial development.

(2) PROCEDURES.—Determination of the requirements for applications under this subsection, review and selection of applications for support, and subsequent funding of projects shall be carried out by a collaboration of no fewer than 2 agencies participating in the Program. In selecting applications for support, the agencies shall give special consideration to projects that include cost sharing from non-Federal sources.

(3) INTERDISCIPLINARY RESEARCH CENTERS.—Research and development activities under this section may be supported through interdisciplinary nanotechnology research centers, as authorized by section 2(b)(4) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501(b)(4)), that are organized to investigate basic research questions and carry out technology demonstration activities in areas such as those identified in subsection (a).

(c) REPORT.—Reports required under section 2(d) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501(d)) shall include a description of research and development areas supported in accordance with this section, including the same budget information as is required for program component areas under paragraphs (1) and (2) of such section 2(d).

SEC. 6. NANOMANUFACTURING RESEARCH.

(a) RESEARCH AREAS.—The Nanomanufacturing program component area, or any successor program component area, shall include research on—

(1) development of instrumentation and tools required for the rapid characterization of nanoscale materials and for monitoring of nanoscale manufacturing processes; and

(2) approaches and techniques for scaling the synthesis of new nanoscale materials to achieve industrial-level production rates.

(b) GREEN NANOTECHNOLOGY.—Interdiciplinary research centers supported under the Program in accordance with section 2(b)(4) of the 21st Century Nanotechnology Research and Development Act (15

U.S.C. 7501(b)(4)) that are focused on nanomanufacturing research and centers established under the authority of section 5(b)(3) of this Act shall include as part of the activities of such centers—

(1) research on methods and approaches to develop environmentally benign nanoscale products and nanoscale manufacturing processes, taking into consideration relevant findings and results of research supported under the Environmental, Health, and Safety program component area, or any successor program component area;

(2) fostering the transfer of the results of such research to industry; and

(3) providing for the education of scientists and engineers through interdisciplinary studies in the principles and techniques for the design and development of environmentally benign nanoscale products and processes.

(c) REVIEW OF NANOMANUFACTURING RESEARCH AND RESEARCH FACILITIES.—

(1) PUBLIC MEETING.—Not later than 12 months after the date of enactment of this Act, the National Nanotechnology Coordination Office shall sponsor a public meeting, including representation from a wide range of industries engaged in nanoscale manufacturing, to—

(A) obtain the views of participants at the meeting on—

(i) the relevance and value of the research being carried out under the Nanomanufacturing program component area of the Program, or any successor program component area; and

(ii) whether the capabilities of nanotechnology research facilities supported under the Program are adequate—

(I) to meet current and near-term requirements for the fabrication and characterization of nanoscale devices and systems; and

(II) to provide access to and use of instrumentation and equipment at the facilities, by means of networking technology, to individuals who are at locations remote from the facilities; and

(B) receive any recommendations on ways to strengthen the research portfolio supported under the Nanomanufacturing program component area, or any successor program component area, and on improving the capabilities of nanotechnology research facilities supported under the Program.

Companies participating in industry liaison groups shall be invited to participate in the meeting. The Coordination Office shall prepare a report documenting the findings and recommendations resulting from the meeting.

(2) ADVISORY PANEL REVIEW.—The Advisory Panel shall review the Nanomanufacturing program component area of the Program, or any successor program component area, and the capabilities of nanotechnology research facilities supported under the Program to assess—

(A) whether the funding for the Nanomanufacturing program component area, or any successor program component area, is adequate and receiving appropriate priority within the overall resources available for the Program;

(B) the relevance of the research being supported to the identified needs and requirements of industry;

(C) whether the capabilities of nanotechnology research facilities supported under the Program are adequate—

(i) to meet current and near-term requirements for the fabrication and characterization of nanoscale devices and systems; and

(ii) to provide access to and use of instrumentation and equipment at the facilities, by means of networking technology, to individuals who are at locations remote from the facilities; and

(D) the level of funding that would be needed to support—

(i) the acquisition of instrumentation, equipment, and networking technology sufficient to provide the capabilities at nanotechnology research facilities described in subparagraph (C); and

(ii) the operation and maintenance of such facilities.

In carrying out its assessment, the Advisory Panel shall take into consideration the findings and recommendations from the report required under paragraph (1).

(3) REPORT.—Not later than 18 months after the date of enactment of this Act, the Advisory Panel shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science and Technology of the House of Representatives a report on its assessment required under paragraph (2), along with any recommendations and a copy of the report prepared in accordance with paragraph (1).

SEC. 7. DEFINITIONS.

In this Act, terms that are defined in section 10 of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7509) have the meaning given those terms in that section.

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

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. GORDON of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 554, the bill now under consideration.

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

There was no objection.

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

H.R. 554 is a bipartisan bill which I and Ranking Member HALL jointly introduced along with 20 additional Democratic and Republican cosponsors. H.R. 554 is the same legislation that the House passed by an overwhelming majority of 407–6 votes in the last Congress. I urge my colleagues to again support this legislation as it will strengthen our Nation's competitiveness in the rapidly advancing field of nanotechnology.

I want to begin by thanking my colleague Mr. HALL for working with me to craft this legislation. I also want to thank Dr. BAIRD and Dr. EHLERS, who have both been instrumental in the development of this bill. As well, I want to thank a former staff director, Jim Wilson, who recently retired but who played a major role in putting this bill together.

Finally, I want to thank all of the members of the Science and Technology Committee on both sides of the aisle for their contributions to this bill and for helping to move it expeditiously and unanimously through the committee last year, and I want to thank them for their support of the legislation again this year.

I would like to spend just a few moments reminding my colleagues as to why nanotechnology is important to the Nation and why we bring this bill before the House for approval today.

The term ''revolutionary technology'' has become a cliche, but nanotechnology truly is revolutionary. We stand at the threshold of an age in which materials and devices can be fashioned atom by atom to satisfy very specific design requirements. Nanotechnology-based applications that were not even imagined a decade ago are being developed today in our universities and in companies across the country. The range of potential applications for nanotechnology is broad, and it will have enormous consequence in electronics, materials, energy transformation, and storage, as well as in medicine and health. Indeed, the scope of this technology is so broad as to leave virtually no product untouched.

The Science and Technology Committee recognized that promise of nanotechnology early on, holding our first hearing a decade ago to review the Federal activities in the field. In 2003, the committee was subsequently instrumental in the development and in the enactment of the 21st Century Nanotechnology Research and Development Act, which authorized the multiagency National Nanotechnology Initiative, or the NNI, as it is called.

The NNI supports productive, cooperative research efforts across a spectrum of disciplines, and it is establishing a network of national facilities for the support of nanoscale research and development. The NNI now receives funding from 13 agencies, and it had a budget of $1.5 billion in fiscal year 2008, which represents a doubling of the budget over 5 years.

The cooperation and planning process among the participating agencies has been largely effective. Therefore, H.R. 554 does not substantially alter the NNI, but makes adjustments to some of the priorities of the program, and it strengthens one of its core components—environmental and safety research.

Nanotechnology is advancing rapidly. Currently, at least 800 products contain nanoscale materials. The successful development of nanotechnology-related products can only occur if the potential downsides of the technology are addressed from the beginning and in a straightforward and open way.

We know too well that negative public perceptions about the safety of a technology can have serious consequences for its acceptance and use. This has been the case with nuclear power and with genetically modified foods. From the beginning, the NNI has included research to understand the environmental and safety aspects of nanotechnology, and last year, the NNI formally developed a strategy for nanotechnology-related environmental and safety research. However, a National

Academies assessment found the strategy inadequate ''to gain public acceptance and realize the promise of nanotechnology.''

H.R. 554 addresses this concern by requiring that the NNI agencies develop a plan for the environmental and safety research component of the program, which includes explicit near-term and long-term goals, which specifies the funding required to reach those goals, which identifies the role of each participating agency, and which includes a roadmap for implementation.

The bill also assigns responsibility to a senior official at the Office of Science and Technology Policy to oversee this planning and implementation process and to ensure the agencies allocate the resources necessary to carry it out. A well-designed, adequately funded and effectively executed research program in this area is the essential first step to ensuring that sound science guides the formulation of regulatory rules and requirements. It will reduce the current uncertainty that inhibits the commercial development of nanotechnology, and it will provide a sound basis for future rulemaking.

Another key component of H.R. 554 that I want to highlight involves provisions in the bill aimed at capturing the economic benefits of nanotechnology. In 2007, $60 billion nano-enabled products were sold, and it is predicted that the number will rise to $2.6 trillion by 2014. Too often, the U.S. has been the leader in basic research, pushing the frontiers of science and technology, but has failed to commercialize those discoveries. To that end, H.R. 554 strengthens public-private partnerships by encouraging the creation of industry liaison groups to foster nanotechnology transfer and to help guide the NNI research agenda. The bill also promotes the use of nanotechnology research facilities to assist companies in the development of prototypes.

Additionally, to increase the relevance and value of NNI, the bill authorizes large-scale, focused, multiagency research and development initiatives in areas of national need. For example, such efforts could be organized around developing a replacement for the silicon-based transistor or by developing new nanotechnology-based devices for harvesting solar energy.

Lastly, the legislation addresses future STEM workforce needs by supporting the development of undergraduate courses in nanotechnology fields and by creating education partnerships between nanotechnology companies and secondary schools.

Mr. Speaker, nanotechnology will soon touch the lives of all Americans. It is already in our cell phones, cosmetics, paints, and refrigerators. It will soon help to protect the lives of our police officers and military servicemen, and it is showing promise in the treatment of cancer and in promoting wound healing. There is no doubt that the potential for this technology is vast.

The bill before us today has the support of many business, professional and higher education associations that recognize that H.R. 554 will enhance America's efforts in nanotechnology research and development, ensuring that nanotechnology is developed in a safe and environmentally benign way and ensuring that the Nation reaps the benefits of our research investment.

Mr. Speaker, I commend this bipartisan legislation to my colleagues, and urge their support for its passage by the House.

I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I rise today, of course, in support of H.R. 554, the National Nanotechnology Initiative Amendments of 2009.

This initiative was first named in the 2001 budget request, and it was made a priority by the previous administration. Last year, we created a necessary and responsible reauthorization bill for this important program. The House took an already good statute and improved it just a bit to streamline some administrative issues and to ensure that areas such as nanomanufacturing, education and environmental health and safety are adequately recognized. Unfortunately, the Senate did not act on it prior to adjournment, so we will try it again with the same bill this year.

Just what is ''nanotechnology,'' and why is it important?

Well, according to the NNI Web site, ''Encompassing nanoscale science, engineering and technology, nanotechnology involves imaging, measuring, modeling, and manipulating matter . . . at dimensions between 1 and 100 nanometers.''

Now, a nanometer is one-billionth of a meter. To put it into perspective, this piece of paper that I am reading from is 100,000-nanometers thick. It is 100,000 nanometers. The fact that our scientists and engineers can create and manipulate matter on that small of a scale to be used in electronic, biomedical, pharmaceutical, cosmetic, energy, catalytic, and materials applications is mind boggling. It is the kind of research and technology that makes the United States the leader in innovation.

It is important that we continue to make this area of research a national priority. There are numerous examples of nanotechnology being used today. Not only is it being used to create clean, secure energy, but its uses range from stain-free clothing to glare-resistant eyewear to car bumpers to improved tennis balls. Nanotechnology is also being utilized to cut down on drug counterfeiting and to improve computer capacity. The list is long, and the potential for nanotechnology at this time is endless.

Once again, I am pleased to join Chairman GORDON. He is a good chairman to work with. As well, the overwhelming majority of our committee members are good folks on both sides of the aisle. We do work together, and I am honored to be an original cosponsor of the NNI Amendments Act of 2009. This has been a bipartisan effort from the beginning. While we have made some changes to the program, I believe that, by and large, we have continued to give the NNI and all of the Federal agencies involved with it the flexibility needed to do their work without being overly prescriptive.

I support this measure, and I encourage my colleagues to do the same. Likewise, I hope my friends in the Senate will do a better job this year and will soon follow suit.

I reserve the balance of my time.

□ 1245

Mr. GORDON of Tennessee. Mr. Speaker, I thank my friend and ranking member, Mr. HALL.

I yield now 5 minutes to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. I thank the gentleman from Tennessee for yielding.

Mr. Speaker, today I rise in support of H.R. 554, reauthorizing the National Nanotechnology Initiative, the NNI.

I want to commend Chairman GORDON and Ranking Member HALL for their hard work in crafting this important bill and thank all of the Members on both sides of the aisle and the Science and Technology Committee for their hard work last year on quickly doing a great job getting this done, getting it to the floor where we passed it. Now, hopefully this year, as we move quickly—we're off to a quick start thanks to Chairman GORDON. We can finally get this reauthorization done this year.

I really firmly believe that nanotech represents one of the most important—if not the most important—technological keys to improving our Nation's future economic growth and improving our way of life.

Now, a lot of people don't know what nanotech is. I want to really thank Ranking Member HALL for his great and impressive tutorial he gave on what nanotech is. It may be one of the most important things that people could learn from listening to the floor today.

Nanotech is the next industrial revolution. It is so critical that we take the necessary steps in this reauthorization so that our country remains on the cutting edge of this revolution.

Nanotech has the potential to deliver many revolutionary advances, from energy efficient, low-emission ''green'' manufacturing systems, to inexpensive portable water purification systems that provide universal access to safe water.

Nanotechnology has the potential to impact every sector of our economy. In just 6 years, the global market for nanoscale materials and products is expected to reach $2.6 trillion and to be incorporated into 15 percent of the global manufacturing output.

The NNI has been effective in supporting productive, cooperative research efforts across a wide spectrum

of disciplines. The Initiative has established a network of state-of-the-art national facilities that are conducting groundbreaking work in nanoscale research and development. These centers of excellence have helped the U.S. lead the world in development and expansion of nanotechnology, leadership that has been vital to economic development and essential to the creation of innovative jobs leading to a stronger and more competitive America.

My home State of Illinois is one of the leaders in nanotech research. Many universities and businesses have become deeply invested through programs like the NNI. For example, my alma mater, Northwestern University, houses the Institute for Nanotechnology, which supports research and facilitates collaboration in solving major problems such as finding more precise ways to deliver chemotherapy, along with other medical applications of nanotech.

The Institute includes the Center for Nanofabrication and Molecular Self-Assembly, a multimillion-dollar research facility and one of the first federally funded centers of its kind. It helps foster partnerships to encourage researchers and entrepreneurs to become involved in this cutting-edge field, creating jobs and potential for entirely new industries.

Now, the reauthorization of the NNI includes three significant adjustments. First, it strengthens the planning and implementation of research on environmental health and safety aspects of nanotech ensuring that possible unintended impacts of nanotech products will not defeat the enormous promise of this technology. We need to make sure that people are confident in nanotech, and we need to make sure we can be confident in the safety of nanotech. That's one of the critical things that this reauthorization does with the NNI.

Second, it requires the NNI to place increased emphasis on technology transfer, which entails moving basic research results out of the lab and into commercial products. From my own experience in Illinois with our national labs and research universities, I know that technology transfer is not simple, but it is an important part of ensuring that R&D investments serve the public. Remember, we, the American people, are making these investments. We need to do everything we can that we have technology transfers, that everything that is found, everything developed, is something that we can bring to market.

And finally, this reauthorization creates new education programs to attract secondary school students to science and technology studies and to help prepare the nanotechnology workforce of tomorrow. As a former educator and as chairman of the Research and Science Education Subcommittee, I understand the vital role of education in promoting the success of individual Americans, and more broadly, the economic competitiveness of our Nation.

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

Mr. GORDON of Tennessee. I yield the gentleman 30 additional seconds.

Mr. LIPINSKI. The field of nanotechnology holds great promise for our future, and it's critical that we do all that we can to help ensure that America leads the way in nanotech innovation. H.R. 554 will place the U.S. in a key position to drive technology breakthroughs and go even further to ensuring our long-term competitiveness in the global economic marketplace.

Mr. Speaker, I encourage my colleagues to support the passage of H.R. 554, move this authorization forward and get this done this year so we can keep America moving forward on the cutting edge of this new revolution.

Mr. HALL of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Speaker, I thank the gentleman for yielding. And let me say to start with that I am in complete agreement, as approximately 407 of our Members-plus will be with the gentleman from Texas, the gentleman from Tennessee, and the gentleman from Illinois. I appreciate the work Mr. GORDON and Mr. HALL have done to get this bill to the floor.

In fact, Missouri State University, right next to my home in Springfield, has a leading project going on in nanotechnology. I think it is important. I was one of those 407 people that voted for this bill last year. I expect a vote for this bill today.

And as Mr. COHEN earlier said, as a Member of the minority, I want to talk about what we're not doing on the floor today. I want to talk about the fact that somewhere, while we're out here debating a bill where we'll spend $1 million a year that's already passed the House last year, 407–6, somewhere in this building—and that's significant because I don't know where it is and I don't think the Republican conferees, all two of them, know either—somewhere in this building, meetings are going on to decide how we spend $800 billion.

For $800 billion, if I could use the analogy that Mr. HALL used, if the thickness of this paper is 100,000 nanometers, the thickness of this paper is 100,000 nanometers, if you stacked these pieces of paper one on top of each other, 27½ feet high, you'd be at 800 billion nanometers.

So if pieces of paper represented $100,000, you'd have to be 27½ feet high to be to $800 billion. This is a huge amount of money. And later, if greater experts than me at nanotechnology figure out that it's only 26 feet, it's still a lot of money. It's $800 billion.

Last year when we worked together on a stimulus package—not the case this year—we said, the Speaker said, I said, others said, a stimulus package has to be timely, it has to be targeted, it has to be temporary. And I'd advance the idea that this is none of those. It's certainly not timely. Alice Rivlin said the other day—this is the former budget director for President Clinton—no more than one out of ten of these dollars can be spent this year. There are some other estimates that, well, maybe it's as high as two out of ten.

So my question is, why are we spending the other 80 or 90 percent as if it was a stimulus package as opposed to just something somebody in this building wants to do and in fact is going to do for a long time which comes to targeted.

I'd also suggest that more than anything else, this bill is a collection of what the new majority has wanted to do for a decade. I believe I could go through the debates of the House over the last 10 years and find virtually every single thing in this bill having been proposed some time during the last 10 years and we didn't do it because sometimes because the majority thought it was a bad idea, often because the majority at that time, the other side, my side, thought we just simply couldn't afford it.

And temporary? The last dollar to be spent in that bill wherever it's being developed is spent in 2019. Not timely, not temporary, not targeted. And if you're measuring it in money, lots of nanometers of money. In fact, the bill that we think we saw earlier the size of, the total cost per page of that bill was over $7 million. The total cost per word, rather, was $7 million. The total cost per page was $1.2 billion.

One thing the Congress will do in all likelihood this week is set a record that won't be challenged for a long time in how fast we can spend how much money. We're going to make nanotechnology look like it's an old science compared to the new technology of spending money.

So while we're debating this bill that absolutely will pass, that there is virtually unanimous agreement on, some group of people in the majority of the House and Senate is deciding what that big bill is going to look like. And believe me, most of us will have no idea what's in it the day we vote for it. It will be impossible to know, and only over the next 6 months when the American people find out what's in that bill, will Members of Congress begin to wish that they had not voted for the bill today and taken the time this kind of spending deserves.

Mr. GORDON of Tennessee. Mr. Speaker, I yield myself 3 minutes.

I want to just make my friend from Missouri feel better and let him know that at 3 o'clock today there is a bicameral, bipartisan conference that will be held. And so I just wanted to give him that comfort.

And now I want to yield the balance of my time to the gentlelady from Pennsylvania (Mrs. DAHLKEMPER), a very active and important member of the Science and Technology Committee.

Mrs. DAHLKEMPER. Mr. Speaker, I rise today in support of H.R. 554, the National Nanotechnology Initiative Amendments Act.

This legislation strengthens and provides transparency to Federal research and development efforts in understanding both the risks and promise associated with nanotechnology. While wanting to learn and apply advancements in nanotechnology to some of our Nation's most pressing challenges, we must also ensure that we are aware of any safety risks associated with the technology.

In the field of health care, one of the most promising developments in cancer treatments involve the placement of carbon nanotubes in cancerous tumors, subjecting them to radiowaves, which heat the cancer cells to the point of destruction yet spare the surrounding healthy cells. This unique treatment was conceived by my constituent John Kanzius and is now in active development.

I am pleased that this bill strengthens the public-private partnerships as this will help us leverage private sector investments underway in our communities for projects such as this.

H.R. 554 reaffirms our Nation's commitment to harnessing the promise of nanotechnology research for advancements in health care and beyond, while also strengthening our commitment to safety in all Federal research and development.

I am particularly proud to support this bill and urge my colleagues' support.

Mr. HALL of Texas. Mr. Speaker, I yield 2 minutes to Colonel PITTS, the gentleman from Pennsylvania.

Mr. PITTS. Thank you, Mr. Chairman. Thank you for yielding.

Mr. Speaker, I rise in support of H.R. 554 and the importance of nanotechnology. It's a very important part of our economy. It's an important part of health care. Our stimulus bill has a lot of things to do with our economy that this could be a part of. And so I'm glad we're taking time to recognize the importance of this.

An hour ago, we stood here honoring one of our colleagues, JOHN DINGELL, and his service as chairman of the Energy and Commerce Committee. And I just want to say he served with dignity. He was always fair to the minority. It was a pleasure to serve with him as chairman.

And the Energy and Commerce Committee is one of the three committees that has jurisdiction over this stimulus, this massive stimulus bill that's coming up later this week.

The gentleman from Tennessee mentioned there is a bipartisan conference today at 3 o'clock on this bill. The problem is there are only two Republicans. Not one Republican from Energy and Commerce, which has jurisdiction over a lot of this bill, is on this conference committee.

□ 1300

We spent 12 hours a week ago in marking up this bill, and then our amendments were promptly stripped out of the bill.

Debate has been limited. Literally in this case, we're not even given a seat at the table, with a Republican Member of this important committee of jurisdiction being included in the conference committee and negotiating the final bill.

We're barreling full steam ahead, railroading through Congress a trillion dollar massive spending bill that is masquerading as an economic stimulus bill, and I think on a day when we honor good men like JOHN DINGELL and his service, the kind of governance he has provided for so many years in this institution and with this committee that has jurisdiction, that it would be appropriate that we govern differently.

And I thank the gentleman.

Mr. GORDON of Tennessee. I reserve the balance of my time.

Mr. HALL of Texas. I yield the gentlelady from North Carolina (Ms. FOXX) 2 minutes.

Ms. FOXX. I thank the ranking member.

I am sure from hearing the speakers on the other side that this nanotechnology bill is worthwhile and that what we have gotten from nanotechnology in the past are very good results. But what we have to be looking at right now, because the major issue before us and before the people in this country is what's going to happen in this so-called stimulus bill.

I got a call a little while ago from a lady who wanted to know if what she had heard on the radio was true, that part of this bill is going to fund chips to go inside United States citizens so the government can track them. We frankly don't know what is going to be in this bill.

But what we do know is the Republicans have an alternative to this bill. And contrary to what the leadership on the Democratic side has been saying, it's not that Republicans don't want to do anything. We want to do things. We understand Americans are hurting. We understand that. But we want to do what's right, not waste American people's money on what fits.

You know, Rahm Emanuel said never waste a crisis, so go in and put in all this pork that we want to get passed that we can't get passed in other bills, put it in this and get it done. But that's not what Republicans want to do. We want to make sure the money is being spent well.

Here we have in this bill some things we know: $1,500 tax credit to anyone who purchases neighborhood electric vehicles. Those are also known as golf carts. So we are going to subsidize people to buy golf carts. We have a $750 million earmark for the National Computer Center. You know, the President says no earmarks. That's not true. There are plenty of earmarks in this bill. We have $275 million for flood prevention. How long have we known that we needed to prevent floods in certain areas of this country? Why are we using this bill for $100 million for lead paint hazard reduction?

This is the wrong bill for this country at this time.

Mr. HALL of Texas. I yield the gentleman from Illinois (Mr. SHIMKUS) 2 minutes.

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

Mr. SHIMKUS. Mr. Speaker, I thank the ranking member. It's good to be with my friend Mr. GORDON, who's the chairman.

Nanotechnology is a very important aspect. I know Newt Gingrich for years has talked about the benefits of nanotechnology.

Benefits, what this can do for current competitiveness and future competitiveness, I think a lot of people don't know because it's so small. That's why it's called nano. Water filtration, dental bonding agents, bumpers and catalytic converters on cars, protective and glare reducing coatings, burn and wound dressings. But other things, solar cells in roofing tiles and siding, tires that improve skid resistance, high performance footwear, automotive parts. I think it is very, very exciting.

I think this is something that if we were to move in a stimulus package that would be helpful would be putting money into nanotechnology. That's not what we're doing.

We are going to be putting more money into the repairing of three golf courses in the District of Columbia than we're going to be doing for putting money into nanotechnology. We're going to be putting more money into creating cafe table settings for lunch in the District of Columbia than we're going to be putting in nanotechnology. We are going to be putting more money into free spring lunch jazz concerts for people in the District of Columbia than we're going to be putting into nanotechnology.

The chairman of this committee also has the benefit of sitting on the great Energy and Commerce Committee. One of our issues of concern is the conference committee that I sat on on the energy bill in 2005, the much-maligned energy bill, was open. We had hearings. We had a markup.

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

Mr. HALL of Texas. I yield the gentleman an additional 30 seconds.

Mr. SHIMKUS. We actually had C–SPAN covering it. We had amendments offered by both sides. We had votes. We had discussions on the conference committee.

On this stimulus bill, there is none. It's going to be cut in the back rooms by 10 Members. There's 435 of us who are elected to represent this government here. Ten Members are going to decide what is in the bill, and we're going to end up with cafe tables for people to have lunch in D.C. instead of research into nanotechnologies.

Mr. HALL of Texas. Mr. Speaker, I recognize the chairman of the House Republican Conference, the gentleman

from Indiana (Mr. PENCE) for 3 minutes.

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

Mr. PENCE. House Republicans know we are in a serious recession. The American people are hurting, and despite the claims by some in the administration and some here on the House floor, House Republicans know that Congress must act and must act now to deal with this serious economic downturn affecting America's businesses and families.

Despite the accusations of some that Republicans want to do nothing, because somehow a choice between one party that wants to do something and another party that wants to do nothing, I was struck, Mr. Speaker, this morning when even the Washington Post called that allegation a straw man.

In fact, the choice before us here today is whether or not we will move the legislation that's now become a back-room deal that has the size and magnitude of the entire discretionary budget of the United States of America, whether we will move that bill without any input whatsoever from House Republicans.

But this is not an argument about who had their say. This is an argument about what would be the best solution to deal with these challenging economic times.

Republicans oppose this bill because this back-room deal is simply a long wish list of big government spending that won't work to put Americans back to work. It won't create jobs. The only thing it will stimulate is more government and more debt.

And it will probably do more harm than good, and it sounds from news reports at this point, Mr. Speaker, that the conferees on this committee have made this bad bill even worse. I'm hearing reports that modest tax relief in this bill has been reduced to pay for even more big government spending.

And the American people have a right to know what's in this bill. Yesterday, Republicans and Democrats came together and unanimously voted in this Chamber that when this bill was completed it would be posted on the Internet for a minimum of 48 hours for the American people to review it. The question today is, will the House majority keep their promise to the American people and post the legislation, that is about to be imminently revealed to this Nation, on the Internet to be carefully examined? The American people have a right to know what's in this bill.

And I believe with all my heart that the more they know, the more they will agree that Republicans have a better solution. Rather than more government, more debt and more spending, Republicans want to take half the amount of money that the majority wants to spend and use it for fast-acting tax relief for working families and small businesses.

Using the economic analysis of the Obama administration, the Republican plan would create twice the jobs at half the cost. We simply believe we have a better solution.

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

Mr. GORDON of Tennessee. Mr. Speaker, let me just close by again giving my friend some comfort to know that at 3 o'clock today there's going to be a bicameral, bipartisan conference, conferees appointed by the Speaker for the Democrats and by Mr. BOEHNER for the Republicans. We all look forward to steady progress.

And I will finally close by again thanking Mr. HALL for his help as well in putting together this good, bipartisan bill.

Mr. HONDA. Mr. Speaker, I rise today in support of H.R. 554, the National Nanotechnology Initiative Amendments Act.

I commend Chairman BART GORDON and the other members of the Science and Technology Committee, on which I am proud to have once served, for the hard work and thoughtful consideration that went into this bill. I am pleased that this bill includes numerous provisions that I originally proposed in my own legislation, the Nanotechnology Advancement and New Opportunities (NANO) Act, H.R. 820.

Nanotechnology has the potential to create entirely new industries and radically transform the basis of competition in other fields, and I am proud of my work with former Science Committee Chairman Sherwood Boehlert on the Nanotechnology Research and Development Act of 2003 to foster research in this area.

But one of the things policymakers have heard from experts is that while the United States is a leader in nanotechnology research, our foreign competitors are focusing more resources and effort on the commercialization of those research results than we are.

Both H.R. 554 and my own bill would focus America's nanotechnology research and development programs on areas of national need such as energy , health care, and the environment, and have provisions to help assist in the commercialization of nanotechnology.

In recent months, there has been much discussion about potential health and safety risks associated with nanotechnology. Uncertainty is one of the major obstacles to the commercialization of nanotechnology—uncertainty about what the risks might be and uncertainty about how the federal government might regulate nanotechnology in the future. Both my bill and H.R. 554 require the development of a nanotechnology research plan that will ensure the development and responsible stewardship of nanotechnology.

Other important areas that are addressed by both H.R. 554 and H.R. 820 include: the development of curriculum tools to help improve nanotechnology education; the establishment of educational partnerships to help prepare students to pursue postsecondary education in nanotechnology; support for the development of environmentally beneficial nanotechnology; and the development of advanced tools for simulation and characterization to enable rapid prediction, characterization and monitoring for nanoscale manufacturing.

I am also pleased that H.R. 554 will require that the NNI Advisory Panel must be a stand-alone advisory committee. This is a concept I originally proposed in 2002 in the Nanoscience and Nanotechnology Advisory Board Act (H.R. 5669 in the 107th Congress).

I would like to thank the members of the Blue Ribbon Task Force on Nanotechnology (BRTFN), a panel of California nanotechnology experts with backgrounds in established industry, startup companies, consulting groups, non-profits, academia, government, medical research, and venture capital that I convened with then-California State Controller Steve Westly during 2005, for the important recommendations included in its report, Thinking Big About Thinking Small, many of which are reflected in the bill we are considering today. I would also like to thank Scott Hubbard, who was the Director of the NASA Ames Research Center at that time and who served as working chair of the BRTFN, and all of the staff at Ames whose hard work made the task force run so well and helped produced a great report. The report is available on my Web site at http://honda.house.gov/issues/links/brtfn_report_final.pdf.

Again, I congratulate the Science and Technology Committee and Chairman GORDON for their work on this bill and thank them for incorporating so many of the provisions from my bill into H.R. 554, and I urge my colleagues to support this important legislation to reauthorize the nation's nanotechnology research and development program.

Mr. SMITH of Texas. Mr. Speaker, I strongly support H.R. 554—"The National Nano-technology Initiative Amendments Act."

This legislation supports research and innovation in the field of nanotechnology and strengthens the National Nanotechnology Initiative (NNI) by adding provisions to encourage nanotechnology education, studies, and economic development.

Whether it's medical research, military systems, or energy advancements, nano-technology plays a vital role in our lives today and will help drive innovation for tomorrow.

We see nanotechnology used in computers and other nano-electronics, as well as a wide variety of products from landmine detectors to water filtration systems to sunscreens.

The future of nanotechnology is limitless. Nanotechnology will pave the way for significant advances in many fields, including medical diagnostics, automotive performance, and solar energy.

In short, nanotechnology is the convergence of 21st century science and technologies. It is proof that small technology can have a huge impact in the world.

This legislation helps ensure that American companies have the resources they need to further develop nanotechnology, which will help American businesses remain on the cutting edge of technology and drive the American economy.

I want to thank Chairman GORDON and Ranking Member HALL for their work in bringing this bipartisan legislation to the Floor today.

I urge my colleagues to support H.R. 554.

Mr. GORDON of Tennessee. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. GORDON) that the House suspend the rules and pass the bill, H.R. 554.

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.

WATER USE EFFICIENCY AND CONSERVATION RESEARCH ACT

Mr. GORDON of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 631) to increase research, development, education, and technology transfer activities related to water use efficiency and conservation technologies and practices at the Environmental Protection Agency.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 631

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 ''Water Use Efficiency and Conservation Research Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Between 1950 and 2000, the United States population increased nearly 90 percent. In that same period, public demand for water increased 209 percent. Americans now use an average of 100 gallons of water per person each day. This increased demand has put additional stress on water supplies and distribution systems, threatening both human health and the environment.

(2) Thirty-six States are anticipating local, regional, or statewide water shortages by 2013. In addition, climate change related effects are expected to exacerbate already scarce water resources in many areas of the country.

(3) The Intergovernmental Panel on Climate Change's 2007 assessment states that water stored in glaciers and snow cover is projected to decline, reducing water availability to one-sixth of the world's population that relies upon meltwater from major mountain ranges. The Intergovernmental Panel on Climate Change also predicts droughts will become more severe and longer lasting in a number of regions.

(4) Water conservation should be a national goal and the Environmental Protection Agency should work with nongovernmental partners to achieve that goal. The Environmental Protection Agency should support the research, development, and dissemination of technologies and processes that will achieve greater water use efficiency.

(5) WaterSense is a voluntary public-private partnership program established by the Environmental Protection Agency to promote water efficiency by helping consumers identify water-efficient products and practices. The Environmental Protection Agency estimates that if all United States households installed water-efficient appliances, the country would save more than 3,000,000,000,000 gallons of water and more than $17,000,000,000 per year.

(6) The WaterSense program has developed a network of partners, and therefore can disseminate the results of research on technologies and processes that achieve greater water use efficiency.

SEC. 3. RESEARCH PROGRAM.

(a) IN GENERAL.—The Assistant Administrator for Research and Development of the Environmental Protection Agency (in this Act referred to as the ''Assistant Administrator'') shall establish a research and development program consistent with the plan developed under section 4 that promotes water use efficiency and conservation, including—

(1) technologies and processes that enable the collection, storage, treatment, and reuse of rainwater, stormwater, and greywater;

(2) water storage and distribution systems;

(3) behavioral, social, and economic barriers to achieving greater water use efficiency; and

(4) use of watershed planning directed toward water quality, conservation, and supply.

(b) CONSIDERATIONS.—In planning and implementing the program, the Assistant Administrator shall consider—

(1) research needs identified by water resource managers, State and local governments, and other interested parties; and

(2) technologies and processes likely to achieve the greatest increases in water use efficiency and conservation.

(c) MINORITY SERVING INSTITUTIONS.—In the execution of this program, the Assistant Administrator may award extramural grants to institutions of higher education and shall encourage participation by Minority Serving Institutions.

SEC. 4. STRATEGIC RESEARCH PLAN.

(a) IN GENERAL.—The Assistant Administrator shall coordinate the development of a strategic research plan (in this Act referred to as the ''plan'') for the water use efficiency and conservation research and development program established in section 3 with all other Environmental Protection Agency research and development strategic plans.

(b) PLAN CONTENTS.—The plan shall—

(1) outline research goals and priorities for a water use efficiency and conservation research agenda, including—

(A) developing innovative water supply-enhancing processes and technologies; and

(B) improving existing processes and technologies, including wastewater treatment, desalinization, and groundwater recharge and recovery schemes;

(2) identify current Federal research efforts on water that are directed toward meeting the goals of improving water use efficiency, water conservation, or expanding water supply and describe how such efforts are coordinated with the program established in section 3 in order to leverage resources and avoid duplication; and

(3) consider and utilize, as appropriate, recommendations in reports and studies conducted by Federal agencies, the National Research Council, the National Science and Technology Council, or other entities in the development of the plan.

(c) SCIENCE ADVISORY BOARD REVIEW.—The Assistant Administrator shall submit the plan to the Science Advisory Board of the Environmental Protection Agency for review.

(d) REVISION.—The plan shall be revised and amended as needed to reflect current scientific findings and national research priorities.

SEC. 5. TECHNOLOGY TRANSFER.

The Assistant Administrator, building on the results of the activities of the program established under section 3, shall—

(1) facilitate the adoption of technology and processes to promote water use efficiency and conservation; and

(2) collect and disseminate information, including the establishment of a publicly accessible clearinghouse, on technologies and processes to promote water use efficiency and conservation, including information on—

(A) incentives and impediments to development and commercialization;

(B) best practices; and

(C) anticipated increases in water use efficiency and conservation resulting from the implementation of specific technologies and processes.

SEC. 6. ADVANCED WATER EFFICIENCY DEVELOPMENT PROJECTS.

(a) IN GENERAL.—As part of the program under section 3, the Assistant Administrator shall carry out at least 4 projects under which the funding is provided for the incorporation into a building of the latest water use efficiency and conservation technologies and designs. Funding for each project shall be provided only to cover incremental costs of water-use efficiency and conservation technologies.

(b) CRITERIA.—Of the 4 projects described in subsection (a), at least 1 shall be for a residential building and at least 1 shall be for a commercial building.

(c) PUBLIC AVAILABILITY.—The designs of buildings with respect to which funding is provided under subsection (a) shall be made available to the public, and such buildings shall be accessible to the public for tours and educational purposes.

SEC. 7. REPORT.

Not later than 18 months after the date of enactment of this Act, and once every 2 years thereafter, the Assistant Administrator shall transmit to Congress a report which details the progress being made by the Environmental Protection Agency with regard to—

(1) water use efficiency and conservation research projects initiated by the Agency;

(2) development projects initiated by the Agency;

(3) outreach and communication activities conducted by the Agency concerning water use efficiency and conservation; and

(4) development and implementation of the plan.

SEC. 8. WATER MANAGEMENT STUDY AND REPORT.

(a) STUDY.—

(1) REQUIREMENT.—The Administrator of the Environmental Protection Agency shall enter into an arrangement with the National Academy of Sciences to complete a study of low impact and soft path strategies for management of water supply, wastewater, and stormwater.

(2) CONTENTS.—The study shall—

(A) examine and compare the state of research, technology development, and emerging practices in other developed and developing countries with those in the United States;

(B) identify and evaluate relevant system approaches for comprehensive water management, including the interrelationship of water systems with other major systems such as energy and transportation;

(C) identify priority research and development needs; and

(D) assess implementation needs and barriers.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall transmit to the Committee on Science and Technology of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the key findings of the study conducted under subsection (a). The report shall evaluate challenges and opportunities and serve as a practical reference for water managers, planners, developers, scientists, engineers, non-governmental organizations, Federal agencies, and regulators by recommending innovative and integrated solutions.

(c) DEFINITIONS.—For purposes of this section—

(1) the term ''low impact'' means a strategy that manages rainfall at the source using uniformly distributed decentralized micro-scale controls to mimic a site's predevelopment hydrology by using design

techniques that infiltrate, filter, store, evaporate, and detain runoff close to its source; and

(2) the term ''soft path'' means a general framework that encompasses—

(A) increased efficiency of water use;

(B) integration of water supply, wastewater treatment, and stormwater management systems; and

(C) protection, restoration, and effective use of the natural capacities of ecosystems to provide clean water.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator of the Environmental Protection Agency for carrying out this section $1,000,000 for fiscal year 2010.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Assistant Administrator for carrying out this Act $20,000,000 for each of the fiscal years 2010 through 2014.

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

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. GORDON of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 631, the bill under consideration.

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

There was no objection.

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

I rise today in support of H.R. 631, the Water Use Efficiency and Conservation Act, and I would like to thank Congressman JIM MATHESON for introducing this important legislation. I would also like to thank my colleagues on the Science and Technology Committee for their unanimous support in making this a good, bipartisan bill.

Water scarcity is a significant and growing problem in the United States and around the world. Americans use an average of 100 gallons of water per person each day, which results in a daily water use of approximately 26 billion gallons of water.

This increase demand has put additional stress on water supplies and distribution systems, threatening the environment and constraining economic activity.

Imbalances between supply and demand, combined with the degradation of ground water and surface water, negatively impact all regions of the country and all facets of life.

The biggest and cheapest source of water to meet our Nation's growing water demands is the water currently wasted by inefficient water practices.

Conserving water provides significant cost savings for water and wastewater systems. Water efficiency and reuse programs help water suppliers avoid, downsize and postpone expensive infrastructure projects.

H.R. 631 establishes a research and development program within the Environmental Protection Agency Office of Research and Development to promote water-use efficiency and conservation.

Through this program, EPA will be able to develop and encourage the adoption of technologies and processes that will achieve greater water-use efficiency, thus helping to address the water supply shortages.

In addition, H.R. 631 directs EPA to disseminate information on current water-use efficient technologies and conservation practices. Broad dissemination of this information will facilitate wider usage of these proven technologies and practices.

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In order to meet the water demands of the 21st century, we need innovative solutions to maximize our available resources. Again, I want to thank my colleagues on the Science and Technology Committee for their bipartisan support and collaboration on this legislation, and I urge all Members to support this bill.

I reserve the balance of my time.

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

According to the American Water Works Association, an international nonprofit scientific and educational organization, daily indoor per capita water consumption in a typical single family home is about 70 gallons. By installing more efficient water fixtures and checking for leaks, single family homes can reduce their daily per capita water consumption by, we are told, 35 percent.

Now, while some of these technologies are already on the market and being used, many water-saving ideas have not gotten past the research phase for lack of a coordinated Federal research program. While the Environmental Protection Agency is charged with protecting water sources, EPA's research and development program is not comprehensive or rationally organized and does not address water efficiency and conservation.

H.R. 631 establishes a research and development program for water efficiency technologies and conservation at the EPA. It instructs the Assistant Administrator of the Office of Research and Development to develop a single coordinated research plan.

EPA is tasked with using recommendations and existing reports from the National Academies and the National Science and Technology Council in the development of the plan. The EPA should develop a comprehensive strategic research plan for technologies that embodies our national priorities, particularly water efficiency and water conservation.

Mr. Speaker, at a time when our Nation is facing water shortages, we just can't afford to fall behind on technological research and development. We need to invest resources so that we can better manage water shortages in the future. I urge all of my colleagues to support H.R. 631.

I reserve the balance of my time.

Mr. GORDON of Tennessee. I yield myself 1 minute.

Mr. Speaker, Chairman OBERSTAR of the Transportation and Infrastructure Committee has worked cooperatively with us on this legislation, and I would like to ask that an exchange of letters between us regarding H.R. 631 be placed in the RECORD.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, February 11, 2009.

Hon. BART GORDON,

Chairman, Committee on Science and Technology, House of Representatives, Washington, DC.

DEAR CHAIRMAN GORDON: I write to you regarding H.R. 631, the ''Water Use Efficiency and Conservation Research Act.'' This legislation authorizes the Environmental Protection Agency to establish a research and development program to promote water use efficiency and conservation technologies and practices.

H.R. 631 contains provisions that fall within the jurisdiction of the Committee on Transportation and Infrastructure. I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I will not seek a sequential referral of the bill. However, I agree to waive consideration of this bill with the mutual understanding that my decision to forego a sequential referral of the bill does not waive, reduce, or otherwise affect the jurisdiction of the Committee on Transportation and Infrastructure over H.R. 631.

Further, the Committee on Transportation and Infrastructure reserves the right to seek the appointment of conferees during any House-Senate conference convened on this legislation on provisions of the bill that are within the Committee's jurisdiction. I ask for your commitment to support any request by the Committee on Transportation and Infrastructure for the appointment of conferees on H.R. 631 or similar legislation.

Please place a copy of this letter and your response acknowledging the Committee on Transportation and Infrastructure's jurisdictional interest in the Congressional Record during consideration of the measure on the House Floor.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

JAMES L. OBERSTAR, M.C.,

Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE AND TECHNOLOGY,

Washington, DC, February 11, 2009.

Hon. JAMES L. OBERSTAR,

Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR CHAIRMAN OBERSTAR: Thank you for your February 11, 2009 letter regarding H.R. 631, the Water Use Efficiency and Conservation Research Act. Your support for this legislation and your assistance in ensuring its timely consideration are greatly appreciated.

I agree that provisions in the bill are of jurisdictional interest to the Committee on Transportation and Infrastructure. I acknowledge that by forgoing a sequential referral, your Committee is not relinquishing its jurisdiction and I will fully support your

request to be represented in a House-Senate conference on those provisions over which the Committee on Transportation and Infrastructure has jurisdiction in H.R. 631. A copy of our letters will be placed in the Congressional Record during consideration of the bill on the House floor.

I value your cooperation and look forward to working with you as we move ahead with this important legislation.

Sincerely,

BART GORDON,
Chairman.

I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. RADANOVICH).

Mr. RADANOVICH. Mr. Speaker, the bill before us calls for the efficient use of water, and I think that is a very, very good goal. One place that water is not being efficiently used by the environmental community is in my district back in California. Due to drought conditions and the abuse of the Endangered Species Act, which is placing the needs of fish over the needs of farmers, the agriculture economy in our region stands to lose over 40,000 jobs and over $1 billion in revenue.

Considering the bleak outlook for California's economy, one would think that this so-called economic stimulus legislation might do something to address this problem. Further, one might also think that if there was a way to address this problem without spending one dime of the taxpayers' money, this stimulus plan would include that option.

In fact, there is a way to save those 40,000 jobs in my district, and billions of dollars in lost income, at no cost. Just temporarily suspend the Endangered Species Act as it applies to the pumps in the Sacramento San Joaquin Delta Pumps.

But does this stimulus plan include that proposal? Of course not. Because the stimulus plan is not stimulus at all—it is a big spending bill of gigantic proportions. Heaven forbid that our friends on the other side of the aisle would try to save jobs without spending money.

Instead, we are spending money: $4 billion per year on the voter fraud organization called ACORN. How can this be considered stimulus? Instead, we are going to spend barely 1 day passing a trillion-dollar stimulus bill that spends nearly $300 million to purchase golf carts. Maybe the majority feels that the country club community are the people who are really hurting right now.

This bill only sends our country and our children deeper and deeper in debt, and the special interest spending contained within it are not in America's best interest. Please join me in voting ''no'' on this bill.

Mr. GORDON of Tennessee. I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Water infrastructure is important. And certainly I see in the stimulus bill, at least the version that the House passed, that there will be investment in that infrastructure. And I think it's probably a good thing, although there's a budgetary process, an appropriation process, an authorization process, called WRDA, where the same thing could be done, and in an appropriate way where we can have appropriate discussions on that merit.

What I have learned today during the 15-minute break I had to eat lunch is that there is now a deal that has been reached between the Speaker's office and the majority leader of the Senate's office on the stimulus bill—the conference.

We always knew or anticipated that the whole process was just going to be rammed down the throats of the Members of Congress and that, in all likelihood, the conference was going to be the Speaker's office and Harry Reid, the Senate majority leader's office.

Yesterday, they came out and said, We are going to have a conference. Even called our majority leader and said we are actually going to let two Republicans on the conference committee. Of course, none have been appointed. And, evidently, the deal has already been sealed, and now there's going to be some faux meeting, probably just for the television cameras to come out and display how great this process is, when the reality is not one opportunity has been given to the Republicans to be part of this process to talk about a stimulus plan that, yes, is different than the Pelosi-Reid-Obama stimulus plan that was put before this House and in a slightly different version in the Senate.

I think that we should be afforded the opportunity to at least discuss the merits of our stimulus plan that is different, is philosophically different, because what we say is instead of growing government and programs, we want to stimulate the growth of business, particularly small businesses. And so we have got a laundry list of tax breaks or relief and regulatory relief that would be focused on small businesses so they cannot only retain their employees but, hopefully, even grow.

Several economists have looked at our plan in comparison to the Pelosi-Reid-Obama-endorsed plan.

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

Mr. HALL of Texas. I yield the gentleman 1 additional minute.

Mr. TERRY. Thank you.

And those economists have said, when they have compared the two bills, the Republican one and the one that we are going to have rammed down our throats in the next day or two, if they give it 48 hours from now, that ours will be half the cost to the taxpayers, but yet create a million and a half new private sector jobs. Yet, we haven't even had the opportunity to have an open debate about which plan is better, even though we were promised that earlier.

So, what we are left with is to rifle through a monstrous bill where we have uncovered money being funded to ACORN, door-to-door activities to find the 1.2 million people in the United States who evidently haven't bought their DTV converter box—$650 million for that—and a health committee that is going to second-guess physicians. We need the opportunity to be heard and to show sunlight on this process.

Mr. GORDON of Tennessee. Mr. Speaker, I yield myself 30 seconds.

I want to give some comfort to my friend from Nebraska. The Republicans did have an opportunity to offer a substitute, which they did, on the floor, when the original bill came up, and it was rejected on a bipartisan vote. So I just want to bring that up.

I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. INGLIS).

Mr. INGLIS. I thank the gentleman for yielding.

Back to the nanotechnology bill for a moment. This bill is a good bill, and I wanted to congratulate the chairman, Mr. GORDON, for something that he said earlier in this debate about the need to help the public understand new technology.

Of course, use the example of nuclear power. In South Carolina, we use nuclear power very effectively. It does take some education to get people comfortable with the concept. The same with nanotechnology. An important part of this bill, I think, is enabling the public to begin to understand nanotechnology—all of us to understand nanotechnology.

It's a little bit difficult. But, as we do, we get more comfortable with it, the uses of the technology, the safe uses of that technology will benefit us and will drive, hopefully, an increase in productivity within our economy.

And that brings me, of course, to the other discussion that is going on here today about how to get the economy going. What is the best way to accomplish this sort of thing long term?

In this nanotechnology bill we are taking good steps that the House is wise to take. In the stimulus package I wish we were doing the same sort of things. I wish that we were setting up a trajectory forward where we are going to have higher productivity out of this economic downturn. The risk that we have got is what we are going to do is simply spend some money that we borrow, which means that we pile on the debt, and the result is that we don't really get the growth we are looking for because the growth will be eaten up in inflation and perhaps a risk of hyperinflation once this debt really comes to be digested by our economy.

So, the hope that I have is that we could actually come up with the same sort of approach we are using here in this nanotechnology bill, a collaborative approach, where we have Republicans and Democrats working together to accomplish something good for the long-term benefit of our economy and our country.

In the case of the stimulus, what we have is not that process. We have sort of the opposite, where this basically compromise, which is a zero sum game, as opposed to collaboration, which uses the strengths of both parties to come together and solve problems that America faces.

So, it's with excitement that I vote for the nanotechnology bill. It's with real disappointment that I vote against the stimulus package.

I thank the gentleman for yielding.

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

Mr. GORDON of Tennessee. Mr. Speaker, I urge passage of this bipartisan bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. GORDON) that the House suspend the rules and pass the bill, H.R. 631.

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.

□ 1330

SUPPORTING THE GOALS AND IDEALS OF NATIONAL ENGINEERS WEEK

Mr. GORDON of Tennessee. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 117) supporting the goals and ideals of National Engineers Week, and for other purposes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 117

Whereas engineers use their professional, scientific, and technical knowledge and skills in creative and innovative ways to fulfill society's needs;

Whereas engineers have helped meet the major technological challenges of our time—from rebuilding towns devastated by natural disasters to designing an information superhighway that will speed our country into the future;

Whereas engineers are a crucial link in research, development, and demonstration and in transforming scientific discoveries into useful products, and we will look more than ever to engineers and their knowledge and skills to meet the challenges of the future;

Whereas engineers play a crucial role in developing the consensus engineering standards that permit modern economies and societies to exist;

Whereas the 2006 National Academy of Sciences report entitled ''Rising Above the Gathering Storm'' highlighted the worrisome trend that fewer students are now focusing on engineering in college at a time when increasing numbers of today's 2,000,000 United States engineers are nearing retirement;

Whereas the National Society of Professional Engineers through National Engineers Week and other activities is raising public awareness of engineers' significant, positive contributions to societal needs;

Whereas National Engineers Week activities at engineering schools and in other forums are encouraging our young math and science students to see themselves as possible future engineers and to realize the practical power of their knowledge;

Whereas National Engineers Week has grown into a formal coalition of more than 70 engineering, education, and cultural societies, and more than 50 major corporations and government agencies;

Whereas National Engineers Week is celebrated during the week of George Washington's birthday to honor the contributions that our first President, a military engineer and land surveyor, made to engineering; and

Whereas February 15 to 21, 2009, has been designated by the President as National Engineers Week: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of National Engineers Week and its aims to increase understanding of and interest in engineering and technology careers and to promote literacy in math and science; and

(2) will work with the engineering community to make sure that the creativity and contribution of that community can be expressed through research, development, standardization, and innovation.

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

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. GORDON of Tennessee. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on H. Res. 117, the resolution now under consideration.

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

There was no objection.

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

I rise in support of House Resolution 117, supporting the goals and ideals of National Engineers Week. And I would first like to thank my colleague, Mr. LIPINSKI from Illinois, for introducing this resolution. As one of the only handful of engineers in Congress, Mr. LIPINSKI has and will continue to be a strong advocate for engineers and engineering on the Science and Technology Committee and here in the Congress.

As the sponsor of the bill, I now yield the balance of my time to the gentleman from Illinois (Mr. LIPINSKI).

The SPEAKER pro tempore. Without objection, the gentleman from Illinois will control the time.

There was no objection.

Mr. LIPINSKI. Mr. Speaker, I thank the chairman for yielding, and I rise today in support of H. Res. 117, supporting the goals and ideals of the National Engineers Week.

As an engineer, I am proud to sponsor this resolution again honoring National Engineers Week, and I would like to thank the gentleman from Michigan (Mr. EHLERS) for working with me on this resolution and on so many other important issues. Mr. EHLERS and I are the cochairs of the STEM Ed, the Science, Technology, Engineering and Math Caucus. STEM Ed is really critical to the future of our country and the future of American technology and leadership in the world. And promoting STEM Ed, especially in engineering, is a big part of what National Engineers Week is all about.

I want to begin by sharing a few statistics: Three hours, 44 percent, and 45,000 teachers. Three hours is the average amount of weekly science instruction currently received by early elementary school students in the United States, 3 hours; 44 percent of districts cut the time devoted to elementary science education since the enactment of No Child Left Behind; and, at the end of 2000, the last year that we have good statistics for, 45,000 math and science teachers left the teaching profession.

Couple these statistics with the projection that, by 2012, about 46 percent of all engineering jobs could become vacant due to retirement by the aging workforce, and it becomes clear we need a renewed emphasis on educating and exciting America's youth about engineering and science.

Next week is the 18th annual Engineers Week, a week which features events aimed at educating youth and fostering public awareness about the vital contributions made by engineers to our quality of life and our economic prosperity. Through programs like the Future City Competition, Introduce a Girl to Engineering Day, and the first robotics competition, the National Engineers Week Foundation confronts the challenge of plugging the leaky pipeline and encouraging more students to pursue careers in engineering. We lose far too many students through this leaky pipeline, and we are not producing enough engineers right now through our educational system.

Engineers Week comprises numerous events. For example, students learn the value of teamwork as they work in groups to develop creative and practical solutions to some of the most important problems facing our world. Projects like designing future cities make engineering come alive for students, planting a seed that can lead to further studies or a career in engineering. Indeed, research shows that children's early experiences with science and engineering are a stronger prediction of long-lasting interest in science fields than aptitude tests.

I can attest that my own childhood experiences with science and engineering captivated me. As a child growing up in Chicago, I was fascinated with figuring out how mechanical devices worked. I remember that my high school calculus and physics teachers at St. Ignatius, Father Thul and Father Fergus, were the ones who helped mold this childhood fascination into an interest in engineering.

As a child, I also remember going to the Museum of Science and Industry. I

remember touring the coal mine exhibit. I remember seeing the enormous train set teaching about trains and setting out the tracks and about how locomotives work. I remember all the exhibits there, and how much that excited and captivated me. And all these experiences instilled in me the knowledge, confidence, and intellectual curiosity needed to pursue an undergraduate degree in mechanical engineering at Northwestern University and then a master's degree in engineering from Stanford. One of the central goals of National Engineers Week is to provide this kind of inspiration for the next generation of students.

Engineers have played a critical role throughout our history, and there are numerous challenges facing our world that require immediate engineering solutions, including developing American energy independence, finding solutions to confront global climate change, and making our Nation more secure. We need to make sure that our country remains capable of designing, planning, and building these projects. We need to help grow the next generation of talent by removing the social, educational, and economic barriers that deter young students from careers in engineering and technology. Now more than ever we need to recognize the many contributions that engineers have made to our country and the role that they must continue to play if we are to remain competitive in an increasingly connected global economy.

Mr. Speaker, I would like to again thank the gentleman from Michigan (Mr. EHLERS), I would like to thank Ranking Member HALL, as well as the 37 other cosponsors of H. Res. 117. I would like to especially thank the engineers who have contributed so much to America. I urge my colleagues to pass this resolution.

I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, H. Res. 117 supports the goals and ideals of National Engineers Week, which will be celebrated this year in just a few days, starting on February 15.

The National Society of Professional Engineers established one of America's oldest professional outreach efforts, National Engineers Week, in the year 1951.

During this week coming up, a wide range of activities are planned in order to increase the understanding of and the interest in engineering and technology careers, and to promote K–12 literacy in math and science. Among these activities is the Future City competition, which has engaged more than 30,000 middle school students in more than 1,000 schools across the Nation to tackle water conservation issues. The finals for this competition will be held during National Engineers Week.

Introduce a Girl to Engineering Day is another activity during the week, intended to help spark enthusiasm for science and engineering in our daughters and our granddaughters. Currently, less than 20 percent of engineering undergraduates are women, and only 10 percent of our professional engineering workforce is women.

These activities and many others will also highlight the contributions that engineers have made to our society. The innovation path that our country has trail blazed would not be possible without the work of engineers. From designing satellites to help us predict the weather to creating bandages that don't hurt when you pull them off, engineers play a role in nearly every facet of our lives. It is essential that we capitalize on opportunities such as National Engineers Week to raise awareness of the valuable work and contributions of engineers to society, and to attract young people of all ages to this very rewarding profession.

I commend the corporate sponsors of the week, who recognize that their future depends on our engineers of tomorrow. I support the goals and ideals of National Engineers Week, and I urge my colleagues to join me in this support.

NATIONAL ENGINEERS WEEK CORPORATE SPONSORS

3M; Bechtel Group Foundation; Bentley; Boeing; BP; CH2MHill; Conoco Phillips; DuPont; ExxonMobil; Fluor; Hitachi; IBM; Intel; Lockheed Martin; Motorola; Northrop Grumman; Raytheon's Math Moves; Rockwell Collins; Symantec.

I reserve the balance of my time.

Mr. GORDON of Tennessee. I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Mr. Speaker, I commend the House today for taking up the important issue of engineers.

I was talking just recently in my district in Michigan; we are hit incredibly hard, 11 percent unemployment and growing.

A single mom, college educated, lost her job. She was a marketing manager for a large retailer, went to work for a small cafe. She found out last week her hours are being cut because they didn't have enough traffic. It is pretty difficult for her to even make ends meet. We just got an announcement that 10,000 General Motors white collar employees will be out by May 1. Some of them will be engineers. It is incredibly devastating.

And when you think about what we are talking about today and how important it is laid over the fact that we are having a discussion about the most massive spending bill in the history of the United States, these people are hurting. And if I could for just one minute look in their eyes and say, ''This is the bill that will save you and your children's future,'' I could be on board. But what we are telling them is that it is more important for fancy golf carts here for bureaucrats in Washington, D.C., billions of dollars spent in this town, in this town, when people living in places like Lansing and Howell and Brighton, Michigan, and Holt are fighting to keep their jobs today.

And, by the way, I am going to have to go to that eighth grade class and say, you know, we are going to go to the market for the first time in American history with something on the order of $2.6 trillion. And do you know what that means for you? Maybe you can't get a loan for a car that you would like to buy some day. You probably will be crowded out when you are trying to get a student loan, or paying maybe double digit, close to 20 percent interest. Your milk will be more expensive, your bread will be more expensive. And, guess what. We will have the most massive debt in the United States history to show for it.

So if we want to encourage people to go into engineering, and I think we should, we ought do smart things. And, oh, by the way, something else in this bill for our engineers.

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

Mr. HALL of Texas. I yield the gentleman an additional 1 minute.

Mr. ROGERS. I thank the gentleman.

If you do really great stuff and you innovate our way out of this problem and we start using less energy and become more energy independent, guess what. In this bill, it says: Utility companies, to make up the difference, you can charge your customers more.

So you know what, people who are losing their job, go out and buy really fancy light bulbs that save you money. And when you do, the utility gets to come in and charge you more for your electricity.

This is a sham and it is unconscionable what we are doing to real working Americans. I would hope, Mr. Speaker, that we would take a moment to stop and think about the people that we are impacting. This isn't about a political victory. It is about people who right today are getting pink slips from General Motors. Or maybe they already have, and are hoping and praying that they will get a chance at a job in the future.

This bill is wrongheaded. It is dangerous to the future of this country. And we are telling our children: Guess what, we are sentencing you to debtors prison, and foreign governments are going to be the jailers. Good luck.

Mr. GORDON of Tennessee. I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I yield 2 minutes to the gentlelady from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, you know, I find it amazing that we are in the middle of a debate of a good resolution. We are all for engineers. We like the innovation and the creativity that they bring forward. But, Mr. Speaker, what we are faced with is, is this the appropriate time for this type discussion? Or, is the time now to try to read through this, let's see, 1,500 pages that we have had laid before us? The spending bill that is masquerading under the title of stimulus, when we are told by the Congressional Budget Office that, at best, 10 percent of this bill would be spent this year?

We know that stimulus is to be timely, it is to be targeted. But we also know that this bill is going to spend money for 10 years. And I will tell you what. It is of great concern to me that our children and our grandchildren are the ones that are going to be paying for this, because we are heaping on their head another $1.2 trillion. And that doesn't include the interest, another $1.2 trillion of debt.

Now, I am told that this bill spends, per page, $1,206,185,569 per page.

□ 1345

That is how much is being spent in this legislation that has not gone through regular order, that has not been debated. All the programmatic spending that is in here, there is not time for that. And we are hearing one of the reasons is because there are codels that are leaving at 6 o'clock on Friday. Now a codel is a congressional delegation.

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

Mr. HALL of Texas. I yield the gentlewoman 1 additional minute.

Mrs. BLACKBURN. So because we have to hurry up and finish and get to recess, we can't get inside the numbers and figure out what we're going to do with this bill.

Now some of it we have found out, if you're into golf carts, there is $300 million for green golf carts. We have also $125 million for sewers in D.C. We have $500 million for NASA exploration activities. We have $2 billion for FutureGen. We have $70 million for an energy-efficient visitors centers program.

These are all items that may be worthy of standing on their own merit. The problem is this is not a stimulus bill. It is a spending bill. It has become the biggest pork barrel bill that we have ever seen. It is full of special interest earmarks and favors that will go to specific industries.

I urge everyone to vote ''no'' on this, and I urge us to take our time to debate.

Mr. GORDON of Tennessee. I yield 2 minutes to my friend from Oregon.

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me to speak on this resolution as I appreciate his leadership in these areas.

As I listened to my colleague a moment ago conclude her comments, one could be confused a little bit about why we are here. We are here celebrating the engineering profession. But it is interesting in the context of stimulating the economy and rebuilding and renewing America the role that our engineers have played. Just last week, the American Society of Civil Engineers introduced their report card. Every 5 years they provide a snapshot of the role that infrastructure plays in this country. Last week, their report card graded infrastructure in the United States as a D. And the gap of meeting the infrastructure needs just for the next 5 years has increased from $1.6 trillion to $2.2 trillion.

I have appreciated over the years working with the engineering profession. One of the most rewarding portions of my career was 10 years as Portland, Oregon's Commissioner of Public Works, where working with people in the engineering profession to deal with long-term value, environmental protection, and the infrastructure for transportation, safety, environmental protection are invaluable.

For us to take a little time recognizing on the floor of the House the role that this profession has played in helping us do our job, if each Member of this body would spend time at home working with their local engineers, thinking about the challenges that they face with clean air, clean water and transportation in their own communities, they would have greater confidence in coming back and supporting a robust economic stimulus package, but one that deals with the future of this country.

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

Mr. GORDON of Tennessee. I yield the gentleman 1 additional minute.

Mr. BLUMENAUER. I hope that people take the time to listen to the men and women who are working with local business and with local governments to understand the fix that we are in. If we're ever going to restore a robust economy and prepare with protecting the future of the planet while we deal with the liveability of our communities now and making our families safe, healthy and economically secure, it will be in large measure because we're able to link with and to utilize the power of this profession, people who are there working with us to try and get it right.

So I rise in support of this resolution. I salute the engineers that I have had the privilege to work with over the years. And I strongly urge my colleagues not just to vote for the resolution, but to go home and work with and listen to the engineers at home, because they have got a prescription for restoring our economy, rebuilding America's future and making all our families safer, healthier and more economically secure.

Mr. HALL of Texas. Mr. Speaker, I yield my neighbor from Louisiana (Mr. FLEMING) 2 minutes.

Mr. FLEMING. From my neck of the woods, north Louisiana, we have quite a number of engineers. And right now I'm very concerned about engineers because of our current economic situation. President Obama just mentioned that his stimulus bill is better than no bill at all. However, I have to point out that we Republicans have submitted H.R. 470, which is a far better version and far more stimulative. We talk in increments of billions and trillions of dollars, $1 billion here, $100 million there. But I want to put a real face on the stimulus bill. A few days ago, we were contacted by Michael Moss, a constituent. He is a small business owner in Shreveport, Louisiana. Michael is 51. He owns a financial services business that has been operating in our community for over 30 years. Michael called and asked, where is the bailout for his small business? Everybody else is getting a bailout. He employs six hardworking Louisianans. And they work themselves to death. Also he employs elderly parents who rely on him or his business for their income. Michael doesn't own a jet plane. Yet he gets no bailout. He owns a used Ford Explorer instead. He doesn't own a home. He merely rents one. But he is still working his small business. He discussed the stimulus package. And what he is saying is, look, the small businesses are creating the jobs and need the help. Small businesses create jobs so families have stable incomes in order to go out and spend. He suggests, and I agree with him, that we need to expedite depreciation schedules, eliminate capital gains tax and eliminate payroll deductions immediately. Remember that we make plans based on what we expect our tax situation to be, especially my fellow business owners. We know that the tax returns are going to be there, and we go ahead and plan to spend the money.

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

Mr. GORDON of Tennessee. I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I yield back the balance of my time. We have no further requests.

Mr. GORDON of Tennessee. Again, I urge and encourage support for this bipartisan good bill and resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. GORDON) that the House suspend the rules and agree to the resolution, H. Res. 117.

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

Mr. GORDON of Tennessee. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PRODUCED WATER UTILIZATION ACT OF 2009

Mr. GORDON of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 469) to encourage research, development, and demonstration of technologies to facilitate the utilization of water produced in connection with the development of domestic energy resources, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 469

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 ''Produced Water Utilization Act of 2009''.

SEC. 2. DEFINITIONS.

In this Act:

(1) PRODUCED WATER.—The term ''produced water'' means water from an underground source that is brought to the surface as part of the process of exploration for or development of coalbed methane, oil, natural gas, or any other substance to be used as an energy source.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

SEC. 3. PURPOSES.

(a) IN GENERAL.—The Secretary shall carry out under this Act a program of research, development, and demonstration of technologies for environmentally sustainable utilization of produced water for agricultural, irrigational, municipal, and industrial uses, or other environmentally sustainable purposes. The program shall be designed to maximize the utilization of produced water in the United States by increasing the quality of produced water and reducing the environmental impacts of produced water.

(b) PROGRAM ELEMENTS.—The program under this Act shall address the following areas, including improving safety and minimizing environmental impacts of activities within each area:

(1) Produced water recovery, including research for desalination and demineralization to reduce total dissolved solids in the produced water.

(2) Produced water utilization for agricultural, irrigational, municipal, and industrial uses, or other environmentally sustainable purposes.

(3) Re-injection of produced water into subsurface geological formations to increase energy production.

(c) PROGRAM ADMINISTRATION.—To carry out the purposes under this Act, the Secretary may enter into an agreement with a consortium whose members have collectively demonstrated capabilities and experience in planning and managing research, development, demonstration, and commercial application programs for unconventional natural gas and other petroleum production and produced water utilization.

(d) ACTIVITIES AT THE NATIONAL LABORATORIES.—The Secretary, through the appropriate National Laboratory, shall carry out a program of research, development, and demonstration activities complementary to and supportive of the research, development, and demonstration programs under subsection (b).

SEC. 4. CONSULTATION AND COORDINATION.

(a) CONSULTATION.—In carrying out this Act, the Secretary shall consult with the Secretary of the Interior and the Administrator of the Environmental Protection Agency.

(b) COORDINATION.—To the maximum extent practicable, the Secretary shall ensure that the activities under this Act are coordinated with, and do not duplicate the efforts of, programs at the Department of Energy and other government agencies.

SEC. 5. FUNDING.

(a) ALLOCATION.—Amounts appropriated for this Act for each fiscal year shall be allocated as follows:

(1) 75 percent shall be for activities under section 3(a), (b), and (c).

(2) 25 percent shall be for activities under section 3(d) and other activities under section 3, including administrative functions such as program direction, overall program oversight, and contract management.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this Act $20,000,000 for each of fiscal years 2010 through 2014.

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

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. GORDON of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 469, the bill now under consideration.

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

There was no objection.

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

I'm pleased the House will consider today H.R. 469, the Produced Water Utilization Act. And I would like to thank my good friend and ranking member, Mr. HALL, for his legislation and interest in this field of research.

H.R. 469, the Produced Water Utilization Act, creates a research, development and demonstration program to promote the beneficial reuse of water produced in connection with oil and gas exploration, something that Mr. HALL knows a lot about.

In the United States, up to 2.3 billion gallons per day of produced water is generated. Unfortunately, this water is not of sufficient quality to be used to meet our many needs for water. This legislation will provide innovative treatment technologies that will enable the reuse of this water in an environmentally responsible way.

Once again, I thank Mr. HALL for bringing this to our attention and for passing it out of our committee on a unanimous vote.

I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I rise today in support of H.R. 469, the Produced Water Utilization Act of 2009. I had the pleasure of working with Chairman BART GORDON on this and introduced H.R. 469 in the 110th Congress as H.R. 2339. In July of 2008, the bill was reported out of the Committee on Science and Technology by a voice vote and then was passed by the House of Representatives again by a voice vote on July 30. It comes to the floor today virtually unchanged. Only the short title and the authorization years have been updated.

For those who are not familiar with the term, the Department of the Interior defines ''produced water'' as mainly salty water trapped in reservoir rock and brought up along with oil or gas during production. Produced water cannot, in its current form, be used for any purposes, and it is most commonly reinjected into the ground at great expense to small producers across the country. Each barrel of oil that is produced generates approximately 10 barrels of produced water, and we currently produce over 5 billion gallons of produced water a day in the U.S. That is enough water to accommodate 14.3 million homes a day.

As we face shortages in energy and water, this bill could not be more timely. H.R. 469 is legislation that has two main purposes, first, to increase domestic energy production by lowering production costs for small producers and, second, to increase the amount of water available for agricultural, irrigational, municipal and industrial uses by making produced water stable. The Produced Water Utilization Act will provide important funding for research, development, demonstration and commercial application of technologies to purify and use the produced water.

There is a critical interdependency between energy and water. Water is needed to produce energy, and the treatment and distribution of water requires energy. And as our population grows, so will the demands on both. According to a report by the Department of Energy on the Interdependency of Energy and Water ''the lack of integrated energy and water planning and management has already impacted energy production in many basins and regions across the country. For example, in three of the fastest-growing regions in the country, the Southeast, Southwest and the Northwest, new power plants have been opposed because of potential negative impacts on water supplies. Also, recent droughts and emerging limitations of water resources have many States, including my State of Texas, also South Dakota, Wisconsin and Tennessee, scrambling to develop water use priorities for different water use sectors.''

□ 1400

We obviously need to take a serious look at how we can avoid a water/energy crisis, and this bill certainly helps.

Mr. Speaker, produced water is currently considered an expensive nuisance by oil and gas producers, but it needs to be considered a valuable, usable commodity. With the research and development set forth in the Produced Water Utilization Act, we can make it happen. I urge my colleagues to vote for the bill.

I reserve the balance of my time.

Mr. GORDON of Tennessee. I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. I thank the distinguished ranking member. I assume I'm rising in support of the bill, so I guess I need to compliment our distinguished chairman and our ranking member on this excellent legislative work.

But what I really want to talk about is the no-conference conference on the stimulus package. I just came out of a meeting with Leader BOEHNER, the minority leader. There is going to be some sort of a conference meeting at 3

o'clock this afternoon in the LBJ room on the other side of the Capitol. We've been told, though, that the Speaker and the majority leader have locked the conference down, and they want to have it voted on and passed by 6 o'clock Friday afternoon so that the Speaker can go on her trip to Italy and Afghanistan.

So, in this meeting in Leader BOEHNER's office, since I'm not a conferee, even though we've got about $200 billion of jurisdiction on the Energy and Commerce Committee, things like Medicare and broadband and something called electricity decoupling, where people that actually use less electricity are going to pay more for it, I'm not sure I understand how that's stimulative to the economy.

But I asked what the agenda was and nobody seems to know. The good news is there actually is going to be a conference meeting, although the decision has already been made. So my question to the majority in this body is, how do you move an $800 billion package, which is larger than the entire economy of the nation of Australia, with almost no transparency, no accountability, and a conference committee that's already been pre-ordained what they're going to report out some time tonight or tomorrow? Somehow that strikes me as a bad thing for democracy, a bad thing for the House and the Senate, and a bad deal for the American people.

So if I were a conferee, and there was a real conference I would ask questions, how does electricity decoupling really work? Why should we ask our consumers to use less electricity and pay for more the electricity that they use? Why is that a good thing? And why was it put in a bill that we haven't had a hearing on and most of the Members of the body on both sides of the aisle don't even know what the concept of electricity decoupling is.

So I guess, Mr. Speaker, I will end up by saying I wish that we ran the whole House like Chairman GORDON and Ranking Member HALL run the Science Committee, where there really is cooperation, there really is bipartisanship, and the result is that bills come to the floor that both sides can support.

Mr. HALL of Texas. Will the gentleman yield?

Mr. BARTON of Texas. I would be happy to yield.

Mr. HALL of Texas. You are ranking member on Energy and Commerce and former chairman of Energy and Commerce.

Mr. BARTON of Texas. That's correct.

Mr. HALL of Texas. And you are not on the conference committee?

Mr. BARTON of Texas. I am not.

Mr. HALL of Texas. Is that unusual?

Mr. BARTON of Texas. It's unprecedented.

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

Mr. GORDON of Tennessee. I yield back the balance of my time and urge passage of this bill.

The SPEAKER pro tempore (Mr. SERRANO). The question is on the motion offered by the gentleman from Tennessee (Mr. GORDON) that the House suspend the rules and pass the bill, H.R. 469.

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.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. GORDON of Tennessee. 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. 47

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Thursday, February 12, 2009, through Monday, February 16, 2009, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, February 23, 2009, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Friday, February 13, 2009, through Friday, February 20, 2009, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 2 p.m. on Monday, February 23, 2009, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

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

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

Mr. ROGERS of Michigan. 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. 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 will be followed by 5-minute votes on the following motions to suspend the rules: H. Res. 154, by the yeas and nays; H.R. 448, by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 238, nays 181, answered ''present'' 1, not voting 12, as follows:

[Roll No. 60]

YEAS—238

Abercrombie
Ackerman
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
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
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge
Farr
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
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
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moran (VA)
Murphy (CT)
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—181

Aderholt
Adler (NJ)
Akin
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert

Camp
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Dreier
Duncan
Ehlers
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
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
Minnick
Mitchell
Moran (KS)
Murphy, Patrick
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Sestak
Shadegg
Shimkus
Shuler
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 (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Moore (WI)

NOT VOTING—12

Alexander
Campbell
Fattah
Harman
Holden
Johnson (IL)
Meeks (NY)
Solis (CA)
Stark
Tiberi
Van Hollen
Welch

□ 1432

Messrs. POSEY, SMITH of New Jersey, HOEKSTRA, Ms. FALLIN, and Mr. SESTAK changed their vote from ''yea'' to ''nay.''

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

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING JOHN D. DINGELL FOR HOLDING THE RECORD AS THE LONGEST SERVING MEMBER OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 154, 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 Michigan (Mr. KILDEE) that the House suspend the rules and agree to the resolution, H. Res. 154.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 423, nays 0, answered ''present'' 1, not voting 9, as follows:

[Roll No. 61]

YEAS—423

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
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
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
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
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
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
McGovern
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
Pelosi
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
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 (OH)
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)

ANSWERED ''PRESENT''—1

Dingell

NOT VOTING—9

Alexander
Campbell
Harman
Holden
Johnson (IL)
Solis (CA)
Stark
Tiberi
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1446

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 FOR THOSE WHO LOST THEIR FAMILIES AND THOSE WHO ARE WORKING TO RESCUE AND COMFORT THE BEREAVED AFTER STORMS IN OKLAHOMA AND TEXAS

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

Mr. COLE. Mr. Speaker, it's my very sad duty to inform the House, as many of you know, my part of the country in

Oklahoma and parts of Texas were devastated last night by a series of tornados. We lost eight people in the little, tiny town of Lone Grove in the southern end of the district, at least eight. Rescue workers are still going through and trying to see if there are any additional losses, about 43 injured, 17 severely. So pretty devastating for a small town.

So I would ask, Mr. Speaker, for the House to observe a moment of silence for those who lost their families and those who are working to rescue and comfort the bereaved.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

There was no objection.

ELDER ABUSE VICTIMS ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 448, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and pass the bill, H.R. 448, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 397, nays 25, not voting 10, as follows:

[Roll No. 62]

YEAS—397

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Braley (IA)
Bright
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
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
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
Fleming
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holt
Honda
Hoyer
Hunter
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 (NY)
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)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
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)
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
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)
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—25

Akin
Barrett (SC)
Brady (TX)
Broun (GA)
Carter
Conaway
Deal (GA)
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Hensarling
Inglis
King (IA)
Kingston
Linder
Lummis
McClintock
Neugebauer
Paul
Rohrabacher
Sensenbrenner
Shadegg
Thornberry
Westmoreland

NOT VOTING—10

Alexander
Campbell
Clarke
Harman
Holden
Johnson (IL)
Solis (CA)
Stark
Tiberi
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1457

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING RETIRED LIEUTENANT COLONEL LEO GRAY

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

Mr. KLEIN of Florida. Mr. Speaker, I rise today to recognize Retired Lieutenant Colonel Leo Gray, a resident of Dania Beach and one of the original Tuskegee Airmen, the legendary African American fighter pilots of World War II.

As you know, February is Black History Month, and it is up to all of us to recognize and celebrate achievements in black history.

Lieutenant Colonel Gray and his colleagues are heroes not only of African American history but of American history. Their brave and daring missions over enemy territory contributed to our victory in World War II and helped convince President Truman to desegregate our military.

The Tuskegee Airmen received the Congressional Gold Medal, the Nation's highest civilian honor, in 2007 and were invited to witness President Obama's historic inauguration this January.

Yet despite this recognition, Lieutenant Colonel Gray remains rooted in our south Florida community, attending public events to inspire the next generation of African American, and simply American, heroes.

□ 1500

TWICE THE JOBS, HALF THE COST

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

Mr. KINGSTON. Mr. Speaker, several weeks ago, when the Democrats shut the Republican Party out of negotiations and from having any input on this alleged stimulus package, the big

spending package, $836 billion, the Republicans had their own set of hearings. They were open to the public and open to Democrats.

The result of the Republican Working Committee, according to the nonpartisan Congressional Budget Office, was a plan, an alternative, that created twice the jobs at half the cost. Now, just roughly, the Democrat proposal creates 3.7 million jobs at a cost of $830 billion. The Republican plan creates 6 million jobs—over 6 million, in fact—at a cost of just less than $400 billion.

Tax breaks that are targeted at job creation, tax breaks that are targeted for small businesses, tax breaks for people who are unemployed so they would not have to pay taxes on their unemployment insurance, these are things that we need. Twice the jobs, half the cost.

MORTGAGING FUTURE GENERATIONS

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

Mr. CULBERSON. Mr. Speaker, never I think in history has so much money been spent by so few people in such a short period of time, mortgaging future generations to an extent we have never seen in American history.

It's important that the American public pay attention to this spendulous bill and look carefully at what's in it. Go to the Internet, make sure you read it and see it and, remember, the fiscal conservatives in the House have laid out a thoughtful alternative based on tax cuts where you keep your money immediately to invest, spend, save as you wish.

That is the best way to stimulate this economy quickly and in a way that will preserve the core principles of this Nation, which are based on freedom, individual liberty, and the government getting out of the way and letting free people make their own decisions about their own money. That is the best way to stimulate this economy.

It's, I think, vitally important, Mr. Speaker, and I am grateful we have a rule now where people can see this bill on the Internet for up to 48 hours. Take the time, folks, to review it and look at it, because we have certainly not had enough public hearings to do so.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. DRIEHAUS). 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 NATURAL RESOURCES, 111TH CONGRESS

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

Mr. RAHALL. Madam Speaker, I am pleased to submit for printing in the CONGRESSIONAL RECORD, pursuant to clause 2(a) of Rule XI, of the Rules of the House, a copy of the Rules of the Committee on Natural Resources, which were adopted at the organizational meeting of the committee on February 4, 2009.

RULES FOR THE COMMITTEE ON NATURAL RESOURCES, U.S. HOUSE OF REPRESENTATIVES, 111TH CONGRESS, ADOPTED FEBRUARY 4, 2009

RULE 1. RULES OF THE HOUSE; VICE CHAIRMEN

(a) Applicability of House Rules.

(1) The Rules of the House of Representatives, so far as they are applicable, are the rules of the Committee on Natural Resources (hereinafter in these rules referred to as the ''Committee'') and its Subcommittees.

(2) Each Subcommittee is part of the Committee and is subject to the authority, direction and rules of the Committee. References in these rules to ''Committee'' and ''Chairman'' shall apply to each Subcommittee and its Chairman wherever applicable.

(3) House Rule XI is incorporated and made a part of the rules of the Committee to the extent applicable.

(b) Vice Chairmen.—Unless inconsistent with other rules, the Chairman shall appoint a Vice Chairman of the Committee and the Subcommittee Chairmen will appoint Vice Chairmen of each of the Subcommittees. If the Chairman of the Committee or Subcommittee is not present at any meeting of the Committee or Subcommittee, as the case may be, the Vice Chairman shall preside. If the Vice Chairman is not present, the ranking Member of the Majority party on the Committee or Subcommittee who is present shall preside at that meeting.

RULE 2. MEETINGS IN GENERAL

(a) Scheduled Meetings.—The Committee shall meet at 10 a.m. every Wednesday when the House is in session, unless canceled by the Chairman. The Committee shall also meet at the call of the Chairman subject to advance notice to all Members of the Committee. Special meetings shall be called and convened by the Chairman as provided in clause 2(c)(1) of House Rule XI. Any Committee meeting or hearing that conflicts with a party caucus, conference, or similar party meeting shall be rescheduled at the discretion of the Chairman, in consultation with the Ranking Minority Member. The Committee may not sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

(b) Open Meetings.—Each meeting for the transaction of business, including the markup of legislation, and each hearing of the Committee or a Subcommittee shall be open to the public, except as provided by clause 2(g) and clause 2(k) of House Rule XI.

(c) Broadcasting.—Whenever a meeting for the transaction of business, including the markup of legislation, or a hearing is open to the public, that meeting or hearing shall be open to coverage by television, radio, and still photography in accordance with clause 4 of House Rule XI. The provisions of clause 4(f) of House Rule XI are specifically made part of these rules by reference. Operation and use of any Committee Internet broadcast system shall be fair and nonpartisan and in accordance with clause 4(b) of House Rule XI and all other applicable rules of the Committee and the House.

(d) Oversight Plan.—No later than February 15 of the first session of each Congress, the Committee shall adopt its oversight plans for that Congress in accordance with clause 2(d)(1) of House Rule X.

RULE 3. PROCEDURES IN GENERAL

(a) Agenda of Meetings; Information for Members.—An agenda of the business to be considered at meetings shall be delivered to the office of each Member of the Committee no later than 48 hours before the meeting. This requirement may be waived by a majority vote of the Committee at the time of the consideration of the measure or matter. To the extent practicable, a summary of the major provisions of any bill being considered by the Committee, including the need for the bill and its effect on current law, will be available for the Members of the Committee no later than 48 hours before the meeting.

(b) Meetings and Hearings to Begin Promptly.—Each meeting or hearing of the Committee shall begin promptly at the time stipulated in the public announcement of the meeting or hearing.

(c) Addressing the Committee.—A Committee Member may address the Committee or a Subcommittee on any bill, motion, or other matter under consideration or may question a witness at a hearing only when recognized by the Chairman for that purpose. The time a Member may address the Committee or Subcommittee for any purpose or to question a witness shall be limited to five minutes, except as provided in Committee Rule 4(g). A Member shall limit his remarks to the subject matter under consideration. The Chairman shall enforce the preceding provision.

(d) Quorums.

(1) A majority of the Members of the Committee shall constitute a quorum for the reporting of any measure or recommendation, the authorizing of a subpoena, the closing of any meeting or hearing to the public under clause 2(g)(1), clause 2(g)(2)(A) and clause 2(k)(5)(B) of House Rule XI, and the releasing of executive session materials under clause 2(k)(7) of House Rule X. Testimony and evidence may be received at any hearing at which there are at least two Members of the Committee present. For the purpose of transacting all other business of the Committee, one third of the Members shall constitute a quorum.

(2) When a call of the roll is required to ascertain the presence of a quorum, the offices of all Members shall be notified and the Members shall have not less than 15 minutes to prove their attendance. The Chairman shall have the discretion to waive this requirement when a quorum is actually present or whenever a quorum is secured and may direct the Chief Clerk to note the names of all Members present within the 15-minute period.

(e) Participation of Members in Committee and Subcommittees.—Any Member of the Committee may sit with any Subcommittee during any meeting or hearing, and by unanimous consent of the Members of the Subcommittee may participate in such meeting or hearing. However, a Member who is not a Member of the Subcommittee may not vote on any matter before the Subcommittee, be counted for purposes of establishing a quorum or raise points of order.

(f) Proxies.—No vote in the Committee or its Subcommittees may be cast by proxy.

(g) Record Votes.—Record votes shall be ordered on the demand of one-fifth of the Members present, or by any Member in the apparent absence of a quorum.

(h) Postponed Record Votes.

(1) Subject to paragraph (2), the Chairman may, after consultation with the Ranking Minority Member, postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chairman shall resume proceedings on a postponed request at any time after reasonable notice, but no later than the next meeting day.

(2) Notwithstanding any intervening order for the previous question, when proceedings resume on a postponed question under paragraph (1), an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(3) This rule shall apply to Subcommittee proceedings.

(i) Privileged Motions.—A motion to recess from day to day, a motion to recess subject to the call of the Chairman (within 24 hours), and a motion to dispense with the first reading (in full) of a bill or resolution if printed copies are available, are nondebatable motions of high privilege.

(j) Layover and Copy of Bill.—No measure or recommendation reported by a Subcommittee shall be considered by the Committee until two calendar days from the time of Subcommittee action. No bill shall be considered by the Committee unless a copy has been delivered to the office of each Member of the Committee requesting a copy. These requirements may be waived by a majority vote of the Committee at the time of consideration of the measure or recommendation.

(k) Access to Dais and Conference Room.—Access to the hearing rooms' daises [and to the conference rooms adjacent to the Committee hearing rooms] shall be limited to Members of Congress and employees of the Committee during a meeting of the Committee, except that Committee Members' personal staff may be present on the daises if their employing Member is the author of a bill or amendment under consideration by the Committee, but only during the time that the bill or amendment is under active consideration by the Committee. Access to the conference rooms adjacent to the Committee hearing rooms shall be limited to Members of Congress and employees of Congress during a meeting of the Committee.

(l) Cellular Telephones.—The use of cellular telephones is prohibited on the Committee dais or in the Committee hearing rooms during a meeting of the Committee.

(m) Motion to go to Conference with the Senate. The Chairman may offer a motion under clause 1 of Rule XXII whenever the Chairman considers it appropriate.

RULE 4. HEARING PROCEDURES

(a) Announcement.—The Chairman shall publicly announce the date, place, and subject matter of any hearing at least one week before the hearing unless the Chairman, with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the hearing sooner, or if the Committee so determines by majority vote. In these cases, the Chairman shall publicly announce the hearing at the earliest possible date. The Chief Clerk of the Committee shall promptly notify the Daily Digest Clerk of the Congressional Record and shall promptly enter the appropriate information on the Committee's web site as soon as possible after the public announcement is made.

(b) Written Statement; Oral Testimony.—Each witness who is to appear before the Committee or a Subcommittee shall file with the Chief Clerk of the Committee or Subcommittee Clerk, at least two working days before the day of his or her appearance, a written statement of their proposed testimony. Failure to comply with this requirement may result in the exclusion of the written testimony from the hearing record and/or the barring of an oral presentation of the testimony. Each witness shall limit his or her oral presentation to a five-minute summary of the written statement, unless the Chairman, in consultation with the Ranking Minority Member, extends this time period. In addition, all witnesses shall be required to submit with their testimony a resume or other statement describing their education, employment, professional affiliations and other background information pertinent to their testimony.

(c) Minority Witnesses.—When any hearing is conducted by the Committee or any Subcommittee upon any measure or matter, the Minority party Members on the Committee or Subcommittee shall be entitled, upon request to the Chairman by a majority of those Minority Members before the completion of the hearing, to call witnesses selected by the Minority to testify with respect to that measure or matter during at least one day of hearings thereon.

(d) Information for Members.—After announcement of a hearing, the Committee shall make available as soon as practicable to all Members of the Committee a tentative witness list and to the extent practicable a memorandum explaining the subject matter of the hearing (including relevant legislative reports and other necessary material). In addition, the Chairman shall make available to the Members of the Committee any official reports from departments and agencies on the subject matter as they are received.

(e) Subpoenas.—The Committee or a Subcommittee may authorize and issue a subpoena under clause 2(m) of House Rule XI if authorized by a majority of the Members voting. In addition, the Chairman of the Committee may authorize and issue subpoenas during any period of time in which the House of Representatives has adjourned for more than three days. Subpoenas shall be signed only by the Chairman of the Committee, or any Member of the Committee authorized by the Committee, and may be served by any person designated by the Chairman or Member.

(f) Oaths.—The Chairman of the Committee or any Member designated by the Chairman may administer oaths to any witness before the Committee. All witnesses appearing in hearings may be administered the following oath by the Chairman or his designee prior to receiving the testimony: ''Do you solemnly swear or affirm that the testimony that you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?''.

(g) Opening Statements; Questioning of Witnesses.

(1) Opening statements by Members may not be presented orally, unless the Chairman or his designee makes a statement, in which case the Ranking Minority Member or his designee may also make a statement. If a witness scheduled to testify at any hearing of the Committee is a constituent of a Member of the Committee, that Member shall be entitled to introduce the witness at the hearing.

(2) The questioning of witnesses in Committee and Subcommittee hearings shall be initiated by the Chairman, followed by the Ranking Minority Member and all other Members alternating between the Majority and Minority parties. In recognizing Members to question witnesses, the Chairman shall take into consideration the ratio of the Majority to Minority Members present and shall establish the order of recognition for questioning in a manner so as not to disadvantage the Members of the Majority or the Members of the Minority. A motion is in order to allow designated Majority and Minority party Members to question a witness for a specified period to be equally divided between the Majority and Minority parties. This period shall not exceed one hour in the aggregate.

(h) Materials for Hearing Record.—Any materials submitted specifically for inclusion in the hearing record must address the announced subject matter of the hearing and be submitted to the relevant Subcommittee Clerk or Chief Clerk no later than 10 business days following the last day of the hearing.

(i) Claims of Privilege.—Claims of common-law privileges made by witnesses in hearings, or by interviewees or deponents in investigations or inquiries, are applicable only at the discretion of the Chairman, subject to appeal to the Committee.

RULE 5. FILING OF COMMITTEE REPORTS

(a) Duty of Chairman.—Whenever the Committee authorizes the favorable reporting of a measure from the Committee, the Chairman or his designee shall report the same to the House of Representatives and shall take all steps necessary to secure its passage without any additional authority needing to be set forth in the motion to report each individual measure. In appropriate cases, the authority set forth in this rule shall extend to moving in accordance with the Rules of the House of Representatives that the House be resolved into the Committee of the Whole House on the State of the Union for the consideration of the measure; and to moving in accordance with the Rules of the House of Representatives for the disposition of a Senate measure that is substantially the same as the House measure as reported.

(b) Filing.—A report on a measure which has been approved by the Committee shall be filed within seven calendar days (exclusive of days on which the House of Representatives is not in session) after the day on which there has been filed with the Committee Chief Clerk a written request, signed by a majority of the Members of the Committee, for the reporting of that measure. Upon the filing with the Committee Chief Clerk of this request, the Chief Clerk shall transmit immediately to the Chairman notice of the filing of that request.

(c) Supplemental, Additional or Minority Views.—Any Member may, if notice is given at the time a bill or resolution is approved by the Committee, file supplemental, additional, or minority views. These views must be in writing and signed by each Member joining therein and be filed with the Committee Chief Clerk not less than two additional calendar days (excluding Saturdays, Sundays and legal holidays except when the House is in session on those days) of the time the bill or resolution is approved by the Committee. This paragraph shall not preclude the filing of any supplemental report on any bill or resolution that may be required for the correction of any technical error in a previous report made by the Committee on that bill or resolution.

(d) Review by Members.—Each Member of the Committee shall be given an opportunity to review each proposed Committee report before it is filed with the Clerk of the House of Representatives. Nothing in this paragraph extends the time allowed for filing supplemental, additional or minority views under paragraph (c).

(e) Disclaimer.—All Committee or Subcommittee reports printed and not approved by a majority vote of the Committee or Subcommittee, as appropriate, shall contain the following disclaimer on the cover of the report: ''This report has not been officially adopted by the {Committee on Natural Resources} {Subcommittee} and may not therefore necessarily reflect the views of its Members.''.

RULE 6. ESTABLISHMENT OF SUBCOMMITTEES; FULL COMMITTEE JURISDICTION; BILL REFERRALS

(a) Subcommittees.—There shall be four standing Subcommittees of the Committee, with the following jurisdiction and responsibilities:

Subcommittee on National Parks, Forests and Public Lands

(1) Measures and matters related to the National Park System and its units, including Federal reserved water rights.

(2) The National Wilderness Preservation System.

(3) Wild and Scenic Rivers System, National Trails System, national heritage areas and other national units established for protection, conservation, preservation or recreational development, other than coastal barriers.

(4) Military parks and battlefields, national cemeteries administered by the Secretary of the Interior, parks in and within the vicinity of the District of Columbia and the erection of monuments to the memory of individuals.

(5) Federal and non-Federal outdoor recreation plans, programs and administration including the Land and Water Conservation Fund Act of 1965 and the Outdoor Recreation Act of 1963.

(6) Preservation of prehistoric ruins and objects of interest on the public domain and other historic preservation programs and activities, including national monuments, historic sites and programs for international cooperation in the field of historic preservation.

(7) Matters concerning the following agencies and programs: Urban Parks and Recreation Recovery Program, Historic American Buildings Survey, Historic American Engineering Record, and U.S. Holocaust Memorial.

(8) Public lands generally, including measures or matters relating to entry, easements, withdrawals, grazing and Federal reserved water rights.

(9) Forfeiture of land grants and alien ownership, including alien ownership of mineral lands.

(10) Cooperative efforts to encourage, enhance and improve international programs for the protection of the environment and the conservation of natural resources otherwise within the jurisdiction of the Subcommittee.

(11) Forest reservations, including management thereof, created from the public domain.

(12) Public forest lands generally, including measures or matters related to entry, easements, withdrawals, grazing and Federal reserved water rights.

(13) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

Subcommittee on Insular Affairs, Oceans and Wildlife

(1) All matters regarding insular areas of the United States.

(2) All measures or matters regarding the Freely Associated States and Antarctica.

(3) Fisheries management and fisheries research generally, including the management of all commercial and recreational fisheries, the Magnuson-Stevens Fishery Conservation and Management Act, interjurisdictional fisheries, international fisheries agreements, aquaculture, seafood safety and fisheries promotion.

(4) Wildlife resources, including research, restoration, refuges and conservation.

(5) All matters pertaining to the protection of coastal and marine environments, including estuarine protection.

(6) Coastal barriers.

(7) Oceanography.

(8) Ocean engineering, including materials, technology and systems.

(9) Coastal zone management.

(10) Marine sanctuaries.

(11) U.N. Convention on the Law of the Sea.

(12) Sea Grant programs and marine extension services.

(13) Cooperative efforts to encourage, enhance and improve international programs for the protection of the environment and the conservation of natural resources otherwise within the jurisdiction of the Subcommittee.

(14) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

Subcommittee on Water and Power

(1) Generation and marketing of electric power from Federal water projects by Federally chartered or Federal regional power marketing authorities.

(2) All measures and matters concerning water resources planning conducted pursuant to the Water Resources Planning Act, water resource research and development programs and saline water research and development.

(3) Compacts relating to the use and apportionment of interstate waters, water rights and major interbasin water or power movement programs.

(4) All measures and matters pertaining to irrigation and reclamation projects and other water resources development and recycling programs, including policies and procedures.

(5) Indian water rights and settlements.

(6) Cooperative efforts to encourage, enhance and improve international programs for the protection of the environment and the conservation of natural resources otherwise within the jurisdiction of the Subcommittee.

(7) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

Subcommittee on Energy and Mineral Resources

(1) All measures and matters concerning the U.S. Geological Survey, except for the activities and programs of the Water Resources Division or its successor.

(2) All measures and matters affecting geothermal resources.

(3) Conservation of United States uranium supply.

(4) Mining interests generally, including all matters involving mining regulation and enforcement, including the reclamation of mined lands, the environmental effects of mining, and the management of mineral receipts, mineral land laws and claims, long-range mineral programs and deep seabed mining.

(5) Mining schools, experimental stations and long-range mineral programs.

(6) Mineral resources on public lands.

(7) Conservation and development of oil and gas resources of the Outer Continental Shelf.

(8) Petroleum conservation on the public lands and conservation of the radium supply in the United States.

(9) Measures and matters concerning the transportation of natural gas from or within Alaska and disposition of oil transported by the trans-Alaska oil pipeline.

(10) Rights of way over public lands for underground energy-related transportation.

(11) Cooperative efforts to encourage, enhance and improve international programs for the protection of the environment and the conservation of natural resources otherwise within the jurisdiction of the Subcommittee.

(12) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

(b) Full Committee.—The following measures and matters shall be retained at the Full Committee:

(1) Environmental and habitat measures of general applicability.

(2) Measures relating to the welfare of Native Americans, including management of Indian lands in general and special measures relating to claims which are paid out of Indian funds.

(3) All matters regarding the relations of the United States with Native Americans and Native American tribes, including special oversight functions under Rule X of the Rules of the House of Representatives.

(4) All matters regarding Native Alaskans and Native Hawaiians.

(5) All matters related to the Federal trust responsibility to Native Americans and the sovereignty of Native Americans.

(6) Cooperative efforts to encourage, enhance and improve international programs for the protection of the environment and the conservation of natural resources otherwise within the jurisdiction of the Full Committee under this paragraph.

(7) All other measures and matters retained by the Full Committee, including those retained under Committee Rule 6(e).

(8) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Committee under House Rule X.

(c) Ex-officio Members.—The Chairman and Ranking Minority Member of the Committee may serve as ex-officio Members of each standing Subcommittee to which the Chairman or the Ranking Minority Member have not been assigned. Ex-officio Members shall have the right to fully participate in Subcommittee activities but may not vote and may not be counted in establishing a quorum.

(d) Powers and Duties of Subcommittees.—Each Subcommittee is authorized to meet, hold hearings, receive evidence and report to the Committee on all matters within its jurisdiction. Each Subcommittee shall review and study, on a continuing basis, the application, administration, execution and effectiveness of those statutes, or parts of statutes, the subject matter of which is within that Subcommittee's jurisdiction; and the organization, operation, and regulations of any Federal agency or entity having responsibilities in or for the administration of such statutes, to determine whether these statutes are being implemented and carried out in accordance with the intent of Congress. Each Subcommittee shall review and study any conditions or circumstances indicating the need of enacting new or supplemental legislation within the jurisdiction of the Subcommittee. Each Subcommittee shall have general and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

(e) Referral to Subcommittees; Recall.

(1) Except as provided in paragraph (2) and for those measures or matters retained at the Full Committee, every legislative measure or other matter referred to the Committee shall be referred to the Subcommittee of jurisdiction within two weeks of the date of its referral to the Committee. If any measure or matter is within or affects the jurisdiction of one or more Subcommittees, the Chairman may refer that measure or matter simultaneously to two or more Subcommittees for concurrent consideration or for consideration in sequence subject to appropriate time limits, or divide the matter into two or more parts and refer each part to a Subcommittee.

(2) The Chairman, with the approval of a majority of the Majority Members of the Committee, may refer a legislative measure or other matter to a select or special Subcommittee. A legislative measure or other matter referred by the Chairman to a Subcommittee may be recalled from the Subcommittee for direct consideration by the Full Committee, or for referral to another Subcommittee, provided Members of the

Committee receive one week written notice of the recall and a majority of the Members of the Committee do not object. In addition, a legislative measure or other matter referred by the Chairman to a Subcommittee may be recalled from the Subcommittee at any time by majority vote of the Committee for direct consideration by the Full Committee or for referral to another Subcommittee.

(f) Consultation.—Each Subcommittee Chairman shall consult with the Chairman of the Full Committee prior to setting dates for Subcommittee meetings with a view towards avoiding whenever possible conflicting Committee and Subcommittee meetings.

(g) Vacancy.—A vacancy in the membership of a Subcommittee shall not affect the power of the remaining Members to execute the functions of the Subcommittee.

RULE 7. TASK FORCES, SPECIAL OR SELECT SUBCOMMITTEES

(a) Appointment.—The Chairman of the Committee is authorized, after consultation with the Ranking Minority Member, to appoint Task Forces, or special or select Subcommittees, to carry out the duties and functions of the Committee.

(b) Ex-Officio Members.—The Chairman and Ranking Minority Member of the Committee may serve as ex-officio Members of each Task Force, or special or select Subcommittee if they are not otherwise members. Ex-officio Members shall have the right to fully participate in activities but may not vote and may not be counted in establishing a quorum.

(c) Party Ratios.—The ratio of Majority Members to Minority Members, excluding ex-officio Members, on each Task Force, special or select Subcommittee shall be as close as practicable to the ratio on the Full Committee.

(d) Temporary Resignation.—A Member can temporarily resign his or her position on a Subcommittee to serve on a Task Force, special or select Subcommittee without prejudice to the Member's seniority on the Subcommittee.

(e) Chairman and Ranking Minority Member.—The Chairman of any Task Force, or special or select Subcommittee shall be appointed by the Chairman of the Committee. The Ranking Minority Member shall select a Ranking Minority Member for each Task Force, or standing, special or select Subcommittee.

RULE 8. RECOMMENDATION OF CONFEREES

Whenever it becomes necessary to appoint conferees on a particular measure, the Chairman shall recommend to the Speaker as conferees those Majority Members, as well as those Minority Members recommended to the Chairman by the Ranking Minority Member, primarily responsible for the measure. The ratio of Majority Members to Minority Members recommended for conferences shall be no greater than the ratio on the Committee.

RULE 9. COMMITTEE RECORDS

(a) Segregation of Records.—All Committee records shall be kept separate and distinct from the office records of individual Committee Members serving as Chairmen or Ranking Minority Members. These records shall be the property of the House and all Members shall have access to them in accordance with clause 2(e)(2) of House Rule XI.

(b) Availability.—The Committee shall make available to the public for review at reasonable times in the Committee office the following records:

(1) transcripts of public meetings and hearings, except those that are unrevised or unedited and intended solely for the use of the Committee; and

(2) the result of each rollcall vote taken in the Committee, including a description of the amendment, motion, order or other proposition voted on, the name of each Committee Member voting for or against a proposition, and the name of each Member present but not voting.

(c) Archived Records.—Records of the Committee which are deposited with the National Archives shall be made available for public use pursuant to House Rule VII. The Chairman of the Committee shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of House Rule VII, to withhold, or to provide a time, schedule or condition for availability of any record otherwise available. At the written request of any Member of the Committee, the matter shall be presented to the Committee for a determination and shall be subject to the same notice and quorum requirements for the conduct of business under Committee Rule 3.

(d) Records of Closed Meetings.—Notwithstanding the other provisions of this rule, no records of Committee meetings or hearings which were closed to the public pursuant to the Rules of the House of Representatives shall be released to the public unless the Committee votes to release those records in accordance with the procedure used to close the Committee meeting.

(e) Classified Materials.—All classified materials shall be maintained in an appropriately secured location and shall be released only to authorized persons for review, who shall not remove the material from the Committee offices without the written permission of the Chairman.

(f) Record Votes.—In addition to any other requirement of these rules or the Rules of the House of Representatives, the Chairman shall make available to the public on the Committee's website a record of the votes on any question on which a recorded vote is demanded. Such record shall be posted no later than two business days after the vote is taken. The record shall include:

(1) a copy of the amendment or a detailed description of the motion, order or other proposition; and

(2) the name of each Member voting for and each Member voting against such amendment, motion, order, or proposition, the names of those Members voting present, and the names of any Member not present.

RULE 10. COMMITTEE BUDGET AND EXPENSES

(a) Budget.—At the beginning of each Congress, after consultation with the Chairman of each Subcommittee and the Ranking Minority Member, the Chairman shall present to the Committee for its approval a budget covering the funding required for staff, travel, and miscellaneous expenses.

(b) Expense Resolution.—Upon approval by the Committee of each budget, the Chairman, acting pursuant to clause 6 of House Rule X, shall prepare and introduce in the House a supporting expense resolution, and take all action necessary to bring about its approval by the Committee on House Administration and by the House of Representatives.

(c) Amendments.—The Chairman shall report to the Committee any amendments to each expense resolution and any related changes in the budget.

(d) Additional Expenses.—Authorization for the payment of additional or unforeseen Committee expenses may be procured by one or more additional expense resolutions processed in the same manner as set out under this rule.

(e) Monthly Reports.—Copies of each monthly report, prepared by the Chairman for the Committee on House Administration, which shows expenditures made during the reporting period and cumulative for the year, anticipated expenditures for the projected Committee program, and detailed information on travel, shall be available to each Member.

RULE 11. COMMITTEE STAFF

(a) Rules and Policies.—Committee staff members are subject to the provisions of clause 9 of House Rule X, as well as any written personnel policies the Committee may from time to time adopt.

(b) Majority and Nonpartisan Staff.—The Chairman shall appoint, determine the remuneration of, and may remove, the legislative and administrative employees of the Committee not assigned to the Minority. The legislative and administrative staff of the Committee not assigned to the Minority shall be under the general supervision and direction of the Chairman, who shall establish and assign the duties and responsibilities of these staff members and delegate any authority he determines appropriate.

(c) Minority Staff.—The Ranking Minority Member of the Committee shall appoint, determine the remuneration of, and may remove, the legislative and administrative staff assigned to the Minority within the budget approved for those purposes. The legislative and administrative staff assigned to the Minority shall be under the general supervision and direction of the Ranking Minority Member of the Committee who may delegate any authority he determines appropriate.

(d) Availability.—The skills and services of all Committee staff shall be available to all Members of the Committee.

RULE 12. COMMITTEE TRAVEL

In addition to any written travel policies the Committee may from time to time adopt, all travel of Members and staff of the Committee or its Subcommittees, to hearings, meetings, conferences and investigations, including all foreign travel, must be authorized by the Full Committee Chairman prior to any public notice of the travel and prior to the actual travel. In the case of Minority staff, all travel shall first be approved by the Ranking Minority Member. Funds authorized for the Committee under clauses 6 and 7 of House Rule X are for expenses incurred in the Committee's activities within the United States.

RULE 13. CHANGES TO COMMITTEE RULES

The rules of the Committee may be modified, amended, or repealed, by a majority vote of the Committee, provided that 48 hours' written notice of the proposed change has been provided each Member of the Committee prior to the meeting date on which the changes are to be discussed and voted on. A change to the rules of the Committee shall be published in the CONGRESSIONAL RECORD no later than 30 days after its approval.

RULE 14. OTHER PROCEDURES

The Chairman may establish procedures and take actions as may be necessary to carry out the rules of the Committee or to facilitate the effective administration of the Committee, in accordance with the rules of the Committee and the Rules of the House of Representatives.

WHAT ABRAHAM LINCOLN MEANS TO AMERICA

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

Mr. ALTMIRE. Tomorrow we commemorate the 200th anniversary of the birth of Abraham Lincoln. While it's

tempting to think that there could not possibly be anything original or profound left to say about Lincoln, that's not why we commemorate this occasion.

The life of Lincoln is more than the story of our greatest President. It is the story of America itself. We are not here to repeat the history of the man who was elected at a time of unprecedented national challenge, tested time and again by adversity, and taken away during his moment of greatest glory.

All of that is known and has been discussed and studied by students and scholars the world over. But that is not what this bicentennial was about. This is a celebration of America, because the life of Abraham Lincoln is, in and of itself, a celebration of America.

Abraham Lincoln is the everlasting embodiment of the American dream—the belief that any American, through hard work and determination, can achieve anything their imagination and perseverance can conceive.

Born in a Kentucky log cabin in 1809, he would have seemed to be among the least likely Americans to live a life of distinction. That is why his story is so important to America. It could have been the story of any one of us—of any American.

Throughout his early life, he was never considered extraordinary. He tried many jobs and went through many phases. Farmer, rail splitter, raftsman, shopkeeper, lawyer, and politician. And through it all he met with his times of failure, but he also had his times of success.

He served just a single term in this U.S. House of Representatives, and would not achieve national prominence until much later, when his own ambition collided with our Nation's destiny. And it's what came next that brought Lincoln to his moment and America to her rebirth.

We know about the Lincoln-Douglas debates, the Gettysburg Address, and the Second Inaugural. We know about the Emancipation Proclamation, the Team of Rivals, and the ups and downs of the Civil War. We know about the surrender at Appomattox and that fateful night at Ford's Theater.

All of those are etched into our Nation's history. They're the reasons that Abraham Lincoln, the man, is immortalized. But they are not the reason that we commemorate the bicentennial of his birth.

Now and forevermore, the role of Lincoln in the American memory is to remind us that, in America, everything is possible. Like Lincoln's own life, our Nation's history has not been perfect, it has not been without tragedy, and not been without adversity. But, also like Lincoln, as we strive for recovery, endure our hardships and mourn our losses, we as a Nation will always overcome. And, in the end, we celebrate our success. And Abraham Lincoln is one of our Nation's greatest successes.

Now, a lot has been written and said about Abraham Lincoln over these past 200 years. In fact, more words have been written about Abraham Lincoln than any other American. Every one of our 50 States and many of our cities have some sort of memorial to him, the most famous of which is located just down the National Mall from this Capitol building. And that Lincoln Memorial, which we treasure, and we can see from here, was dedicated in 1922—87 years ago. Four score and 7 years ago.

In life, he was taken from us far too soon, but in history he will always endure. Now and forever he truly does belong to the ages.

Some have said that without Abraham Lincoln, there may not be a United States of America. Well, this can be debated, but one thing is certain. Without a United States of America, there could never have been an Abraham Lincoln. And that is what we celebrate.

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.)

CHINA SEEKS GUARANTEE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, this chart shows the amount of money that we have in circulation in dollars. And, as you can see, that up until recently there wasn't a great deal of increase in the amount of money in circulation.

But, just in the last few years, last couple of years, it has shot straight up. Straight up. That means that we are seeing an inflationary trend unparalleled in American history. But that is not the end of it. People need to know that their money is going to buy a lot less if we continue down the road we are on.

Now just to let you know where some of the money is that is not on this chart, China has given us about $690 billion in loans. And, just this week, leaders in the Chinese government said that they were very concerned about the value of those loans being eroded by ''reckless policies'' in the United States of America. The U.S., ''should make the Chinese feel confident that the value of the assets at least will not be eroded in a significant way.''

And Secretary Geithner of the Treasury has been told this. And yet he said just today that there could be as much as $2 trillion printed and put into circulation, at least a large part of it, because who's going to loan us money when the Chinese, who are the biggest holders of our debt, are saying that they want guarantees that the value of the currency is not going to go down. And so who's going to buy these loans? The Social Security trust fund has an awful lot of that money, and it's already bankrupt.

But the fact of the matter is the Treasury Department of the United States, in my opinion, and I'm very sure this is going to happen, they are going to have to print more money. Billions and billions of dollars in additional money. And when they put that into circulation, the law of supply and demand is going to make it very clear that everything that we buy is going to cost a heck of a lot more.

Now, if you have $100 and 100 quarts of milk, a quart of milk would cost $1. But if you triple the money supply and you have $300 and 100 quarts of milk, it's going to cost $3 for a quart of milk. And that is the way inflation works.

This is a very clear signal that our money supply is going up like a rocket right now. And Secretary Geithner is talking about $2 trillion more in addition to what they are talking about in the supplemental. The supplemental is over $800 billion, almost another trillion dollars. The omnibus spending bill which we are going to be passing is $410 billion. And there's a $100 billion supplemental.

Now think about that. Where is all that money going to come from? You can't give people something unless you take it away, as far as taxes are concerned. So we can't tax people that much. And so what they are going to have to do is they're going to have to inflate the money supply. And they are going to do it.

The manipulation of our money supply is something that everybody in this country ought to be concerned about. They really should be concerned about it because the value of the money you have in the bank, and a lot of people have already lost a ton in the stock market, but the value of the money that you have in the bank and under the mattress, or wherever you keep your money, is going to be devalued dramatically because they are going to print so much more money. So there will be trillions of dollars more chasing the same amount or fewer goods and services.

And everybody in America ought to be saying that we have got to put a hammer on the spending and put a hammer on these big policies that we are coming up with right now. I don't think people realize, honestly.

I understand we have economic problems, but this is going to put our kids, our grandkids, and our posterity in one heck of a situation because they are either going to be taxed to the limit, or way above the limit, or they're going to have to deal with an inflationary spiral that means that the amount of money they have won't amount to anything.

In Zimbabwe right now, one piece of currency is worth about 12 million of their former currency. So they just put more zeroes on it. When people go to buy bread or food, they have to take buckets of money. That happened in

post-World War II Germany. And we are going to do it here right in the United States if we don't get control of spending. This is real, folks. This isn't baloney.

Geithner said today he may have to monetize up to $1 trillion, or get loans for $1 trillion or $2 trillion; $410 billion in the omnibus; $800-plus billion in the stimulus; $100 billion in the supplemental. I mean where is this money going to come from? Where is it going to come from?

So, I'd just like to say, Mr. Speaker, to my colleagues and the American people, This ain't baloney. This is real dollars and cents. This is the future of our kids, our grandkids, and the future of our system of government in the United States of America. We must not let this happen. We must not let this happen.

The National Debt currently stands at approximately $9.13 Trillion.

$4 Trillion of this debt is owed to Social Security and other government accounts.

$5.1 Trillion of this debt is held as "Public Debt" by banks, pension funds, mutual fund companies, ordinary citizens, State and local governments, and increasingly, foreign governments.

As of November 2008—the latest figures available from the Treasury Department—$3.08 Trillion of our "Public Debt" is held by foreign countries:

Top Six

[In billions of dollars]

Country	*U.S. Debt Held*
Mainland China	681.9
Japan	577.1
United Kingdom	360.0
Carib. Banking Centers	220.9
Oil Exporters	198.0
Brazil	129.6

Carib. Banking Centers include Bahamas, Bermuda, Cayman Islands, Netherlands Antilles, Panama and the British Virgin Islands

Oil Exporters include Ecuador, Venezuela, Indonesia, Bahrain, Iran, Iraq, Kuwait, Oman, Qatar, Saudi Arabia, the United Arab Emirates, Algeria, Gabon, Libya, and Nigeria.

$1.517 Trillion of the "Public Debt" is outstanding as T-bonds and Notes.

$427.2 Billion is outstanding as Treasury Bills.

$1.944 Trillion appears to be loans held by Foreign Governments.

* We are unable to determine the interest rate on our National Debt but we do know that interest payment on the debt for FY 2008 (when our outstanding debt was smaller) was $430 Billion.

THE PROBLEM

In addition to a $410 billion Omnibus, Congress is poised to enact an $800 billion Stimulus and a $100 billion Supplemental.

Added to CBO's projected deficit of $1.2 trillion, Congress's legislation will force the Bureau of Public Debt to attempt a borrowing of $2.1 trillion this year.

This is over four times the amount of new debt ever sold by the United States.

HOW DOES THE GOVERNMENT ACTUALLY BORROW MONEY?

The Federal Government currently owes about $10 trillion: $6 trillion to private lenders and $4 trillion to Government trust funds, mainly Social Security.

Most of the debt owed to private lenders is short-term debt—owed for less than a year. Last year, the U.S. Government sold over $6 trillion in debt as it refinanced short-term debt and added to this number due to the deficit.

When Congress approves the Stimulus and related spending bills, our action will force the Bureau of Debt to attempt to sell $2.1 trillion of our debt. Back in 2000, the U.S. auctioned debt 145 times. With borrowing exploding, our debt was sold 263 times last year and the number will rise dramatically after enactment of the Stimulus.

Between the short-term current debt to be refinanced and the new debt sold, the Bureau of the Debt will attempt to borrow nearly $150 billion a week from world markets.

While the number of primary purchasers used to top 40, only 17 "primary dealers" buy U.S. debt today.

As recently as 2003, most purchasers of U.S. debt were American. Now the buyers are mainly foreign, with China topping the list of purchasers.

WHO WILL BUY FEDERAL IOUS?

We can already see warning signs of offering so much debt for sale.

After buying over $1 trillion of U.S. debt (including over $300 billion of Fannie Mae and Freddie Mac), China's desire for buying more American IOUs is waning.

Fitch Ratings reported that China's purchases of U.S. debt will decline from over $400 billion last year to just $177 billion this year.

China announced recently that it will decrease its buying of foreign securities worldwide as it borrows for its own $586 billion stimulus program.

OTHER GOVERNMENTS ARE COMPETING FOR INVESTORS STILL WILLING TO BUY

The debt the U.S. will sell will compete with other governments wanting loans.

The European Union, Japan, China, South Korea and 10 other governments announced 2009 borrowing plans of their own totaling another $1.2 trillion. One question we might ask—who has the money to purchase all of this U.S. and foreign government debt?

Treasury officials express confidence that there are plenty of entities willing to lend the U.S. Government money. In these uncertain times, there is a "flight to safety" in U.S. treasuries. Last year, we borrowed $6.7 trillion against the $17 trillion offered. With such demand, why worry?

Unfortunately, this year conditions are changing. With the U.S. offering four times the amount of new debt ever offered and Chinese willingness to loan us money disappearing, there may come a time when the interest we have to pay to sell our debt goes up. Most of our debt is held for less than one year.

Any increase in the interest we have to pay to sell our debt will effect interest rates and constrain the Federal budget. Reuters recently reported that the "Fed faces uphill battle to hold U.S. yields down."

The Wall Street Journal reported, that the Fed may enter the market as a direct purchaser of U.S. debt. If demand for U.S. debt was so strong, why would the Fed join the current list of 17 purchasers of U.S. debt to hold an auction? Are they worried that with so much debt to sell, they may be needed to save an auction?

WHAT HAPPENS IF WE CANNOT SELL MORE DEBT?

The worst case scenario would be an auction of Federal debt that failed to attract enough buyers.

Recently, the German government failed at an auction of its government debts.

Such an event in America would trigger another panic. Since U.S. debt auctions are reported openly within 90 seconds, a failed U.S. auction would trigger a panic on Wall Street long before Treasury officials could get the President on the phone.

HOW MUCH WILL ALL THIS DEBT COST?

Beyond the short-term concerns about quickly borrowing $2.1 trillion, we should be concerned about the long-term.

There are only 111 million American individuals and families who actually pay taxes.

Their pre-Stimulus debt per taxpayer totals $54,000 each.

After adding $2.1 trillion to the $6 trillion currently owed, their debt rises in just one year to $75,000 each. Each family's debt will total more than a college education.

Interest payments for the Government are rising too. In 1980, interest on our debt cost $52 billion. Last year, the payments were eight times more—$412 billion.

To maintain faith in our dollar, these interest payments must be made before the first Social Security check or salary of a soldier can be covered.

CONCLUSION

In these times, it is easy to see where Stimulus dollars will be spent. But before we approve such legislation, we should answer two other questions: (1) should we borrow this money and if so, (2) can we borrow so much money in just one year? Never in the history of our nation have we borrowed so much from so few.

□ 1515

TURNING THE PAGE ON THE PAST ADMINISTRATION

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, the swearing in of President Obama on January 20 marked the beginning of a new day in our country and the end of a dark time in American history. Our country has learned painful lessons from the last administration's failure to respect the rule of law and the voice of the American people.

Never once during the last 8 years did the past administration ask whether what it was doing was legal, morale, or right. As a result, its failures may have been criminal. Its actions may have been unconstitutional. Its unwillingness to take responsibility, glaring.

President Obama and the 111th Congress will face huge, huge challenges as we repair the damage of the last 8 years.

Across the country, people are worse off today than they were 8 years ago. The American people have lost loved ones, they have lost their jobs and their homes because of the last administration.

America now finds itself in the worst economic shape since the Great Depression, fighting two wars overseas, and struggling to restore our reputation around the world and mend the fabric of the Constitution that has been damaged by the last administration. We

face this situation today because the last administration acted above the law and looked down on anyone who challenged its right to do so. It followed the law when it was convenient, and ignored the law when it wasn't. It ignored good advice, and was quick to call its critics traitors and al Qaeda types rather than respect their viewpoints. It favored its rose-colored view of the world over reality even when the truth came crashing down around them.

The new President understands the importance of learning from these mistakes as we rebuild our country and as we restore our Constitution. Since the Democrats took back the Congress in 2007, Mr. Speaker, we have aggressively sought to uncover the truth about the last administration. Hearing after hearing has shown abuse of power, disregard for the law, and contempt for Congress. Congress will continue with subpoenas, lawsuits, hearings, and questions. We will reaffirm that no one, not the President and not the Vice President, is above the law.

As we move forward, Congress must address past abuses and failures. From keeping working families in their homes after record numbers of foreclosures, to reinvesting in health care and education for everyone, we will fulfill the priorities of the American people that have been so neglected. From closing the prison at Guantanamo Bay to banning torture, we will restore America's standing in the world. From ending the occupation of Iraq to protecting America's civil liberties, we will be a government that respects the Constitution and the American people.

By correcting the mistakes of the past and reinvesting in our country, we can return equality and justice for all. By looking forward and renewing the promise of America, we will right the wrongs of the last 8 years. By working for the American people instead of working around them, we will return to a government by the people, for the people, and of the people.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DRIEHAUS). The Chair will remind occupants of the gallery that they are not to manifest approval or disapproval of the proceedings.

TAX CODE TERMINATION ACT

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

Mr. GOODLATTE. Mr. Speaker, it has become abundantly clear that the Internal Revenue Code is no longer working in a fair manner for our Nation's citizens. Many Americans look at the dim state of our economy and the billions of their tax dollars that are being given to private businesses, and they want to know why their Tax Code is so unfair. The Tax Code Americans are forced to comply with discourages savings and investment, and it is impossibly complex. It has become all too clear that the current code is broken beyond repair and cannot be fixed, so we must start over. For this reason, I rise today to reintroduce the Tax Code Termination Act.

This bipartisan legislation, which I have introduced with nearly 70 cosponsors, will accomplish two goals: It will abolish the Internal Revenue Code by December 31, 2012, and call on Congress to approve a new Federal tax system by July of that same year.

At a time when Americans devote a total of 7 billion hours each year to comply with the Tax Code, we need tax simplification. A few years ago, Money Magazine asked 50 professional tax preparers to file a return for a fictional family. No one came up with the same tax total, nor did any of the preparers calculate what Money Magazine thought was the correct Federal income tax. Results varied by thousands of dollars.

The need for tax simplification is further highlighted by the tax problems experienced by some of President Obama's cabinet nominees. These are highly educated individuals, some of whom claim specialized knowledge of the Tax Code, and one of whom will actually be in charge of ensuring compliance with the Tax Code, Treasury Secretary Geithner. And even they cannot correctly file their taxes.

In addition, in today's Politico, there was an article detailing the problems that members of the Senate have in filing and complying with the Tax Code. In fact, the title is, ''For Senators, Tax Questions Are Taxing.''

If it is this hard for government officials, including those who write and enforce the Tax Code, to comply with the code, then imagine what it is like for the average American family to comply with it. All Americans find the Tax Code, well, taxing.

While almost every Member would recognize that our Tax Code is no longer working in a fair manner for Americans, nothing has been done to create a more equitable Tax Code. Congress won't act on fundamental tax reform unless it is forced to do so. My bill will force Congress to finally debate and address fundamental tax reform.

Once this bill becomes law, today's oppressive Tax Code would survive for only 4 more years, at which time it would expire and be replaced by a new Tax Code that will be determined by Congress, the President, and the American people. This legislation will allow us as a Nation to collectively decide what the new tax system should look like. Having a date certain to end the current Tax Code will force the issue to the top of the national agenda. Although many questions remain about the best way to reform our tax system, I am certain that if Congress is forced to address the issue, we can create a Tax Code that is simpler, fairer, and better for our economy than the one we are forced to comply with today.

Whichever tax system is adopted, the key ingredients should be a low rate for all Americans, tax relief for working people, protection of the rights of taxpayers, and reduction in tax collection abuses, promotion of savings and investment, and encouragement of economic growth and job creation. Taxes may be unavoidable, but they don't have to be unfair and overcomplicated. Just like other programs that require reauthorization, the Tax Code must be reviewed to examine whether it is fulfilling its intended purpose, and then Congress must make any changes that are necessary.

America's future depends on overcoming the handicap of the current Tax Code. There is a widespread consensus that the current system is broken, and keeping it is not in America's best interest. I urge my colleagues to support this legislation and end the broken tax system that exists today.

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.)

CONGRATULATING THE PEOPLE OF KOSOVA

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

Mr. ENGEL. Mr. Speaker, I rise today to congratulate the people of Kosova who next week, on February 17, will be celebrating their first anniversary of statehood.

The people of Kosova, born out of the former Yugoslavia, are among the most pro-American people on the face of the earth. I have had the pleasure of visiting Kosova many, many times, and I can tell there is no country that welcomes Americans as happily as the people of Kosova.

Last year, I had the great honor to address their parliament, being the first foreigner to address the Kosova parliament since their independence. I was there with our colleague, the gentlewoman from Ohio, JEAN SCHMIDT, and we had a wonderful time.

There are many problems in Kosova. Unemployment is rampant. There is a de facto division of the country which must not stand. But the people are going about their business, working as hard as they can to build a new nation. More than 50 countries have recognized them, and I have urged and will continue to urge every country on the face of the earth to recognize the new independent nation of Kosova.

When Congresswoman SCHMIDT and I were there, their Constitution was formally adopted and turned over, and I

can tell you that they pattern themselves after what we have done here in the United States.

In 1999, when the then-dictator of Yugoslavia, Slobodan Milosevic, was trying to do his ethnic cleansing of Albanians in Kosova, the United States intervened and bombed and prevented ethnic cleansing from happening. And so today, Kosova is a multiethnic society, and will continue to be so. And minority rights of Serbs and others must be and will be protected, and institutions, religious institutions, monasteries, orthodox monasteries must be protected, and will be. I know the president and prime minister of Kosova very well and know the political leadership, and know that they are all committed to building a multiethnic society.

But problems remain. The Serb officials have occupied the northern part of Kosova. The city of Mitrovica is a divided city. The mine in the north, Trepca, is occupied by Serb forces, and that must not be allowed to stand in the long run. Kosova must not be partitioned, whether it is de facto partition or de jure partition. Kosova's borders must be respected.

The United States has a very, very important role to play, and we will continue to play that role. First under President Clinton, then under President Bush, and now under President Obama, we must continue to let the people of Kosova know that the United States stands with them every step of the way.

And when I mentioned that they are a multiethnic society, the majority of the population is Muslim. They are secular Muslims, and they debunk the theory that somehow the United States is opposed to Muslim religion, which of course is not true. And these people understand that the United States is the best ally and the strongest ally, and will continue to support them.

As co chair of the Albanian Issues Caucus, along with the gentleman from Illinois, Congressman KIRK, I want to say to the people of Kosova that we will continue to support them, to be with them, to watch them as they build their nation, and the democracy and freedoms that the United States stands for and that the people of Kosova stand for will always be strengthened.

And let me say in conclusion, on last February 17, when Kosova declared its independence and there were flags all over the capital of the Kosova, Prishtina, there were Albanian flags around, there was the Kosova flag. But the American flag was being waved more so than any other flag in the country. That is still true today.

The people of Kosova want to continue their great partnership with the United States, and I say to the people of Kosova: We will be with you, we will stand with you, we will help you build you a new democracy, and we will work together and continue to welcome you into the league of free nations of the world.

I again congratulate the people of the Kosova for their 1-year anniversary as a free and independent nation.

STIMULUS PACKAGE

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I just got off a call with Carolyn Greco, a constituent of mine from Lumber City Borough in Clearfield County, Pennsylvania. Now, this young lady, who is now retired, has voted in every primary and general election since her 21st birthday; yet, she has never called an elected official before to voice her concern regarding legislation until this now so-called stimulus package.

When asked why, her response was somewhat heartening: ''I had faith in the system,'' a notion that she is now questioning for the first time in her life based on this legislation alone. Let me repeat that. She had faith in the system, a notion she is now questioning for the first time in her life based on the stimulus package alone.

Mr. Speaker, the more the American people have an opportunity to evaluate and dissect this massive spending measure, the more frustrated they grow. Does Congress need to act? Absolutely.

House Republicans stand ready to work with our counterparts across the aisle, if given the opportunity to sit at the table, to craft a package that creates and preserves jobs, invests in our roads and bridges, and offers tax relief to middle-class Americans and small business owners. I don't think you can find one person in this Chamber who believes that we should wait this out.

□ 1530

But this backroom deal is not what the American people want nor deserve. Yesterday the Secretary of the Treasury spoke about accountability and transparency. It is time for the House and Senate Democratic leadership to heed the Secretary's advice and instill that same transparency and accountability into the legislative process.

Mr. Speaker, for the past three decades, I have been working, prior to coming to Congress, as a health care professional. And the first rule you learn as a health care professional is ''do no harm.'' And as I look at this stimulus package, I find few good provisions that will fulfill the intent of an economic stimulus within the period of time dictated. Other provisions I find ineffective at best. And overall, I find this bill is harmful, harmful in the sense it will lead to a deeper and a worse recession through deficit spending which will lead to increased inflation, and it will provide a legacy for this Congress of a bloated national debt well beyond where we are today. It enhances and increases our foreign financial dependence. And it provides for non-stimulus, wasteful spending that will only detract from the true strategic priorities and the real needs that our country faces.

Mr. Speaker, there are 435 able-minded Members of this body. And while we all come from different corners of the country with differing opinions, and I do believe that is what makes us stronger, and unique backgrounds, this is the people's House where debate should be encouraged and thoughtful deliberation should be the standard. This backroom style of politics is not the change President Obama promised. And it is not the change the American people voted for in November.

HONORING CONGRESSMAN JOHN DINGELL

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

Mr. STUPAK. Mr. Speaker, 5 minutes is not nearly enough time to do justice to Congressman JOHN DINGELL's record-breaking 53 years of service in the U.S. House of Representatives, but I wish to highlight the profound impact his work has had on the lives of Americans.

It is not the length of time you serve here but rather what you do with that time that counts. Today we are honoring not only JOHN DINGELL's record tenure but also his many successes over the past 53 years that have improved the lives of all Americans and made our country a better place. Whether it was passage of landmark environmental laws, implementation of Medicare or passage of the Civil Rights Act, the history that dominates the past half century was being shaped by JOHN DINGELL.

From his first days in the House, Mr. DINGELL has carried on his father's fight to provide health care for every American. He has proposed a national health insurance bill in every Congress since 1957.

In April of 1965, Mr. DINGELL was presiding over the U.S. House of Representatives for the historic vote to create the Medicare program. Those who have had the pleasure of visiting Mr. DINGELL's office know that the gavel he used on that occasion sits on his desk. Congressman DINGELL was there to see history in the making as President Johnson signed the Medicare bill into law at the Truman Library in Independence, Missouri.

More than 40 years after that historic day, Chairman DINGELL was instrumental in expanding and improving Medicare, to make it a widely successful effort at improving health care for our Nation's elderly and preventing them from falling into poverty.

In 1993, Mr. DINGELL took the lead in the House in working with the Clinton administration to push for universal health insurance coverage for all Americans. Although Mr. DINGELL

points to that effort as one of his ''biggest disappointments,'' it was that debate that kept the issue of universal coverage alive for the past 16 years. We are now poised with JOHN DINGELL once again serving as the lead House negotiator to work with President Obama to make health insurance for all Americans a reality in this Congress.

Mr. DINGELL and I share a passion for oversight. When I first came to Congress, and particularly once I became a member of the Commerce Committee, Mr. DINGELL provided valuable mentorship that has enabled me to continue his tradition of aggressive oversight through the Oversight and Investigations Subcommittee. Mr. DINGELL not only understands the role of Congress to oversee the executive branch, he, perhaps more than anyone else before him, used this authority to uncover abuses of power including corruption, waste and fraud that jeopardized not only taxpayer dollars but also the health and safety of the American people.

JOHN DINGELL has proven that investigations can accomplish as much as legislation. As chairman of the Energy and Commerce Committee and the Subcommittee on Oversight and Investigations, Mr. DINGELL used broad jurisdiction over the committee to effect changes on issues such as defense contracting, insider trading, Superfund cleanup, medical device safety, unfair foreign trade practices, food and drug safety, blood banks and pipeline safety.

In an age when State legislatures are quick to enact term limits, JOHN DINGELL is a shining example of how valuable tenure can be. The perspective and knowledge he brings to the table after 53 years of service is a critical part of the legislative process that allows us to avoid repeating past mistakes and continue to push for longstanding goals such as universal health care.

Whether it is battling in committee or on the floor, teaming up in an investigation or relaxing with JOHN and Debbie Dingell on Mackinac Island, I have valued Mr. DINGELL as a colleague, mentor and friend.

Our country is a better place, and Congress is a stronger institution because of the contributions of JOHN DINGELL.

TAKING CARE OF OUR NATION'S VETERANS: A MOTHER'S LETTER

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

Mr. JONES. Mr. Speaker, while our Nation faces many serious issues, from the economy to health care, there is one important issue we must not forget. That is the issue of American servicemembers who are returning from Iraq and Afghanistan with mental health challenges.

Earlier this month, I received a letter from the mother of a marine who is stationed in my district at Camp Lejeune. This mother is very concerned about how the Marine Corps is treating her son. And I would like to read from her letter.

''Congressman Jones, my son joined the United States Marine Corps while still in high school. I remember him as a little boy looking in awe at his grandfather in his Marine Corps uniform and telling me that was what he was going to be when he grew up.

''Growing up, he was the son every parent could be proud of. He never got into any trouble in school, was always there to help with his younger siblings, held a job after school and was extremely active in the Boy Scouts. He earned his rank of Eagle Scout at the age of 16 and held many positions within the Boy Scouts.

''Because of his Eagle Scout status, he entered the Marine Corps as a PFC and quickly rose to the rank of sergeant within his first 3 years in the Marines. He was an exemplary marine and an exemplary young man.

''If you review his military record, you can plainly see that he had no problems with behavior or performance prior to his deployments to Iraq and Afghanistan.

''He has had a very difficult time readjusting to life after conflict. He came home to a 'Dear John' letter, had several friends injured and killed and has seen more destruction than most of us will see in a lifetime. And having no one to turn to for help because of the stigma and the fear of losing his career, he started drinking to self-medicate so that he would be able to sleep.

''Congressman, do you know what it is like to listen to your once-strong son cry like a baby at 3:30 in the morning three to four times a week because he can't handle what he has been through? Wanting to kill himself because he doesn't feel he is worthy to live because his brothers were shot down?

''Do you know what it is like to be 1,500 miles away and not have the ability to help him through this? All the while wondering and asking why the Corps he served so proudly and willingly has written him off as worthless and weak and offer no help to prevent him from faltering further?

''I am so sadly disappointed in the way the Corps has treated my son. My son left for the Marine Corps 100 percent intact. He will be leaving the Marine Corps with two feet that are fractured, back and knee problems, decreased hearing and decreased vision and PTSD that will carry a lifetime burden for him.

''And yet, according to the Corps, he has disgraced them by his behavior and he is no longer worthy. The way I see it, they used him, abused him and now will discard him and find some fresh young man who 'isn't tainted' and they will mold him and ask him to sacrifice himself for their cause. And when he is no longer of use to them, they will discard him, as well.

''I hope with all my heart that the Marine Corps will find the moral courage to do the right thing when it comes to not only my son, but all those other young men and women who need their help and guidance.''

Mr. Speaker, this letter may tell the story of just one marine, but this is not an uncommon tale. An April 2008 study by the RAND Corporation found that nearly 20 percent of the Iraq and Afghanistan veterans who were surveyed have symptoms of PTSD or other major depression. The study also found that many servicemembers say they do not seek treatment for psychological illness because they feel it will harm their careers.

While Congress has implemented some positive reforms in funding increases to improve veterans' health care in recent years, more must be done to ensure that our veterans are receiving adequate care and compensation.

Promises made should be promises kept. And our Nation must never forget the servicemembers and veterans who have gone to war for this country.

Mr. Speaker, in closing, I want to put into the RECORD that I have been talking with the Marine Corps. They have promised me they will try to help this young marine. And I must close, Mr. Speaker, for all those serving in Afghanistan and Iraq and all those who were killed and all of those wounded both physically and mentally, that God continue to bless our servicemen and God continue to bless America.

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

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

THE TRUE COST OF THE STIMULUS PACKAGE

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

Mr. POE of Texas. Mr. Speaker, we hear a lot about the economy, as we should, but I would like to focus on the cost of all of this money that the government says it needs to spend. The front page of today's USA Today is headlined, ''Trillions Aimed At Financial Recovery,'' and here we see a photograph of the Treasury Secretary, Mr. Geithner, scratching his head as he is talking to Members of Congress when he testified yesterday.

Now we hear about the billions spent for this program and the trillions spent for this program all in the name of helping the economy. I would like to focus on the cost of all of this. If you add up all of the bailout packages from last year, the so-called stimulus packages, and the bills yet to be passed but promised to be passed this year, plus the debt that it will cost Americans yet to be born, it is $9,700,000,000,000.

Now that is the biggest number I have ever seen in my life. And $9 billion, it is hard to relate to what 9 billion or $9,700,000,000,000 is. Well, let's try to focus on how much that really is in terms maybe we can understand. If you add up all of the major wars that the United States has been involved in since we were a country, and you put 2009 dollars to those figures, this amount of money still would not cover the cost of the American Revolution, the War of 1812, the War Between the States, the Spanish-American War, World War I, World War II, the Korean war, the Vietnam war, the Iraqi wars and the Afghanistan wars. We would still have enough money left over in 2009 dollars to pay for the Louisiana Purchase in 2009 dollars, the Gadsden Purchase in 2009 dollars, and Alaska in 2009 dollars with money still left over. Now that is a lot of money.

It has been estimated also that this amount of money would pay for 90 percent of all of the home mortgages in the whole United States. Now we're talking about real money. Or looking at it another way, if you divided this money up with all the people on the face of the Earth, each one of them would get about $1,500. That is a lot of money. And yet, this is the amount of money we are going to try to spend all in the name of saving the economy and saving the country.

I question, first of all, whether or not it will work. But more importantly, where are we going to get the money? We don't have the money. So we are going to have to borrow the money. And probably we will borrow the money from our good friends over in China. Oh, they're ready to lend us money and let Americans pay interest on it.

The Congressional Budget Office has done some work, it hasn't been publicized much, about the new stimulus bill, the $835 billion bill that just passed the Senate that is coming back to the House in a conference bill maybe tomorrow, Friday or whatever. And they said even if you spend that money, that is not going to help the economy. So now we've got two problems. One, we don't have the money. And the stimulus bill may not even help the economy.

This country has done the stimulus bill thing before. This is not the first stimulus bill. It was tried right after World War II. In fact, we now have a total of eight stimulus bills that one Congress or another has passed all in the name of trying to stimulate the economy.

□ 1545

And history has shown, basically, they just didn't work. They weren't as effective as they were expected to be. So, although we have philosophical differences between this side and the other side about how to help the economy, I would submit maybe we need to step back and rather than say government's the answer in spending money that we don't have, taking money from taxpayers who are paying their taxes and working, taking it and giving it to the government and letting the government dole it out to different special interest groups throughout the country in the effort to stimulate the economy, rather than follow that philosophy, why don't we let Americans just keep more of their own money? Do something really remarkable, tell the American public, everybody that pays taxes is going to get a tax deduction. Everybody, including corporations and small businesses.

Then, when Americans have more of their own money, they will be able to stimulate the economy by spending it the way they decide, rather than the way we decide how to spend that money. And that will give small businesses, when they have more capital, the ability to hire people to come work for them. You see, businesses, especially small businesses, are where jobs are created. They're not created by the Federal Government; they're created by the private sector. I submit we ought to try the tax cut approach.

And that's just the way it is.

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 Indiana (Mr. PENCE) is recognized for 5 minutes.

(Mr. PENCE 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 Nebraska (Mr. FORTENBERRY) is recognized for 5 minutes.

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

THE AMERICAN PEOPLE KNOW WHAT THE BOTTOM LINE IS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Florida (Mr. KLEIN) is recognized for 60 minutes as the designee of the majority leader.

Mr. KLEIN of Florida. Mr. Speaker, it is a pleasure to be here this afternoon as I get together with a number of the members of our class of 2006. We've now finished our first 2 years, and we're beginning the third year of our service here in Washington, and it's truly an honor and a privilege to be serving on behalf of the American people, particularly at a time when the challenges are so great.

Just to boil it down very simply, all you have to do is go home, talk to your neighbors, talk to your friends, talk to the people you go to church or synagogue with, see people at the grocery store. And what you're hearing in Washington is quite different and the people that come before our committees, that represent large banks, or people that are even coming up before this Chamber. We have a respectful difference of opinion. But I think the American people know what the bottom line is. The bottom line is they are hurting, and they are hurting in numbers like we haven't seen in our lifetimes.

I spoke to my dad the other day. My dad is 80 years old. He just had his birthday, we celebrated. It was a wonderful opportunity for our family to be together. And he grew up, he was born in 1928, so he was born right at the beginning of the Depression, but he certainly lived through the 1930s and '40s, and told me what it was like and how their family had to make do, and what it took to save for that last thing that they needed, the clothes, the hand-me-downs, all the other things they did to make do.

Well, we don't live like that today, by and large. But more and more people are forced to make very, very difficult decisions about how they're going to put food on the table, pay for their mortgage, pay for their insurance, put their kids through school, buy medicine, all the most basic things.

And I'm just going to take a quick showing of a graph here that was prepared, very interesting graph. It's from our United States Bureau of Labor Statistics. And it talks about recessions, the last few recessions we had. One was in 1990, one was right after September 11, and unfortunately, the aftermath of that, and now we have the current one.

If you just look at the lines, here's the beginning of the recession. They all start at the same place, and that's zero, at the point in which there are no new jobs created but no jobs lost, what they call the beginning of the recession. And if you take a look at the blue line, that was the one from 1990, it basically, after 10, 11 months it began turning around, actually it was 9 or 10 months, began turning around; and within about 2 years it was back to normal and on its way up in a very nice steep incline, the way we like to see growth in this country. And the people that create the growth are the people that have small businesses. These are the people we're focusing on.

The one after September 11 went on a little longer, but still you saw this big increase after a period of time, a nice spectacular increase.

Well, now we take a look at this green one. This is the one, unfortunately, we're in right now. This is the recession that started a number of months ago, and it is a line that's going almost straight down. That's the level and the depth of which we're at

right now, which is far deeper than the last two recessions.

Now, you probably heard a lot of people say that this is probably the worst it's been since the Great Depression, and it certainly seems that way. Thank God that at the present time many people are still working, but more and more people are on the edge, and more and more people are making decisions on what they can buy and what they can afford and decisions about the choices on the daily life of whether they're going to make an investment as a business owner or not. And these are the things that affect the broad base of our economy.

So it's interesting when I hear people say, well, we're going to spend this; we're going to spend that. But it's also very fascinating to me that over the last number of years, there hasn't been that kind of questioning when we're spending billions and billions of dollars every month in Iraq or other places around the world.

Well, as far as I'm concerned, yes, of course we have to worry about our national security and we're going to do what it takes to protect people in America and our interests. But you know something? It's also about time we start thinking about Americans and the lives that we lead and the roads that we live on, the schools that we build for our children, and the universities and opportunities to move our country ahead. These are the important things that we're going to have to do, and we're going to work very hard, and we've been working very hard at trying to get this going.

What I'd like to do, I've got a number of members from our class to join us. I'm going to first ask the gentleman from Connecticut (Mr. COURTNEY) to lead off here and just share with us some of your thoughts and what's going on in Connecticut.

Mr. COURTNEY. Thank you, Congressman KLEIN. Thank you for organizing this colloquy which we are, as a Congress, on the verge of one of the, I think, biggest votes of the 111th Congress. And it's important that I think we take the time to spend a few minutes to explain why the stakes are so high and what, in fact, the proposal is before us because there's a lot of bad information out there.

First of all, just to follow up on your point, This is not a normal downturn, a normal business recession. As the chart that you just showed demonstrates, the drop-off in terms of job losses in this economy and the velocity with which it's happened is something that again we have not seen as a Nation, certainly at least since the Great Depression.

Just using as a quick snapshot in the State of Connecticut, I talked to some companies which have experienced downturns in the past. Pratt and Whitney has had layoffs because the commercial aircraft market has certainly shrunk in recent months as the economy has closed down. The insurance industry has had layoffs as business has fallen off.

But I was talking the other day to a guy who is in charge of a trash collection agency, which trash tends to be sort of recession proof. He's never had a layoff in the time that his family has owned this trash hauling business that goes back decades. They just laid off 15 folks there because the volume of trash that's actually being generated in the State of Connecticut has turned down, something that he has never seen before.

The price for commodities, in terms of aluminum scrap metal, some of the other scrap that they normally, newspaper scrap that they usually resell on the market, has completely collapsed because the price for those commodities, again, has just vanished.

We have seen in the casino industry, again, an industry in Connecticut with the large tribal casinos that we have, Foxwoods casino and Mohigan Sun, again, the first layoffs since those casinos ever opened. Mohigan Sun cancelled an $800 million expansion last September.

The construction trade industry in Eastern Connecticut has completely fallen apart. Electricians, sheet metal workers, carpenters, the construction trades all across the board, are home basically barely getting by collecting on benefits.

So, given that situation that we're seeing on the private sector, this pullback that's happening, causing, again, contraction that never has been seen before all across the board, we're seeing local governments and State governments as a result feeling the ripple effect of shrinking State budgets and layoffs of teachers at every single school district, certainly in my area and I'm sure at other members.

We have a decision to make as a country about whether or not we are going to use the Federal Government's purchasing power to step in and stop this precipitous decline and keep us from falling into a further downward spiral.

Now, let's be clear because we just heard a bunch of criticisms about whether or not the government is capable of making wise choices about spending and actually creating jobs. Well, the fact of the matter is, every single day in the American economy, the Federal Government is spending money and creating work. In the defense industry, again, you can go across the board. And the gentleman from Texas who just spoke, we could go through his district, I'm sure, and certainly his portion of Texas, and look at military spending that's going on every single day and that people are collecting pay checks, whether they're building aircraft or military weapons for the Army and our ground forces, or whether they're just employing actually military personnel.

Certainly, in Connecticut where we make nuclear submarines, we build aircraft at Pratt and Whitney, the F–22, we build Blackhawk helicopters. There are people this morning working two and three shifts that are going to work because of the customer that the Federal Government acts as to make sure that they have work every single day.

Every school district, every health care institution receives Federal funds that really determine whether or not the doors stay open.

So what President Obama is doing is using existing programs, existing formulas, whether it's Title I, special education, whether it's aid to States through Medicaid programs, which we know work because they've been in place for decades. But what he's doing is boosting the spending back to States so that we, in fact, will not allow the total collapse, both in the public sector and the private sector as this economy continues in its downward spiral.

And frankly, in the next day or so, this Congress is going to have a choice before it. A ''yes'' vote will be a ''yes'' vote for jobs. A ''no'' vote, which is the do-nothing Herbert Hoover approach to an economic crisis that we have before it will basically condemn millions of Americans to further joblessness, to extended unemployment and a loser strategy in terms of whether or not this country, this great Nation is going to be capable of leading the world out of a global recession.

And I think the President has put forward a balanced proposal, using both tax relief and spending programs and State fiscal assistance to ensure that we are not going to allow this mess which he inherited to become any longer and any more prolonged for working families and middle class families than we have the tools and the capability of turning around.

So that's the choice that's before us. We can act, we can save jobs, or we can do nothing and follow the failed policies of the last 8 years of the Bush administration that got us into this mess to begin with.

And someone who is from a State that's been hard hit as well, from Kentucky, is here to, I think, again, share his thoughts and his perspective from his corner of America, Congressman YARMUTH.

Mr. YARMUTH. I thank my colleague from Connecticut and I'm glad to be here today to talk about something that touches every American. I think it's never been more true that, in this situation, no American remains untouched from, as we've seen very vividly, the giants of Wall Street to the citizens in Louisville, Kentucky, to the citizens in Connecticut and Florida and Ohio. Everyone is touched in every field.

Legal practices are making changes and cuts because lawyers can't even get business. And you know when lawyers can't get business, you know everybody's hurting.

But this is something that is an intriguing situation. And as I said this morning on the floor, I mean, over the past few months we've seen, as one after another of the giants of the economy have come before Congress to talk

about this situation and others, we've seen that all of them, these people we worship, these people we thought were the masters of the universe, turns out that they're all the wizards of Oz. You pull back the curtain and they're normal, fallible people who have made mistakes and who could not foresee the predicament that we've been in and, in many cases, they contributed to it.

The point of that is, that we talk about what we want to do to help, don't even say stimulate the economy or help us to recovery. I think this is a parachute plan. I think we are in free fall, and this plan is designed to serve as a parachute to give us a soft landing, because before we can recover, we've got to find bottom. And business after business that I talk to in my district and elsewhere says, you know, times are rough and we're hurting, but what we're really concerned about is we don't know if we're at the bottom.

□ 1600

We were off 10 percent last month. We were off 40 percent this month. We can survive that if we're not down 60 percent next month, but nobody knows where the bottom is, so we're all, in a sense, looking for a way to put a floor under this economy right now.

I know and I have listened to Members on our side and on their side and in our House and down the hall in the Senate talk about things: Well, they know what small business does and what will create jobs in small business, and these are people who have never been in the private sector in their lives. They have no clue what really creates a job in the private sector. We've heard people who cannot even balance their own bank accounts admonish the bankers of the country. So I think we need to be honest with the American people and be honest with each other and say that we're in a situation that is unprecedented, that we truly are in unchartered waters. We are trying everything we know how to do at the Federal level to salvage this economy and to get us on the right footing to stage a recovery.

Are we sure it's going to work? No. Would we all write the bill differently? I think it is true; we would all write the bill differently. We would write the bill differently on our side. They would write it differently. Even among ourselves, we would write it differently. We think some things are more effective than others, but we have to try everything we know how to do in this situation in order to be effective.

As many on the other side believe, we cannot say, oh, tax cuts are going to be the salvation. I mean, as you've mentioned, we've tried that. We tried tax cuts in the early part of this decade. Look where we are? I have talked to businesspeople, and I have asked them specifically, ''Tell me if there is any tax incentive or tax break that we can provide that would make you do something that you otherwise would not do, i.e., hire people whom you don't need?'' They've said there is no such tax cut. The only thing that will help them get going again and that will make them do things that we want them to do, which is to create jobs and to save jobs, is to provide demand. That is what is sorely lacking from this economy. People don't have confidence.

They say, ''If I'm going to buy a car, not now, not now. I don't know whether this company is going to be in business. I don't know whether I might be able to get it cheaper in 6 months. I don't know if the rates will be more favorable.'' It's the same with housing, the same with a suit, the same with a computer, and the same with a flat screen TV. There is no confidence, and we need to restore confidence.

That's why I think it is imperative that as we move toward this vote that we get some cooperation from the other side because the American people should have confidence that we are working on this together. I think we have seen a noticeable reluctance from the other side to work with us on this. I know they claim they've not had any input, which we know is not true. They've had input. Much of this bill was crafted with the other side in mind, but suffice it to say that we are all in this together. None of us is getting exactly what we want in this bill.

So I would implore everyone, and I would implore the American citizens to call their Representatives on both sides and say it is important that the American people have confidence in this plan because this is the only plan there is. Right now, it is the only chance we have, again, to give us a soft landing in this economy and to start us on the road to rebuilding.

So, with that, I thank you for allowing me this time.

Mr. KLEIN of Florida. Well, thank you. The gentleman from Kentucky has hit it right on the mark, the gentleman from Connecticut as well.

We are joined by Members from all over the country today. Everyone is going to have their opportunity. I think I'll just highlight one point really fast:

As we've been working on this for the last number of months, in speaking to people at home, to economists, to experts, to businesspeople from the Reagan administration or from the Clinton administration, and to everything in between, I think the great thing about this opportunity is that we've gotten a very broad perspective, and the message has been very clear. There is no silver bullet. There is no one answer that is going to solve this in terms of creating consumer demand and confidence. You're going to have to try a number of things—be bold. Move it along because we're hemorrhaging—so we can get things stabilized as quickly as possible.

The great thing is that 90 percent of the jobs being created are private-sector jobs. The private sector is going to drive the economy. As Mr. COURTNEY clearly said, the private sector is stimulated at a time like this by the government's doing things that are good for us, whether it's enhancing school buildings, broadband technology, things like that.

We are joined by the gentlewoman from Ohio, from our Midwest, from the heartland, and she has just been a great leader on so many of these issues affecting families and small businesses. So, if you could, certainly give us your insight from the Ohio perspective.

Ms. SUTTON. Well, I thank the gentleman, and I thank you for organizing this today on the floor.

It is just so critical—and you have heard it here from every speaker thus far—that we get this bill passed. The reason for that is we need to get the American recovery going.

I come from Ohio. I arrived in these halls, and it was shortly thereafter that, as I walked down the halls, people started saying to me when they saw me coming, ''Jobs, jobs, jobs.'' The reason they said that is, from the day I arrived in Congress, I have been fighting for economic opportunities for the people whom I am so honored to represent, and I know that that need extends beyond Ohio.

As you have heard, this bill—but it bears repeating—will create and will save up to 4 million jobs. We will be doing things like rebuilding America. It will make us more globally competitive. We are going to give 95 percent of American workers an immediate tax cut that they desperately need. We will invest in roads, bridges and mass transit, flood control, clean water projects, and other infrastructure projects that all need to be done. This is work that has to be accomplished for many, many reasons, not just because it will, in effect, also stimulate our economy.

But if you're going to make massive infusions and investments in America, doesn't it make sense to invest in doing the work that needs to be done that will benefit the good of our whole and that will also strengthen our Nation's going forward? That is what this bill does.

It also contains unprecedented accountability measures. So important. So important. We've all seen the news, and those in Congress have watched with amazement as we've seen irresponsible behavior in the expenditure of funds that are taxpayer funds. We're all very disgusted by some of what has happened with the first tranche of the TARP funding. So these accountability measures under this new administration are critically important to restoring the trust of this Nation and of the people whom we are so, so fortunate to represent.

We have heard also about this bill and its scope. The truth of the matter is this is not about being a Democrat, and this is not about being a Republican. We just need a bill that will work for the American people. There is room for everybody who wants to help. Now, it is true that we won't all get everything we want into this bill, and I

won't go into the things for which I am dismayed may or may not ultimately end up in this bill.

The fact of the matter is it creates those jobs, jobs, jobs that the people in Ohio and across this country so need. As for the support of this bill, as I said, it's not about being a Democrat, and it's not about being a Republican. It has broad support across this country.

Sometimes we get wrapped up with what goes on here, but you know, it's from the U.S. Chamber of Commerce, from the National Association of Manufacturers, from the Associated General Contractors of America to Representatives like MIKE CASTLE, who is a Republican from Delaware, who said, ''I am always concerned when the Republican party takes a negative position on something that should be moving forward.'' Now, I'm not sure that's a statement of support, but I do know that that is something that he said about some who may not be willing to act yet even though we need so much done.

Governor Charlie Crist appeared with President Obama to talk about the plan and about the hope that it offers for this great country. Charlie Crist said, ''This is a time when our country needs all of us to pull together.'' We have all heard before that we come here on different ships, perhaps, but we are all in the same boat now on this thing. It's about jobs, jobs, jobs for Americans and Floridians. The list goes on.

There are people of both parties who are working diligently to try and get us to a place that will allow us to pass this bill because action delayed is very, very costly as you have already heard here today. Even if you have not heard it today, you have seen it because you've seen it in your neighborhoods; you've seen it on the streets where you live; you've seen it in your neighbors who are losing their homes; you've seen it in your friends who are losing their jobs.

This is a great country. What this bill is really about is our making a massive investment in this country and in the people who live here. So let us get this bill passed. I am looking forward to it. I invite all to join us in that effort who have that opportunity. Let us put Americans back to work, doing things that America needs to have done.

Mr. KLEIN of Florida. Thank you very much. The gentlelady from Ohio has hit the nail on the head, and I think we agree with everything you said. It really is about Americans first. It is about putting aside every bit of the politics. There is a time for jousting and a time for debate, and there is a time for action. This is the time for action. The next couple of days will be a signal to the American people, to our business community, to our consumers that we are ready to turn the corner.

With that, I would like to turn it over to the gentleman from New York State (Mr. ARCURI) and get his perspective, please.

Mr. ARCURI. Thank you. Thank you for organizing this today and for the advocacy that you do on behalf of not only your constituents but of all Americans.

I would like to just associate myself with the words of my former colleague from the Rules Committee, Ms. SUTTON. I think no State has been hit as hard as Ohio has over the years, and I think her remarks certainly ring true for all of the country, including my district that I represent in upstate New York.

As the economy falls deeper into recession, economists tell us that we must act quickly and that we must act boldly. That is exactly what the House did last month when we voted on the American Recovery and Reinvestment Act of 2009. We must—and I repeat this—we must send a final bill to the President's desk this week. Every day that we wait and every moment that we hesitate come more and more layoffs to regular people. These are working people in our backyards. These are people who we go to church with on Sundays. These are people who we work with and who we see at the supermarkets. These are people who we know are losing their jobs. Let me just talk a little bit about that because, to my way of thinking, nothing is more important and nothing is more significant than trying to help the people who have lost their jobs.

In my district, I represent about eleven counties, all or part of eleven counties, actually, in upstate New York. Broome County, which is where Binghamton is located, has an unemployment rate of 7.1 percent. Almost 7,000 people are unemployed there. Tioga County has 7.2 percent. In Herkimer County, it's 7.7 percent. In Oneida County, it's 6.7 percent. Nearly 7,500 people are out of work in Oneida County. In Cayuga County, it's 7.4 percent. In Chenango County, it's 8.2 percent. In Otsego County, it's 7.3 percent. In Seneca County, it's 6.9 percent. In Ontario County, it's 6.8 percent. In Tompkins County, it's 4.7 percent, and in Cortland County, it's 9.1 percent.

These are real people. These are more than 35,000 people in my district in upstate New York who are out of work. This is why we need to stop talking, why we need to stop debating and why we need to put a bill on the President's desk.

Last year, more than 2.6 million jobs were lost here in the United States, and economists warn us that without immediate action here in Washington those numbers will and can be significantly higher in 2009. In fact, we have already seen a significant jump in the number of job losses over the last 3 months. The numbers that I just gave you were for December. That's the frightening thing. They were for December when employment is supposed to be lower as a result of people going to work at the holidays.

What will the numbers be like in January? Congress must support an economic recovery package that creates and saves 3 million to 4 million jobs over the next 2 years.

You know, I want to talk about something. I was in my office, listening to my colleagues just a little while ago. I don't like to point fingers, but there was a point when I just had to respond. They talk about the deficit's being $9.7 trillion. They're right. It's very high. But where have they been? We've been talking about that deficit for years. We've been talking about the problems of spending, spending, spending. Yet they continue to vote for it.

The thing that troubles me so much is that they had no problem at all in voting to build roads in Afghanistan, that they had no problem in voting to fix the water systems in Iraq and that they had no problem in voting to build schools to help educate children in Iraq and in Afghanistan. That is noble, but you know what? It is just as important to educate and to make sure that our children have the very best schools, that our roads are safe, that our bridges are safe, and that our water systems work. This stimulus plan not only will employ 3 or 4 million Americans, but it will restore the infrastructure in this country to the degree that it needs to be. It will help to fix our education system.

Domestic spending is important. How is it that people on the other side of the aisle have absolutely no problem whatsoever in voting for funding for foreign countries, and yet, when it comes to domestic spending, they stand up here and poke fun at it and say it's not necessary? I would submit it is critically necessary to this country, that it is critically necessary to our future and that it is critically important to the 35,000 people in my district who are out of work.

□ 1615

We cannot afford to wait, as some of my Republican friends suggest. Economic experts have warned us that the longer we wait, the more difficult it will become for the economy to turn around. The time for talk is over; the time for action is upon us.

Madam Speaker, we cannot afford to delay. Congress must act this week to begin the long process of saving and creating jobs.

Mr. KLEIN of Florida. I appreciate the personal experiences and personal observations from your district. I think we share that same experience from all of the people we're talking to. And as we had in the Financial Services Committee today, we heard from a lot of the large New York banks, and they talked about how the fact that—if you listen to them, that they're lending, they're doing this, they're doing that. I don't understand why it's not translating to our communities. I mean, if you believe what they're saying, it sounds like everything is okay.

And we know the lifeblood of the economy is credit, consumer credit, people being able to buy automobiles

or consumer goods or student loans, things like that—and not to mention small businesses that needed just to invest in their small businesses to keep their business going. It's not happening. And that needs to change, and that's part of this goal of fixing the economy, stimulating it, and getting the financial system fixed.

We have a gentleman, Mr. WALZ. We really appreciate your being here and being part of the explanation and the experience that you've had up to this point. I know you've been hearing from your people back home. We were just talking about it over the weekend.

And why don't you share some of that with us.

Mr. WALZ. I thank the gentleman from Florida, and I thank you for leading this conversation.

I think the American public, what they're seeing is they're seeing a cross-section of this country. Listening to the gentleman from New York, listening to the gentlewoman from Ohio, from Connecticut, from Kentucky, talk about what they're hearing amongst the people. And I can tell you when we go back home—and I live in a small house in Mankato, Minnesota, in southern Minnesota. The house in front of me has been foreclosed for a year and a half. The property value on my house has dropped about 50 percent. We're seeing that across the country.

The pinch of this economy coming down and the frustration amongst the American people is palatable. You can feel it. They are frustrated, and they are angry. And the questions they are asking is this: ''How come it seems like I'm working harder and getting further behind, and when I turn on the television, somebody else is taking a trip to the spa? Somebody else is getting a private jet? Somebody else is getting something for failing when I seem to be making the right decisions? I'm paying my mortgage. I'm trying to save money to send my child to school, and I'm not asking for the lottery. I'm not asking for a ten-bedroom house. I'm asking to try and achieve the American dream.''

And I think it's important to remember, we're as frustrated as you are. The Members you hear speaking today come from that. This is the people's House. This is where the voice of regular Americans is expressed.

Before coming to this House, my job in May of 2006, I was teaching high school and had done it for 20 years and never made more than $50,000 a year. I have proudly served our Nation in the National Guard, but I asked the same questions, too. How are we not getting further ahead? When I talked to someone about trying to get my two small children, Hope, age 8, Gus, age 2, how do I save for college? I said, ''Well, then I will have to sell my house and live in a box because that is impossible for us to do that.''

The lifeblood and the ladder to success of the middle class was the ability to educate our children, to get a good public school education, to go to a good trade school or to a good college to try and move up. Those things are becoming further and further from us.

And the frustration that is felt in this country is because we have a system that did not respect those things, that did not put things in place to help the middle class. We were told if we helped and gave tax cuts to the wealthiest, wisest amongst us, they would rain down on us all of those blessings to get us there.

Well, what's happened is the average worker has lost $2,000 in real salary over the last 10 years. We are working longer hours. The American people deserve better. They are the most productive, most innovative people in the world. The middle class that built this country is now feeling the pinch. This piece of legislation is the down payment on putting things back in balance.

We're not against a free market. You will hear people come in here and talk about it. But there is no free market when those at the top are benefiting from everything, when those at the top are not being held to the same standards as those who are actually doing the labor.

And this piece of legislation and the gentleman—we've heard from many of them—I heard the gentleman from Kentucky talking about this being a parachute. My colloquialism, coming from a land of 10,000 lakes, is it's a life preserver. And that's what it is.

This isn't going to get us to where we need to go. What's going to get us is people standing in this people's House and hearing these Members talk: talk about the truth, talk about where the issues are, make real sacrifices. Don't ask the American people to believe talking points. Don't regurgitate the same old stories to them. Tell them where the economy is at. Speak to them as President Obama spoke to us about where we need to go, and then have the courage to say, ''If it's not working, we need to readjust.''

This piece of legislation is going to be about $1,000 for 95 percent of the public. It's going to refund education and make sure that we're doing the things we need to do to build for the future. It's going to start moving us off our dependence on foreign oil and the tyranny of oil that drags us into conflicts we have no business in. Those are the types of things we can adjust. We can bring this back in, and we can debate in this House how we get there. Very valid points. I can tell you this deficit troubles me deeply.

But the fact of the matter is right now the private sector is not creating jobs. The private sector doesn't have capital, and we were slowly spiraling down. More layoffs, more people that are going to go hungry, more people that are going to depend on the government to get things that they don't want to. These are proud people. They want to work hard, be compensated fairly, and do the things that they enjoy doing with their families trying to move forward.

This piece of legislation can do that.

I say it time and time again—I heard the gentleman talk about it from New York—you stand here long enough and you listen to this long enough, and you will hear people re-talking about the issues and trying to frame it in a certain way.

The fact of the matter is this: our economy is not working correctly. The middle class is feeling the brunt of this. We are bleeding jobs, and we are slowly pulling things down making it more difficult for the middle class to achieve the American dream. This piece of legislation stops the fall or throws the life preserver, yet let's us readjust, get a handle on health care costs, make it easier to invest in education, make sure people are rewarded for doing the right thing—not for simply speculating—and get back to innovation and entrepreneurship.

So the gentleman from Florida, I want to thank you for continuously hosting these discussions, for gathering people from across this land, for making sure the people's representatives stand here and speak what's happening in southern Minnesota, what's happening in Connecticut, what's happening in Ohio, and to get the American public to understand this is not about politics; this is not about games; this is not about who's winning the House and how we can drive down support of the House. You people have a 14 percent approval rating.

Here is what I'm here to tell you. If we have a 14 percent approval rating, our Democracy is in trouble. We must speak the truth, we must be bold, we must move this legislation, and we must find solutions for the American people. That's what our purpose is. That's the greatness of this country. And the gentleman has brought together people who express that from across the country.

With that, I appreciate the gentleman's time.

Mr. KLEIN of Florida. I thank you for your passion and your expression of what's going on in Minnesota.

I think we're seeing that the same situation is going on in all 50 states. For those of us who lived during recessions before, some recessions were tied to real estate, some were tied to manufacturing, different parts of the country. But you know something? People from every corner of this country are feeling this right now, which is why we have to act now. Do the right thing. We'll adjust as we go along. But every economist has told us that this is the right combination: some tax cuts, some investments, but all towards the future.

I want to express my appreciation to the President who has expressed it this way because I think he's right on the mark.

What I'd now like to do, if I could, is introduce my friend, the gentleman from Connecticut, who's been a great

leader also on small business incentives and making sure small business has all of the opportunities to grow, and we know this is the moment for that.

So why don't you give us some expression on that issue.

Mr. MURPHY of Connecticut. Thank you very much, Mr. KLEIN, and I always enjoy hearing our friend from Minnesota speak on the floor.

Mr. KLEIN, let me talk about one small business in particular. Let me talk about Angelo's Deli in New Britain, Connecticut. Angelo's has been serving the people of New Britain, where my great-grandparents came to work decades ago, for 60 or 70 years. Now, Angelo doesn't own the place anymore.

Now, for the last 20 years, it's been owned by a guy by the name of Joe Tropea. Joe is not a political guy, doesn't get involved in political fights very often; but he sees as clearly as any business owner out there—small, medium, or large—what's happening to this economy.

Joe's holding on. He's doing all right. But he's having to cut back hours. He's starting to think about layoffs. This is a business that has been doing business in New Britain for decades, for decades, and is feeling the crunch right now along with everybody else.

Now, why is that? Well, sometimes when people think of Connecticut, they just think of the big houses along the coast where all of the investment bankers, folks coming back and forth from New York live.

Well, in New Britain, Connecticut, before this recession began, our employment rate was 11 percent. It was 11 percent to start. It's up to about 12 or 13 percent right now. Why? Because as Ms. SUTTON has talked about so many times on this floor, we have allowed the kind of jobs that built up New Britain, Connecticut, and Waterbury, Connecticut, and Meriden, Connecticut, to filter out of this country because for the last 8 years in particular, we have had no strategy to try to build our manufacturing base in this country. We were weak already before we lurched into this economic downturn. Jobs have been really hard to come by for a long time in New Britain. Now it's getting to a crisis point.

And the folks that have been coming in for weeks and weeks and years and years to Angelo's Market aren't coming in any longer. The folks who used to come in for a sandwich every couple of weeks are now coming in once every month. The people who used to come in every day are now coming in one day a week. And this story can be told over and over and over again.

And so the important parts of this bill to Joe Tropea and Angelo's Market are the parts that start inspiring consumer confidence again.

Now, we may not know all of the keys to unlock consumer confidence, but we know that if we start putting money back in people's pockets—and the right people's pockets—we can start to make them feel good about spending again. That's why 30, 40 percent of the stimulus bill is dedicated to tax cuts but targeted tax cuts to middle class families and to small businesses like Angelo's Market.

That is part of what is going to start getting people to spend again, start getting people to walk into places like Angelo's Market again and get this economy moving again.

A lot of attention has been given to this spending provision of the bill or that spending provision of the bill. Those are important parts. But a large part of this bill is dedicated to putting money back into the pockets of hard working Americans for them to begin to feel the confidence in this economy that's been lacking for too long.

But what also matters to Joe is getting jobs to people of New Britain. Nobody's going to come in and spend money in his business or anybody else's business in New Britain if the unemployment rate in that city continues to lurch upward to 14 and 15 percent.

So that's why the 4 million jobs that are preserved or created in this bill are so critical to Joe and the thousands of other business owners in my district.

And it's also why he cares about the provisions of this stimulus bill that apply to State government because right around the corner from Joe is the Connecticut Works Office, the arm of the State government that retrains and trains workers for the next economy.

If the State of Connecticut continues to face a $6 billion 2-year budget deficit, as it does, it is going to be forced to cut jobs at our worker training programs, to eviscerate the very safety net that's going to help people who are losing jobs find new ones. It makes absolutely no sense to take money away from States that they're going to use to try to train and retrain workers as this economy transforms itself.

So Joe and other small business owners like him look to what the Republicans are proposing as an alternative. And when they look to this retread of Bush economics, when they look to the alternatives sponsored by the Republicans, which, in essence, seems to amount to an excuse to simply perpetuate the policy of the Bush administration where tax cuts seem to be the exclusive domain of the people at the upper 1 or 2 percent of the income echelon, he knows that does nothing for him. He knows that for the businesses that line West Main Street in New Britain, that that policy hasn't worked for the last 10 years, and it is not going to get us out of this recession. It's not going to get people coming back into his shop. It's not going to create jobs again.

As President Obama has said over and over again, we cannot use this economic recession as an excuse to go back to the policies that have not worked up until now.

So I think it's incumbent upon all of us to spend our time, as we try to chart a course forward, spend time in those small businesses that are trying to survive, that are trying to figure out a way forward.

The tax cuts in this bill for middle class families, the money to go help States keep that safety net strong, and the 4 million jobs that will be created or saved are instrumental to our economy at large, but are important to small business owners like my friend Joe across this country.

□ 1630

So I thank my friend from Florida for bringing us together today. I think you're hearing different versions of the same story. To borrow Ms. SUTTON's words, it's jobs, it's jobs, it's jobs.

Ultimately what gets people feeling good about this economy, back spending again, is a sense of security about their own job and the knowledge that their neighbors and their friends and their families are going to have their jobs preserved as well.

This stimulus bill gets us there. It is not the salvation, but it puts us on that road.

I thank Mr. KLEIN very much for giving us the time this afternoon

Mr. KLEIN of Florida. I thank the gentleman from Connecticut, and I think we all have a number of Angelos in our communities, whether they're little bake shops or barbershops or supermarkets or florist shops or little machine shops. I grew up in a variety store. My dad worked 6 days a week, like most of our parents did. And I worked with him alongside, like a Woolworth type of little local store, and he taught me about what it takes to make a budget, and I think most Americans understand that right now when we know that we have to get jobs back on target here.

I'd now like to add another State to the mix here. The gentleman from Maryland (Mr. SARBANES), if you can give us your understanding and your thoughts, I'd like to yield to Mr. SARBANES.

Mr. SARBANES. Well, I thank the Representative from Florida for convening us to talk about this incredibly important stimulus package.

The Economic Recovery and Reinvestment Act is our opportunity to put America back to work in the short run and to invest in things that make sense in the long run, and I really look at that package through four different lenses.

The first is that it's going to save jobs. It's going to save a tremendous number of jobs, just the State stabilization portion of this bill. What many people don't appreciate is that all across the country States right now are making their budgets. They are constitutionally obligated under their State charters to balance those budgets. If they don't get the assistance that is represented by this stimulus package, they're going to have to make Draconian cuts to their budgets. That means police officers losing their jobs,

safety officers, fire officers and others, teachers. All the people that make the economy work, that make these States function are going to be potentially in jeopardy. So the first element of this that's so critical is that we're going to save hundreds of thousands of jobs across this country.

The second lens to be applied is that we're going to create new jobs, and that's going to be done both directly and indirectly. Directly it's going to happen, for example, through these infrastructure projects. That is going to put a lot of people to work. It's going to create a lot of new jobs, and it's also going to invest in things that we need to be doing.

We need to be repairing our bridges and our tunnels and our highways. We need to be improving mass transit. All of that can happen as a part of this stimulus package, but it's also going to create jobs indirectly because it's investing now in a green economy. It's investing in new energy technologies that are going to create the next generation of jobs in this country, and that can happen very quickly.

So, again, it meets this prescription of having two impacts: one, to create jobs in the near term; two, to invest in things that we want to do anyway in this country.

The third important element of this, of course, is to stimulate demand more broadly, and that can be done through the tax cut component of the bill. There is significant tax relief that is being offered to the working families of America. Ninety-five percent of the working families across this country are going to receive a tax cut. That means more money in their pocket. It means they can go out and they can purchase the things that they need, not purchase in excess which unfortunately was what has been happening in recent years, but to go out and purchase the things that they need and to stimulate the economy in that fashion.

And the final piece of this, which in my mind is almost the most important, is that it's going to help people get through this very, very difficult economic period that we're in. We are facing a grave situation in this country, and there are many people that are living on the edge. There are many people that have fallen over the edge.

This bill includes needed resources to support Medicaid programs across the country, to extend unemployment benefits and unemployment insurance to people who have lost their jobs. There are a lot of people that are suffering. There are a lot of families that are hurting right now across America, and one of the goals of this legislation is to help them get through this very difficult period.

Yesterday, I was with Secretary Salazar, the new Secretary of the Department of the Interior. We did an event at the Patuxent Wildlife Refuge, which is located in my district in Maryland, to highlight the upgrading of facilities that can occur at that wildlife refuge in the near term using some of this stimulus resource. It's going to create jobs there. It's going to upgrade those facilities, which is a long-term investment in our wildlife refuge system across the country. So there are many different objectives that are being satisfied as a result of this investment.

A hundred thousand jobs in Maryland are projected to be saved or created as a result of this legislation. That is too critical for me and the other Representatives of my State to look away from. That's why we're going to so strongly support this bill.

And in closing, let me say that President Obama is not going to lead us out of this economic recession, and this Congress is not going to lead us out of this economic recession. What we are going to do is we are going to give the American people the tools and the opportunity and the hope so that they can lead us out of this economic recession. I am so confident that if we put our hopes and dreams into the American worker and we give them the tools to do the job, they're the ones that will lead us through this thing. And that's what this stimulus package is all about: giving the American worker the resources, the opportunity, the tools to lead us out of this difficult, difficult economic time.

Mr. KLEIN of Florida. I thank the gentleman from Maryland.

You're absolutely right, and if we think about it, we're approximately 3 weeks from the inauguration of President Obama, and right now, we're on track for a historic Economic Recovery and Reinvestment Act that he laid out principles before, during and after that inauguration. And I think all of us are very dedicated as Americans to making sure that we get it right.

It's not a question of how much time it takes to pass the bill. It's a question of getting it right, and I think that after weeks and weeks and weeks of getting experts and lots of people from back home and up here to help us understand what we need to do, the combination of the right tax cuts, the right investments will help us get it right.

Madam Speaker, I'm going to yield back to the Chair, and I want to thank you.

The SPEAKER pro tempore. The gentleman from Connecticut (Mr. COURTNEY) will control the remainder of the hour.

Mr. COURTNEY. Madam Speaker, we have a few minutes left in Mr. KLEIN's hour that he's allotted for discussing the Economic Recovery and Reinvestment Act, and I think a lot of the speakers who have already had a chance to weigh in are going to kind of give their final closing arguments.

Again, we are hours away from the decision that's before this country, about whether or not to support President Obama's effort to turn this economy around, and I think it's so important, again, for the facts really to have an opportunity to be heard before that vote takes place.

Back in Connecticut, the head of The Carpenters Union, Chuck Appleby, once said at a hearing we had the other day on the need for infrastructure investment that the best social program is a job. A job provides people with wages. A good job provides people with wages and benefits, but even more importantly, it gives people dignity and confidence in themselves and their future, and that's what's missing right now.

We have seen an economy that's lost 3.6 million jobs in the last 13 months, and people are just hunkering down and pulling back because of a legitimate fear about not knowing where the future is headed and whether or not that future has a place for them. And President Obama gets that, and that's why this measure is aimed directly at stopping that hemorrhaging and making sure that we inject not just investment but also confidence back into the American economy.

I'd like to yield again for his final comments to the gentleman from Kentucky (Mr. YARMUTH).

Mr. YARMUTH. I thank my friend from Connecticut, and all of our districts and all of our States have similar problems, but I'd like to just in closing bring reality once again to the American people.

In my district of Louisville, Kentucky, my mayor faces a $20 million shortage in his budget. He's trying to exact concessions from firefighters and police officers and sanitation workers.

My school district, one of the 20 largest school districts in the country, has a $32 million deficit they're facing this year. He's looking at the prospect of laying off teachers and important staff and thereby jeopardizing the education of the children in my district.

In my State of Kentucky, the governor is facing an almost $500 million deficit this year, and vital human services are having to be cut.

These are not because our State or our school district or our city is being mismanaged. In fact, they are being managed extremely well. The economy has just come to that situation in which everyone is suffering, and unfortunately, we in the Federal Government are the last resort.

This is a kitchen sink approach, I concede. We don't know for sure that it will work, but it is the only plan on the table right now. I think the best minds available have come to the conclusion that this is what can help us begin the road to recovery and providing jobs and a higher standard of living for our citizens.

That's why I strongly support this and urge my colleagues on both sides to vote for it. As my colleague from Maryland said, I know the American people will join us in the shared sacrifice and the shared effort it will take to restore the American economy. And I am not a pessimist. I am an optimist, but it is important that we instill and restore confidence in the American people by what we're doing. I think this plan is the right way to do it, and I look forward to voting for it.

Mr. COURTNEY. I thank Mr. YARMUTH for demonstrating what the stakes are in this vote that's coming up again in a few short hours.

Again, for closing comments, I'd like to yield to the gentlelady from Ohio, Congresswoman SUTTON.

Ms. SUTTON. I thank the gentleman from Connecticut and all of my colleagues who have risen here today to talk about what is so important for this country.

It's been said so well, but it bears again, as I've mentioned, repeating. Time is of the essence, and so here we are 3 weeks and 1 day from President Obama's inauguration, and we're on track to reach agreement on an historic Economic Recovery and Reinvestment Act. We know it's going to create millions of jobs. We know that it is going to help 95 percent of American workers with tax cuts. It will begin the process of transforming our economy, and it contains that necessary unprecedented accountability and transparency.

But in its simplest form, in its simplest summary, this bill is all about restoring the promise of the middle class, restoring the promise that this country is founded on and has grown to greatness because of. You know, this is about our workers, and this is about our businesses. This is about our States and our communities and all the families and the people who live there.

It has components about health care. It has components about putting people to work, building things, our infrastructure that we all know is crumbling and has resulted in tragedy. And my good friend from Minnesota knows that all too well, as we watched that bridge crumble and lives were lost.

This is a great, challenging time for this country. But we do have opportunity in this moment, and this bill is the beginning of it because this is our beginning on the path back to restoring the promise of the middle class.

Mr. COURTNEY. I thank Congresswoman SUTTON for your, again, eloquent, colorful plea for manufacturing jobs and the middle class of America.

Here to bat cleanup and to finish the colloquy that has lasted over the last hour, again, is our good friend from Minnesota, Congressman WALZ.

Mr. WALZ. I thank the gentleman, and again, it's a privilege for me to speak with each of these Members who represent this great country: 435 congressional districts, 300 million Americans, all with a dream that this country, by working hard, by making good choices, you can achieve those things that are not asking for the world, maybe have a home, be able to own that, be able to have a job that pays a living wage, be able to send your kids to college and see them live that dream. That's what we're asking for, and as the gentlewoman said, now is the time for opportunity.

All of us grew up in this Nation hearing the stories of whenever it got tough, the perseverance of the American spirit survived. Whether it was Valley Forge, whether it was Gettysburg, whether it was the deepest, darkest days of segregation in this country, we come out the other end.

□ 1645

Well, the American people need to know this chapter is not yet written. The end is not guaranteed. We have come to be somewhat complacent that it will work its way out. We need leaders like President Obama. We need the American public to stand up and say, We can get this right.

And, as the gentlewoman from Ohio said, I am optimistic. In southern Minnesota, we are leading the way in wind production. My district is the home of the Mayo Clinic. We are going to find a cure for the diseases that cause so much anguish in this country. We have groups like the Hormel Institute, public-private partnerships teaming together to find the cures for cancer, for diabetes, for other things down the road.

Those innovations will bring this country back. Those innovations will take us off this dependency on cheap imported goods while American jobs are outsourced and a living wage is crushed down. We heard that the auto industry failed because people made a living wage.

Those are the type of things that aren't solutions. They are talking points for politics. The group of people who got here today, here's what they care about: Making sure the voice of the people in their district is heard, making sure that we have a level, fair playing field, and we reward work and creating something. That is what we are asking for. This piece of legislation moves us in that direction.

I thank the gentleman for his passion and the gentlewoman from Ohio and all others who gathered. We're all in this together. The opportunities are there. But the time to do something is now. This piece of legislation is it.

I yield back to the gentleman.

Mr. COURTNEY. Thank you, Mr. WALZ. If we have a few seconds left, maybe we can squeeze in final comments from Congressman SARBANES. I yield to the gentleman from Maryland.

Mr. SARBANES. I think I have about 45 seconds. I just wanted to say this. I have been here 3 years. I don't know how long my career in this body will be. None of us do.

I am convinced that this is the most important vote I will ever cast on an economic measure that faces our country. And I will have to explain that vote for many years to come. And what I will say to people is, I did what I thought was right. And I think it is the right thing to do to pass this, for the American worker, for families across this country who are suffering, for people who just want a job so they can contribute. And that is why I am going to support the Economic Recovery and Reinvestment Act.

SUDAN SPECIAL ENVOY

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

Mr. WOLF. I rise today to call on the Obama administration and Secretary of State Clinton to appoint a special envoy for the genocide that is taking place in Darfur. Senator BROWNBACK and I were the first Members of Congress to go to Darfur. The genocide continues, and yet there's almost the sound of silence.

This is a photo that SAM and I took of a village that had been bombed and the janjaweed come riding in on horseback. This is the janjaweed. They ride in, the Antonov bombers come over, they drop bombs here on these Russian-made bombers, then Soviet Hind helicopters come in and gun the people down. Then, the janjaweed people like this on horseback or camel come in, they rape the women, they burn, they torch the villages, then move on.

Now, President Bush put a lot of time in this effort. Unfortunately, it was not concluded. But I want to commend the Obama administration for appointing a special envoy for the Middle East, former Senator Mitchell and also former Ambassador Holbrooke, for a special envoy for Afghanistan and Pakistan. But why not a special envoy for the people of Sudan and for Darfur?

We call on them in a letter that went out today, particularly, and also asking Secretary Clinton to, when she goes to China, to publicly and privately urge the Chinese to help bring about the end of genocide.

The Chinese have the largest embassy in Khartoum. They sell the weapons, the guns and all, to the Khartoum government, that are later given to the janjaweed to then continue this effort.

Five years of genocide. And, Secretary Clinton, when she was a Senator, voted, I'm sure, for the first Brownback amendment that designated this activity in Darfur as genocide.

So, in closing, Madam Speaker, I commend the administration for Mitchell in the Middle East. But when the people of Darfur are looking, they say, Special envoy to the Middle East, special envoy to Pakistan. Why not? Why not?

I urge them today, before the end of this month, hopefully, even before the end of this week, a special envoy to help the people of Darfur.

CONDITIONS IN THE ECONOMY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Missouri (Mr. AKIN) is recognized for 60 minutes as the designee of the minority leader.

Mr. AKIN. Thank you, Madam Speaker. It's a pleasure to be able to join you again this evening and to talk about the subject that is certainly on

the minds and hearts of Americans everywhere, and that is the conditions in the economy.

We find ourselves this time at a unique position. We have heard for the past 6 and 7 years about the tremendous cost—how there's billions of dollars being spent day after day in Iraq and in a costly war in Afghanistan. And so it is a bit of a surprise that we find now that if you were to add the cost of the war in Iraq for the past 6 years, and then add up the cost in Afghanistan, the war there for the past 7 years, and then add those two numbers together, you would find that here, in the first 6 weeks of the administration, we are going to spend more money in 6 weeks than we did in those wars over a 6- and 7-year period of time.

How did we get to this curious place? When we start talking about $800 billion, one of the dangers of entering this kind of unchartered territory is that our eyes glaze over. What is $800 billion anyway?

Well, there are different ways of looking at it. If you think of it from the point of view of the defense budget, we currently have 12 or 13 aircraft carriers. Those are considered by defense people as very valuable. And you don't want to let people torpedo your aircraft carriers because 12 or 13 aircraft carriers have got a lot of airplanes on them, a lot of people on them. Costs a whole lot of money.

How many aircraft carriers could you buy with $800 billion? Well, we are talking about, at the price we paid for some of them, about 250 aircraft carriers. Or, if you buy the most brand new, fancy one and don't discount it any for mass production, you're talking about over 100 aircraft carriers that we are going to spend—kaboom—in the first few weeks of a new administration.

So how was it that we got to this curious point that there appears to be a crisis this severe? I have to say as a Republican, I don't disagree that we have our economic problems and that there are things that we should do about them. Fortunately, we have history as our North Star to show us what will and what will not work.

First of all, how did we get here? Well, it was something that developed, as you can imagine, over time. It didn't just happen overnight. Going back to the Carter years, there was the Community Reinvestment Act. What Carter and the people that were in Congress at this time said was, Hey, we've got certain areas in some of our cities where banks are not willing to give people loans. And that is not fair because every American ought to have the opportunity to own their own home.

So what we are going to do is we are going to tell the banks that they have to give loans around to people all over their communities. Of course, the banks were a little reluctant because the banks' concerns were, Hey, some of these loans may not be paid and we are going to end up picking up the tab. So that was starting with Carter.

Then, after Carter, we ended up creating what was known as Freddie Mac and Fannie Mae. And those also were partly government, but partly not government agencies, and their whole purpose was designed to try to provide average Americans with loans for their houses, which is a nice thing to do. They were really not under the administration control, and yet it was implied that these loans would be backed up by the Federal Government. So they were not really public, but not really private. They were half and half.

And Freddie and Fannie started doing more and more and more investment. They grew and they started picking up more loans of people in America, to the point that last year Freddie and Fannie had more than 50 percent of the loans of Americans, that Americans had on their houses. So Freddie and Fannie got really big.

Well, when Clinton comes along, Clinton, during his last year in office, he changed the rules some for Freddie and Fannie and increased the percentage of the loans that Freddie and Fannie had to make to people who were high risk people that would be getting these mortgages.

So that, in combination then with the fact that Greenspan drops the interest rate low, you start to get a combination of more and more people being loaned money that they can't afford to pay back, and speculators who can't afford to pay the money, borrow money, knowing that the housing market is going up like a skyrocket because, who knows, housing has never come down in America, so just keep betting on the fact that housing is going to be going up. So they continued to do that.

Well, was this something that nobody saw coming? Not so. You can go to the New York Times, not exactly a Republican right wing oracle, and the New York Times on September 11, 2003, includes an article that says, President Bush is asking for authority to regulate Freddie and Fannie because they are getting crazy with the kinds of loans they are making. He says, We are going to have a big problem if we don't regulate Freddie and Fannie. These two entities. This is a New York Times article. You can look it up. It's September 11, 2003.

So, Bush is pushing for regulation of Freddie and Fannie. In the meantime, he is being opposed by who? Well, he is being opposed by the Democrats. Particularly, Barney Frank makes this statement, These two entities, Fannie Mae, Freddie Mac, are not facing any kind of financial crisis, said Representative Barney Frank of Massachusetts, the ranking Democrat on the Financial Services Committee.

That's interesting, isn't it? This is the man who's responsible for fixing the problem, and he's the man that said, There isn't any problem at all. We don't need to regulate these things.

The more people exaggerate these problems, the more pressure there is on these companies, and we'll see in terms of affordable housing. He's saying, Well, we're not going to be able to do enough affordable housing if we were to limit any of the activities of Freddie and Fannie.

Well, people have said, Well, this whole financial crisis we have got in America, this is a problem of free enterprise. It has nothing to do with free enterprise. This is a Big Government socialistic program that was not regulated properly, and it started to cause trouble. And, as you know, these loans got worse and worse. It was exaggerated and exasperated by the fact that you have got rating agencies in New York that were playing along with a very greedy Wall Street. They were raiding these loans at AAA rating when a lot of people who made the loans knew there's no way people could pay that kind of loan. They weren't asking, How much money do you make; they weren't saying, How are you going to pay it back? You want half a million? Fine. We'll write you the loan. Boom. Give it to Freddie and Fannie and let the government pick up the pieces when it crashes.

And so these loans, as the real estate market gets higher and higher and higher because of low interest rates, when that bubble starts to pop, all of a sudden these loans start coming down and it poisons the entire world economy. And that is what we have seen happen. Now, half of those loans are still outstanding.

So this is not a problem with free enterprise. This is a simple problem of the Democrats in the Senate killing a bill that the Republicans passed in the House, allowing the President to try and regulate. They couldn't do it.

□ 1700

So, this problem is one of another social program, perhaps even sold and marketed as compassionate, yet I don't know how it is compassionate to have somebody borrow money that they can't afford to pay back. And that's how things got started here.

Now what we're going to talk about is a couple of things: How bad really is the problem? And I also want to mention the fact that there are really two views at how to solve this problem. What you see on the floor, we just saw an hour ago, the Democrats were saying, you know, our package is fantastic, it's going to fix all the problems, it's really great, we've got to hurry up and pass this thing which, as I mentioned, is the equivalent of more than a hundred brand new, modern aircraft carriers parked in a row. That's a fair amount of money, okay? It's more than the entire economy of Australia. We're talking about spending more money than we will receive in tax revenues for the year 2008 in America. In other words, you take all the money we collect at the Federal Government in tax revenues and add it together, we're spending more than that in the first 6 weeks. This is a fair amount of money we're talking about here.

I am joined, though, right now by some very good friends and colleagues of mine, and I think they've got some perspective on this. I would like to go first to Congressman MIKE COFFMAN. MIKE brings us some very unique qualifications from the State of Colorado. He was the treasurer of the State of Colorado, so you've dealt some with money, MIKE. And then also you ran your own small business. I think that what we need is not a lot of cries of crisis but some cold-blooded analysis of what the problem is, what the proper solution is, and then we need to be moving forward boldly but to do the right thing and not just waste a whole lot of money.

I would yield time to Congressman COFFMAN from Colorado.

Mr. COFFMAN. Thank you, Congressman AKIN. You're absolutely right. This legislation will hurt this country. It will hurt us in the short run. It will hurt us in the long run. Primarily because it does a couple of things. First of all what it doesn't do is provide the kind of stimulus that the advocates for this legislation are talking about. It is not front end, so it is not timely; it is not targeted in the sense that all of its elements are not stimulative in terms of being jobs-producing; and it is not temporary in that it creates a lot of recurring obligations. And so that as the economy is moving up out of a recession, what you then have is the government is still running deficits to pay for these programs and that that borrowing, competing with private sector borrowing, driving up interest rates, driving up inflation and hurting the long-term abilities of this economy to recover from that. So I think that it's absolutely the wrong course for this country. A lot of actions have already occurred. The Congress has already enacted $700 billion in the form of TARP to get the credit markets moving. Some of that well spent, some of that not.

Mr. AKIN. Congressman, if I could reclaim my time for just a minute because you're making some great points. I would like to back up to just a little bit higher altitude. What I'm hearing you say is, first of all, the package that the Democrats are proposing includes a whole lot of spending. If it's got a whole lot of spending, the assumption then appears to be that if the government spends a whole lot of money, it's going to make everything better. Now when you had to run the treasury of Colorado, is that the approach you used, that when you got in trouble you spent more money?

I would yield.

Mr. COFFMAN. Fortunately States such as Colorado have a balanced budget requirement so they're not allowed to run an ocean of red ink like the Federal Government, so there is certainly an advantage there in terms of fiscal responsibility and accountability that certainly doesn't exist with this legislation.

Mr. AKIN. As a small businessman, then, when you got in trouble economically, did you spend a whole lot of money to get out of trouble?

Mr. COFFMAN. What you had to do as a small business owner is to restructure your business to make it more efficient. There's no effort whatsoever to restructure government to make it more efficient. And States are asking for their own bailout. It relieves them of that responsibility.

Mr. AKIN. Reclaiming my time, it seems like what I'm hearing from the Democrats and Republicans is that people look at this from a totally different point of view. What I keep hearing the Democrats saying is we've got to stimulate spending. Most of the people I know, if they had money, they would love to spend it. They don't need to be stimulated to spend the money. And it seems like what you are saying is that it's not that we need to stimulate spending, what we need to be doing is stimulating productivity, that we need to be having those jobs created by small business or larger businesses and that those jobs then put money in people's pocket and then they're going to spend naturally.

I yield.

Mr. COFFMAN. Congressman AKIN, we are ignoring small business, which is the backbone of this economy, in this equation. And the central issue there is I think we've got to look at the grassroots of our financial system and we see there that credit markets aren't moving. And I think if we examine some of the regulatory framework around that as well as the TARP elements that are not working at that level, that's the central issue to get the economy moving, not pouring in billions and billions of dollars in wasteful spending.

Mr. AKIN. In other words, it seems to me that in that we already have a huge Federal debt, if going into debt more was going to make the economy good, we'd have a rip-roaring, great economy right now if you agree with that Keynesian assumption that was started.

I'm just going to go way back in history, a little bit even before my time, to the guy who was in charge of spending a whole lot of money the first time this Keynesian notion came to be. This is a guy that worked for FDR, the guy who started this whole thing. And his theory was spend enough Federal money and the economy's going to turn around. So we start with a recession and it becomes the Great Depression.

Eight years later this guy, Henry Morgenthau, he is appearing before the Ways and Means Committee right here in Washington, D.C., and he's talking about this theory about spending in order to stimulate the economy that we've heard for the last hour and he talks about how well it worked, because this is a guy that thought it was a great idea, this Keynesian model. He says: ''We have tried spending money. We are spending more than we have ever spent before and it does not work. I say after 8 years, the administration, we have just as much unemployment as when we started and an enormous debt to boot.''

And here we go again. It's like we can't learn from history. This is the author of this whole program and it just doesn't work. It wouldn't work for your small business, would it, gentlemen? And it didn't work for the State of Colorado. That's why you have a balanced budget, because you have the same common sense most American families know, that when you get in trouble you don't go buy a new car and run up a whole lot of debt.

We're joined tonight by another great colleague, a gentleman from Virginia, been a legislator for many years, a very good friend of mine, Congressman FORBES. It's just a treat to have you here.

I yield.

Mr. FORBES. Thank you, Congressman AKIN, for having this special order and for allowing me a few moments to talk about this very important topic. We hear a lot of times people on the other side of the aisle saying, well, you voted for this package, why aren't you voting for this package? As I stand here tonight with you, I'm one of 16 Members of this body who voted against all of them.

Mr. AKIN. Reclaiming my time, I claim the same badge.

Mr. FORBES. You do.

Congressman, one of the things that I would say tonight as I come here, I don't have any charts and I don't have any graphs with me, but just a couple of weeks ago I was home and my nephew's house burned down. I walked in there with him as we went through that house and his children were looking through just ashes. They had nothing left of even their memories. And when I go around back to my district, I've got some friends and some constituents who feel that way right now in this economy. The graphs aren't important to them. What they know is that they're suffering pain and they're looking and worried about losing everything they have in their lives. But it's because of them and it's because they understand that we can't wastefully spend money, we've got to make sure that the help we give them is directed and it's going to work, that we need to ask the tough questions. And there is one enormously tough, fundamental question that we have to ask America tonight and it's simply this. Last year, Americans lost $14 trillion of net value, net worth. The question we have, the question facing America today, is whether or not we are simply going to redistribute what's left or whether we're going to rebuild what we lost.

Our friends on the other side of the aisle want to redistribute what's left. We have a program that will rebuild what was lost.

Mr. AKIN. Reclaiming my time for just a minute, because I'd like to underline what you said. You're working

on the same assumption that has worked historically, time after time, and that is to look to the productivity of the private sector to create wealth instead of government to redistribute it. You know, we just tax or don't tax, we slop the money around, but we don't create anything, the government.

I yield back.

Mr. FORBES. I'm not prepared to throw in the towel and say, let's just redistribute what's left. I think we can have a bold program that will rebuild what we lost and go beyond that. The other thing that's very interesting is this. If you look at the bailouts that were spent last year, as we all know, those bailouts total almost the entire amount of discretionary spending Congress had in 2007. We're getting ready to double that. Once we do that, I think most Americans don't realize that we will not pay for that, we will give that to my granddaughter who turns 2 years old on February 14. But here's the cost we will pay until she reaches our age and one day pays it off. The interest carry on that alone equals the entire budgets for NASA, the National Science Foundation, the Department of Transportation, the entire cost of the White House, the entire cost of the Department of Justice, the entire cost of the FBI, the entire cost of the Department of Homeland Security, every Army Corps of Engineers project in the country, the Small Business Administration, and every expense of Congress combined. That's the interest we have thrown away for the next 20 or 30 years. And, Congressman, I would say this. When you come in and lay that on the budget table for this Congress, they have got to ask this: How do we pay for those lost budgets? They will do it either with massive, massive tax increases which our economy cannot withstand, or they will do it by having to find massive cuts somewhere else. And I would suggest one of the places is defense that they're going to go to.

Let me just close with this. The other questions when I go in the McDonald's and I go in the Sunday school classes and I just go to ordinary citizens who don't have the charts and they don't have the graphs and look them in the eye, and just ask them this: Have you received your check from the bailout yet? Because I guarantee you the CEOs on Wall Street have received theirs. And everyone looks at me and says no. And then you ask them, are you able to borrow more easily today than you could before all these bailouts started? They look you back in the eye and say no. And then I ask them, are you less worried about the future today than you were before the bailouts began? And they all say no. And then I ask them this simple question: If government would come to you today, would you feel better if we gave you a $6,700 check and said, here, you go pay down your credit cards, do whatever you want, or trust government to do it? What do you think their answer is: Give me the money.

So, Congressman, I would just say today, it's important we get this right. This stimulus package doesn't get it right. I believe we can rebuild instead of redistributing. I hope that's what Americans will ultimately hold out for.

Mr. AKIN. It's just such a treat to have the gentleman here from Virginia, Congressman FORBES, who gives us such good advice. You have a great voting record, such tremendous common sense. I think the American public agrees with you. We've taken just a bunch of phone calls and a sense of where our district is all the way out in the State of Missouri, and the people realize that just massive, massive levels of Federal spending is not going to solve this problem. And it isn't about stimulating people to buy stuff. It's about productivity. It's about a very positive vision that you've set forth this evening, the fact that we can rebuild, that we have the can-do attitude in America that if we just let freedom work, we can take care of this problem, and there are very simple, straightforward solutions that through history have worked. And what you're proposing is that very simple idea. The other alternative is, quite frankly, socialism, redistributing a whole lot of wealth, huge, massive government spending, and at the end of all of that, the author of that Keynesian economics under FDR said, 8 years later, we're tremendously in debt and we've got the same unemployment we had. It flat didn't work.

Thank you so much for joining us.

Mr. FORBES. Thank you.

Mr. AKIN. We're joined by another great colleague of mine from the State of Indiana, my very respected friend and senior statesman, Congressman BURTON.

Mr. BURTON of Indiana. First of all, let me thank you for taking this Special Order and if you wouldn't mind I would like to put that chart up there for just a minute and then we'll take it back down.

That chart shows a line that shows the amount of money in circulation. And you can see that it was pretty constant up until, I think, right in the middle of the eighties or maybe in the nineties. And then you see it shot up like a rocket. And that's because we had to print more money and get it into circulation and that's called inflation. And when we start having inflation like that, the cost of doing business, the cost of buying products, everything goes up, goes right out the window. Now they're talking about putting trillions of dollars back into this economy, and it's going to be borrowed money. It's going to be borrowed from the taxpayers. And a lot of that is going to have to be printed, which means we're going to have more and more dollars in circulation, so we're going to have very high inflation, and some people believe it will be hyperinflation.

□ 1715

I would just like to say to my colleague that back in the 1970s, when Jimmy Carter was President, we had the same identical problem, only worse. And back then, the inflation went to 14 percent. Unemployment went to 12 percent. And then they brought a guy in named Volcker, who is back here again today.

Mr. AKIN. Could I reclaim my time for just a minute? Because I think what you're saying is so important.

People are saying that today things are worse than at any time since the Great Depression. And yet what you just said was that under President Carter, what did you say the rate of inflation was?

Mr. BURTON of Indiana. Fourteen percent.

Mr. AKIN. What was the jobless rate?

Mr. BURTON of Indiana. The unemployment rate was about 12 percent.

Mr. AKIN. Reclaiming my time. Twelve percent jobless rate, rate of inflation at 14, and what was the interest rate?

Mr. BURTON of Indiana. Well, Mr. Volcker, who is now back with this administration, he came in and started ratcheting up the interest rates to slow down the rate of inflation. Interest went up to 21.5 percent. And I had a business then. And we had to close our doors, because we couldn't sell real estate because nobody could afford to buy it at 21.5 percent interest. And so what happened was he ratcheted up the interest rate to slow down the rate of inflation. And he killed the economy. He absolutely killed it. And that is when Ronald Reagan was elected in 1980, and he came in with tax cuts which stimulated economic growth. And we had one of the longest periods of economic recovery in history.

Mr. AKIN. Reclaiming my time for just 1 minute. Let's just go back and talk about what has worked. It is not that we are in unchartered territory in terms of the condition of our economy right now. We've got some problems, but we can deal with them. And what we can do is use what has worked in the past. And one of the things that worked was what President Kennedy did, and then President Reagan did it, and then Bush did it very selectively in the year 2003. And what it was was not just any kind of tax cut, but a specific kind of tax cut which gets businesses going, which encourages innovation and the creativity of better processes, and taking the risk to hire new people to make products that are better and less expensive. So it is that productivity engine that gets going. It worked for JFK. It worked for Ronald Reagan. And it worked in the second quarter of 2003.

So yielding back, I didn't mean to interrupt, but I just want to underline the fact that this, what you're proposing has hard evidence historically it is working, not to mention Ireland in contrast to Japan, Ireland dropped their corporate tax rates, and their businesses just shot up like a skyrocket. Japan did the opposite, and they had 10 years of malaise.

Yielding again to the distinguished gentleman.

Mr. BURTON of Indiana. Let me just conclude by saying this. The economic problems we had in the 1970s were almost identical to the ones we have today, but they were worse. And the economy got out of control. Inflation got out of control. Unemployment got out of control, and it ended up killing us, killing the economy with rising interest rates of up to 21 percent.

The way to solve the problem is what my colleague just said, and that is to cut taxes, as Kennedy and Reagan and Bush did, to stimulate economic growth. If we do that, we won't have to deal with these inflationary problems. These inflationary problems are going to be borne not just by us, but by our kids and our grandkids. And they will be paying four, five, 10, 15 times what it costs today for bread, milk and everything else if we don't cut this spending out and quit wasting all this money. And then, of course, they will probably get stuck with taxes and less defense and things that are very important.

So I would just like to say to my colleague, and anybody who is paying attention, we're going to see hyperinflation. Today, Mr. Geithner, the Secretary of the Treasury, said he was going to have to put another $1 trillion or maybe $2 trillion into the financial institutions to make them viable again. That is going to be money that is not going to be sold on the market to borrowers. A lot of the money is going to have to be printed. And we're going to have very high inflation. And we don't really need it.

Mr. AKIN. Reclaiming my time.

I just really appreciate, Congressman BURTON, your long experience here in Congress, the fact that you have really earned a great reputation. It is a treat to have you here and to have this common sense and this warning about inflation. This is a form of theft. It is a form of theft because everybody, particularly old people who are trying to live on a fixed income, are going to be penalized because their money just won't go as far. And that is what happens when you start to spend massive amounts of money. We're talking, if you take a look at the debt after World War II, you're looking at 6 percent. We're jumping this thing to 10 percent. This is unchartered waters. And that is the kinds of spikes that we're talking about is inflation. This is very, very serious. And it demands a good solution and not just shooting off more Federal programs.

I will yield.

Mr. BURTON of Indiana. That is what is taking place already. There is a spike in inflation already, and people are starting to feel it. When you go to the supermarket and you buy a pound of something that you used to pay for a pound, now they're putting the same product in a bag, but they're only giving you two-thirds of a pound. And that is because they want to keep the price constant. But there are inflationary pressures right now. It is already existing. And what Geithner and what we're doing with this so-called stimulus package and the other legislation that is going to be coming down the pike is going to make this thing a lot worse. That is why we need to do as you said and as our colleagues said, cut taxes and get this economy moving in the right direction again.

Mr. AKIN. Reclaiming my time.

It just seems to me that every family in America has the common sense to know that when times get tough, one thing you don't do is go out and spend money like mad. We have already been spending money like mad. In fact, we allowed this whole situation to get away from us because of a bunch of social programs that there was no fiscal accountability on them. We tried to control it. But we were blocked by the Democrats. And so now we have got ourselves in a little bit of a fix. But it is not the end of the world. As you said, gentleman, it is not as bad as it was under Carter when we had double-digit inflation, we were double-digit on unemployment and those kinds of things. We're not there yet. It is important we do the right thing but not just waste a whole lot of money on things. I'm joined by a good friend of mine, a judge from Texas. And he is a sober judge, too, which is a good kind. I think it is the only kind they have in Texas.

And so I would yield to my dear friend from Texas.

Mr. CARTER. I might question that last statement just a little bit. But I do thank the gentleman for yielding.

We've got the package back that is back from the Senate. And we were hopeful that we would see better news. And actually we may have seen worse news. And now we're at the level of the conference and we've got things coming out of the conference which we see as basically we have got a version of the House stimulus package which we all got to see before we sent it over to the Senate.

A lot of people around here don't like Ronald Reagan. I happen to think he is one of the best men that ever lived. But he made some statements that the American people understand. One of my favorite statements that Ronald Reagan said was ''the closest thing to eternal life that you will ever see in your lifetime is a Federal program.''

Now I think we should step back and look at this ''stimulus package,'' this ''temporary infusion of capital to make our markets work'' and find that we are creating 32 new programs. That is a potential for 32 new eternal lives.

Mr. AKIN. Reclaiming my time.

So what you're saying is this big bill that is proposed isn't necessarily about creating jobs at all. It is talking about creating new Federal programs. When is the last time you ever saw a Federal program die?

Mr. CARTER. They never die. They continue to grow.

If the gentleman will yield back.

Mr. AKIN. I yield.

Mr. CARTER. What is very interesting is that as many of you can remember, do you know the Food Stamp program that we started out with was supposed to be a $25 million program and never would get above that? And in this package alone, when we look at food stamps, over $17 billion is put into the food stamps in the stimulus bill, a 32 percent increase over the just-increased program which was increased by 23 percent in October of last year.

Now that is one of those programs that we talk about that has eternal life. It has gone from $25 million to just the increase in this package of $17 billion. This is the kind of thing that I think the American people will look at it and get a clearer picture of what we're talking about when we talk about spending $1 trillion. The example that we all learned and are giving now is what is $1 trillion? If you take 1 million brand new $1,000 bills, if you take $1,000 bills and you stack them up until it is 4 inches high, you have $1 million. A $1 trillion would be 63 miles high.

So, this spending, as the people look at it, they need to realize what we are getting ourselves into. And every dollar is borrowed money. We already got credit issues. We supposedly were going to fix it with $750 billion, which we don't seem to have got to. And now we're going for another trillion. When does it stop?

And I yield back.

Mr. AKIN. Reclaiming my time.

What you're talking about here is really unchartered water for us. What we saw that FDR did back in the Great Depression was spending a whole lot of money, and we still had a high unemployment rate. In fact, his top guy, his Secretary of the Treasury said, after 8 years, all we've done is get ourselves into debt. We've got the same level of unemployment.

And so one of the things that we've been hearing to some degree is that the President has been claiming is the Republicans don't want to do anything. It is not that we don't want to do anything. It is that we don't want to do the wrong thing. We don't want to do something that historically has never worked. That is crazy. It didn't work for FDR. It was tried by the Japanese where they kept throwing more and more of their money at their economy. And the thing was just absolutely wallowed in the water, and the Japanese economy, for 10 years, was a mess.

And yet you look at what is the right thing to do and it is a little bit of discipline, isn't it? It is the idea that the Federal Government should tighten their belt and stop spending so much, and they need to return the money back to the private sector to get it working again. And the ironic thing about this is that when that is done, the bottom line is that the government gets more money in tax revenues. So everybody does well when the economy is strong. But when we suck all the money out of the private sector and

use it all and spend ourselves and our grandchildren into debt, that is not a good solution. So we don't want to do the wrong thing.

It is not that we don't understand the pressure and what is going on in the economy. Judge, I have some constituents that have written me a few letters, as you can imagine. I'll bet you have got some, too, on this subject. Here is one. This is one that comes from Town and Country, Missouri. ''For those of us who pay our bills on time, have no car payments and live beneath our means, I appreciate your effort,'' he is talking about my effort to vote ''no'' on all of these stimulus, and I guess I call it ''porkulous'' plans, ''at some point, will you ask your Democrat colleagues to once in a while think of me when they seek to take my money and give it to my neighbor who either can't or won't pay his bills and be responsible for his life?''

Now what we're talking about here is socialism. We're going to take, after the economy takes a hit, we're going to spend money like mad. We're not going to create jobs. We're just going to slop it around and hope somehow it is going to make the economy better. And the facts of history are that it doesn't work.

I yield.

Mr. CARTER. Sometimes when you hear the term ''socialism,'' those of us my age and your age, we know what we're talking about. Young people really don't know what you're saying. But they do know people interfering with their lives. Because quite frankly, whether they were going to college and paying exorbitant fees to go to school, or whatever it is, as they have moved into the workforce, they see that the government is available to interfere with their lives. And the real issue here is we're growing government and we're giving government the ability to interfere more and more in the lives of people.

One of the things that people are very upset about was a proposal, I am not sure whether they're going to be in the conference committee or not, but those proposals about having an organization of the government make decisions as to what health care elderly people should be allowed to have and not be allowed to have, who will be allowed to live and who will be allowed to die, that kind of rationing of health care that is at least being looked at and discussed should frighten everybody in the age group, the young age group right now feel like they're invincible and immortal, but some day they're going to be reaching the golden years. And they must realize that not their family or their loved ones will make those decisions, but Uncle Sam, through some agency, will make the decision as to whether you live or die.

These are serious issues.

Mr. AKIN. Reclaiming my time, Judge CARTER from Texas, you say, well, now wait a minute, we're talking about an economic question. And you're all of a sudden moving over to a subject of essentially government rationing of health care. Why in the world would you be talking about the government rationing of health care in a bill like this?

□ 1730

Well, the reason is because that was put in the bill. You know, when you get some hundreds and hundreds of pages of legislation, nobody's had a chance to read it except a few people they slip stuff into it. And one of the things is the idea if we're going to move to the government running all of health care, somebody's going to have to decide how we're going to control costs. And so the way to do it in a socialized medical system is that some bureaucrat has to tell you I'm sorry, Judge, you're just too old for that replacement hip that you have to have. Now, people think wow, that's really wild and wooly. That would never happen in America. Well, it's sure going on up in Canada.

There is an example of a guy younger than I am, so this is getting close to home and he, just like I do, he needed a new hip replacement, and the Canadians said no, we can't afford to give you that. And by the way, if you had enough money to pay for it on your own that would be a crime. So what's he do? He comes down to America. But that's slipped into this bill too, is the beginning or greasing the skids for this rationing of health care by bureaucrats, and I believe that, and I think Republicans believe that those health care decisions need to be made by the patient and by the doctor and not by some bureaucrat rationing health care.

I'd yield to the gentleman for this point.

Mr. CARTER. Also I hope that the American people understand, those of us who oppose things like omnibus appropriations bills, and I serve on the Appropriations Committee, there's a reason we don't, we want to divide these appropriations bills out and deal with each subject separately, because it prevents the hiding of things in massive bills. When you put a bill on the desk that looks like all the Manhattan, all of the Greater New York City phone books put together, and you're supposed to figure out what's hidden in there that shouldn't be a part of this, it is a tremendous task. And this is an exact example of just that.

Mr. AKIN. Reclaiming my time, figuring it out in a very short period of time. Within a day or two, you're going to have to vote on this thing and you're supposed to go through that huge stack of a bill and the system's designed that way so you can hide stuff in it.

I yield.

Mr. CARTER. And that's the whole issue. This is a massive, voluminous spending bill. You know, we were all so proud, I've heard President Clinton brag quite a bit about the fact that welfare reform that took place back in the 1990s. And an integral part of that welfare reform was the requirement that people go to work. I mean, that's kind of what made the new welfare reform start to get people off welfare for the first time in decades.

Right now, in this bill, there are provisions which are going to take away that requirement of work on welfare reform, which means it's going to put back into the old welfare system, that was a clearly failed system, I've heard President Clinton stand up and say he takes full credit for the welfare reform that took place in the 1990s, even though some would argue that it was done by the Republican Congress. Irrespective, we shouldn't be taking that away.

Mr. AKIN. Reclaiming my time, the Republican Congress did pass that. Several times in a row he vetoed it and finally, I guess it was the third time around I think he did sign the Republican Congress bill.

But I yield to my good friend, Judge Carter.

Mr. CARTER. That's exactly right. The whole point being that it's something, when it worked we were proud to say we got people off welfare and into real jobs. And one of the reasons was because we put a go-to-work provision in that bill. This bill would take that out, which is casting us back to the era of the 1960s and the 1970s and the failed economic policies that we clearly corrected in the 1990s.

Now, that's going backwards, and I think the American people need to know that this is not just too much money and too little stimulus. This is also messing with their lives. Hidden in this bill there are things that are messing with their lives.

Mr. AKIN. There was an interesting cover on Newsweek. It says, we are all socialists. But judged by the way you're talking, reclaiming my time, it doesn't sound like you're quite a socialist yet, and I think there's an awful lot of people in your district and in my district that are thankful for your common sense and your willingness to just basically state it the way it is.

Now, I'd just like to take a minute or two here and talk about the fact, and you alluded to this, as other Republicans have, this isn't the end of the world. We've been in a lot worse places back when Carter was President. It's not as bad as the New Deal yet, unless we keep doing the wrong things.

But the vision of a bright and prosperous America where freedom reigns, where people's God-given rights, particularly to own property, are respected, that still is there. That heritage is deeply ingrained in American spirit and a pride and a joy. People aren't interested in a handout in America. They're more, or some are, but most true Americans are much more interested in a good job and being able to be responsible and provide for their families. And there is an economic system that allows that to happen. It's what we've always done in America.

It's called free enterprise. It's not such a big surprise.

Now, what one of the things that seems to be a little disjointed, and that is, where I disagree with my Democratic colleagues, and that is, there's a connection between businesses, particularly small businesses, and jobs. And that is, the connection is, that the businesses hire people, and if you hammer the business into the dirt, you can't be surprised if there aren't as many jobs there. And so the solution to this is not for government spending. If government spending were the solution, we would have a great economy right now. We've been spending way too much money, and you and I have voted, Judge, to make sure that we don't spend as much as we have been.

But here's actually graphs that show this concept of allowing free enterprise to work. This vertical line on the chart is the second quarter of the year 2003. Now, we've done some tax cuts in these first couple of years. But take a look at what was going on with jobs. All of these lines that go down means it was a month that we lost jobs. But if you look over here, after we did the dividend capital gains tax cut, now this is not a popular tax cut because what you're doing is you're allowing people that own small businesses to keep more of their money so they can invest it in their own business. When they do that, they create jobs.

Look what happens. All the vertical lines are months when we had a net increase in jobs in America. So if you're caring about unemployment, which we should be if we have any heart in us at all, what we should be saying is, let's do what works. The people who create the permanent jobs that make the economy go, 80 percent of them are small businesses. So you cannot take all their money away from them by overspending Federally, and expect them to have any money left over to do an improvement.

I would yield to my good friend, the judge from Texas.

Mr. CARTER. Y'all may have talked about this earlier. This legislation would create, according to the Democrats, 3.7 million jobs. Price tag is $838 billion. This is approximately $280,000 per job. And it's estimated that the average income that would be derived—

Mr. AKIN. Reclaiming my time. That statistic just kind of got my attention. You're saying that this package, it's going to cost us $280,000 for every job we create?

Mr. CARTER. For every $50,000 a year job.

Mr. AKIN. Gentleman, I yield, but if you could sign me up for one of those jobs, that sounds pretty good to me.

Mr. CARTER. I think the common sense of the American people is boundless, and they know that what goes on in Washington is a whole lot of smoke and mirrors. But when you say something very simple, we're going to spend $280,000 to create a $50,000-a-year job, they say, what? That makes no sense. And oh, by the way, we're saying this is temporary, but it's got the potential to be permanent spending. That's the real fear we have to be afraid of because then we go farther and farther and farther in debt because it's all borrowed money.

Did you know that when this package hits the market to ask people to loan us the money, it will be the largest amount of indebtedness in the history of man that's ever been placed on the market?

Mr. AKIN. Just reclaiming my time, you're saying that when we go out, because we've got to raise this 800-some billion dollars. We've got to raise that money in the market. That means somebody's got to loan the government that money, right?

Mr. CARTER. That's right.

Mr. AKIN. And we're counting on what, foreign countries like China to loan us the money? And we're hoping that they're going to buy, what, our Treasury bills?

Mr. CARTER. That's right.

Mr. AKIN. How far can we push this?

Mr. CARTER. The other thing we have to remember is what looms on the horizon is even more borrowed money to where some estimates are this year we'll put in 2.3, I think it is, trillion dollars we will be seeking that to borrow that amount of money. The $838 billion will be the largest indebtedness ever put into the market, according to the experts. So what happens when we've got almost $2.5 trillion?

Mr. AKIN. Reclaiming my time, what you're saying once again, in other words, is we're going into uncharted waters. We're talking about something in the neighborhood of $7,000 per family, just in the first six weeks of this administration.

Mr. CARTER. And if the gentleman would yield for one more thing.

Mr. AKIN. I do yield.

Mr. CARTER. On the commonsense side of this whole thing, this all started, if you remember what you heard from the administration and from our colleagues on the other side of the aisle, this was an infrastructure building bill. That's what we were going to do. We were going to rebuild the infrastructure of America. When people hear infrastructure, they think roads and bridges. And yet, it's my understanding that the $30 billion that the House sent over to be spent for roads and bridges has been reduced to $28 billion coming back. So it's a joke.

Mr. AKIN. Reclaiming my time. 28 billion out of 800-something billion?

Mr. CARTER. Is going for roads and bridges, that's right.

Mr. AKIN. Well, my understanding, though, is, gentleman, that they had money, at least in the version that came from the House, for millions of dollars for education on sexually transmitted diseases. Now, that's a totally different definition of stimulus, isn't it? How does that help us to get jobs in the economy?

Mr. CARTER. Well, that's a good question. If you'd yield back. That's the kind of thing that we ought to be thinking about. And let's be clear. Some of the things that they're spending money on are good causes and they're causes that ought to be in the regular budgetary process which, by the way, comes up very shortly. We should be getting a budget from the Obama administration within the next couple of weeks. This is all above that.

Mr. AKIN. Reclaiming my time, though, gentleman, you talked about a culture of smoke and mirrors here. This was supposed to be a jobs package. It was supposed to be a stimulus. I'm calling it a ''porkulus.'' But that was the theory. And yet what you're saying that it has in here, it really isn't; it's more about big government spending. I yield.

Mr. CARTER. Well, as we look back, and I've heard the chairman of the Appropriations Committee rail in favor of what FDR did in the Great Depression and how successful it was. And yet, right there by his own Secretary of Treasury's admittance, the spending programs failed. And I think history is now showing us that the spending programs and the tax increases that came in the latter part of the ''New Deal'' kept us in the Depression, didn't get us out of the Depression.

Mr. AKIN. Reclaiming my time. Essentially what happened, we had a recession during the time of the New Deal. They tried this Keynesian economics, which, at that time, you could at least give them credit; while it didn't make any common sense, at least it hadn't been tried. And here you have the author, the guy that was really behind it, even almost before Little Lord Keynes came along, this guy, Henry Morganthau was supporting this thing. And then 8 years later he comes before our committee and says, it does not work. And then it says, also at an enormous debt, to boot.

Now, why would we want to turn around and do the same thing over again, when there is a bold initiative that can be taken, just as has been done, that history has proved works. I had just shown the chart of what happened when we did the dividend and capital gains tax cut to allow small businesses to keep more of their money to make the investments in their businesses. And we saw the fact that right after that tax cut right here, we see all these jobs being created.

What else happened? Well, let's take a look at the Gross Domestic Product of the country. These lines to the right are after that tax cut. You can see that the average has gone up to 3 percent, whereas before that tax cut it was at 1.1. And here's the best thing of all. If you care about all these different other ways that the Federal Government could spend money, one of the things you'd want would be the economy to be strong because then you have more revenue.

Take a look at—let's see. I've got to try and find the chart that shows what happened. Somewhere along the line we

lost one of the charts here. But the bottom line was when you did that tax cut, second quarter of 2003, what you find is immediately the Federal revenues start going up. Well, it doesn't surprise you when you think about it because look at all the more people that have jobs. They're all paying taxes. And you see the Gross Domestic Product going up.

So when the economy gets better, we have more money to spend. And that is what has always made America great. It's because there are certain basic true principles that are not smoke and mirrors. It's not a whole lot of government redistribution of wealth, and not everybody is a socialist, in spite of what the cover of Newsweek wants to tell us. And I'd yield.

Mr. CARTER. Well, I would hope that we're not all socialists. I have a young man whose wife is from Canada, who works for me. And I'll tell you, he said to me, he said, you know what? I love my wife dearly, but I didn't want to go live in Canada with those socialists. Please don't bring it to our country. So there are people that are really concerned deeply about socialism.

Mr. AKIN. Reclaiming my time, you know, what we're talking about here is, are we going to let the marketplace work? Are we going to trust in productivity? Are we going to trust in Americans that have always been able to deal with these situations?

We have been through a lot of crises as Americans, and yet there's something very, very special about our country. So many unique things. Aside from just the beautiful land that we enjoy, as soon as there's a tsunami or some huge storm or something, you see the Americans there trying to help all around the world. And you see the Americans in a positive way helping.

But then there's some things that we're proud of that they didn't do. We won a couple of world wars at various times, and after we won those wars, after every other Nation in the world wins a war, they claim more territories and more jurisdiction. Instead, we didn't claim anybody's territory. We simply taxed ourselves to help rebuild our enemies. That's what makes us a different kind of country. And we're a country that has always put a premium on freedom. Every time we get a chance to give a talk, Judge, we ask people what's so special about America, the word that just bubbles out of their hearts is it's about freedom; it's about a chance to have a dream and to go out, and you may succeed, you may fail, but we're the land where dreams can become reality.

□ 1745

We are the only Nation in the world that is based on a creed, that is based on a philosophical statement:

We hold these truths to be self-evident, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness.

Earlier versions have life, liberty and property. That means it's not the job of the government to take everybody's property away from them and to slop it around and redistribute it. That is socialism. This idea was tried by the Soviet Union. The government is going to provide you with a job and with health care and with food, and the government is going to give you your education. That idea died in the dustbin of history when the Soviet Union collapsed.

Our system is based on the idea of freedom and of allowing people to go out and invest their lives in businesses, not in the government's taxing their great grandchildren into the dirt.

I will yield to my good friend.

Mr. CARTER. You know, the great saviors of the socialist states' medical plans were the medical facilities of the United States of America. The reality came when the rationing took place as you described. Just exactly what you described took place. The people who had the money to get the health care came to the last bastion of freedom for health care—the United States of America—and they got that hip transplant or had a heart transplant or whatever it took so that they could continue productive lives. That's the way we want it in this country. We want to be able to work hard and to have the best, and that's why we're standing up here today.

I don't fault the good consciences of many people who support this plan. It is not going to work, and we can do better. Rushing to judgment has already proven in the ''bailout bill'' to be a disaster. Let's not rush to judgment.

Mr. AKIN. Reclaiming my time, I really appreciate your perspective. It's not about doing something fast. It's about doing the right thing. It is the thing that has always worked in history.

We are joined by our colleague, and I am just so thankful to have another perspective on what we're talking about. It's not that we don't believe that there are good principles that make things work, but specifically, if people want to say, ''well, what sorts of things would the Republicans suggest?'' there have been different Republicans suggesting ideas.

One says, hey, let's just have a moratorium on Federal taxes. Let's go 2 months or 4 months where we just don't charge anybody any taxes. It will cost less than this $800 billion loan and bailout we're talking about. Let's just let people keep their own taxes for a couple of months and see what that does to the economy. I'll bet you would see some immediate results.

Yet that is not a Washington-based solution. That is not a big government solution. It is allowing freedom to work, and that is what we are about.

There are other solutions which say, hey, let the small businessmen keep more of what they make so they can invest and can create those jobs. That's what happened before that worked fantastically. Why don't we do that kind of thing again?

I will yield to my good friend.

Mr. CONAWAY. Well, I thank my colleague from Missouri for yielding me some time. I want to talk about how we pay for this issue.

At least for the last 40 years, maybe a little bit longer than that, the people in charge—currently us—have made an art form out of solving our problems with somebody else's money. You can look at what this Federal Government has done over and over and over. This just happens to be the single most dramatic occurrence of this concept that we have had in history.

What we will do to fix a temporary problem: In my view, this recession is temporary. Expanding economies are temporary. We had a pretty good 7- or 8-year run, and we enjoyed that. It ended. This recession will end. It is not permanent. So what we are going to do is we are going to borrow money that, in all likelihood, will never be paid back to fix a temporary problem.

So why would you borrow money at this scope and at this scale to fix a temporary problem that never gets paid back?

This is what we are doing to our children, to our grandchildren and, actually, to every child yet to be born in America: Because this debt will never get paid off, the interest carried on this debt currently cumulative will be about $12 trillion. That interest carried, whatever it is, will be a permanent burden, as it were, on every child yet to be born. So, when my great grandchildren are in this position, they are going to have to pay the interest on this debt, which means whatever those resources are, those are resources that they will not have available to them to fix their problems.

So, as we go about this $790 billion deal, just understand that this, in all likelihood, ought to be considered the fiscal abuse of our children, grandchildren and great grandchildren

Mr. AKIN. Reclaiming my time, I really appreciate the gentleman from Texas (Mr. CONAWAY) for coming out and for joining us tonight and for adding your perspective and particularly that point, because there is an almost ethical point to what you are saying: We are saddling our kids and our grandkids with a tremendous debt level.

Again, let's put this into perspective. We are talking about somewhere between 100 and 200 aircraft carriers end to end. We've got about twelve aircraft carriers. Now, that's what we're talking about. This is a lot of money. This is more money than we spent in Afghanistan and in Iraq during all of those years of those wars.

I very much appreciate my colleagues for joining me. Thank you, Madam Speaker. I yield back.

THE ECONOMIC STIMULUS AND A NEW PARADIGM FOR ALL AMERICANS

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

Mr. JACKSON of Illinois. Madam Speaker, I rise today to talk about the economic stimulus but also to advance the idea of a new paradigm for all Americans in terms of public-private cooperation in advancing economic opportunities for all Americans.

It is difficult when you listen to my esteemed colleagues on the other side of the aisle whose arguments seem to rehash the past as the American people at this hour find themselves fearful, in some contexts desperate, as our economy has taken an unprecedented turn for the worse. Yet the arguments of rehashed tax cuts and tax breaks for too few Americans and for too few businesses have brought us to this very unique moment in American history.

The President of the United States, President Barack Obama, essentially has said to us that the arguments that we have heard have taken us down this road over and over and over again. Yet we are looking at unprecedented layoffs. We are looking at plants closing on workers without notice. We are looking at the 401(k)s of the American people essentially diminishing right before their eyes. We have seen Members of Congress in the last years whose homes as Members of Congress have gone into foreclosure. Each of us has heard from our constituents who have lost their jobs and who have experienced the kind of unprecedented economic desperation that has brought us to this unique moment in American history, an unprecedented moment.

At least according to A.P., a few moments ago, the Senate leader announced that we now have a stimulus deal.

''Moving with lightning speed, key lawmakers announced agreement Wednesday on a $789 billion economic stimulus measure, designed to create millions of jobs in a Nation reeling from recession.'' Conservative economists, liberal economists, almost everyone agrees that the government at this hour cannot stand idly by and do nothing. We must do something. ''The middle ground we have reached,'' the leader says, ''creates more jobs than the original Senate bill and costs less than the original House bill.''

The bill includes help for victims of the recession in the form of unemployment benefits and food stamps and health coverage and more as well as billions for States that face the prospects of making deep cuts in their other programs.

Who here does not represent a State that is not experiencing unprecedented economic disaster?

No Democrat and no Republican in this body can sit idly by and play politics as usual—blame the other side, not work in a bipartisan way to bring about the kind of growth and jobs that are necessary.

While I come to this floor to talk tonight about innovative public-private partnerships, which I fundamentally believe are and represent the new paradigm, I cannot help during this Democratic hour to at least rebut some of what I have heard tonight in the context of the 20th bicentennial of our 16th President. Either we are a government of, for and by the people or we are not.

During this hour of economic desperation, the American people are not turning to their governors; they are not turning to their city council persons; they are not turning to their mayors; they are not turning to any of the major industries in this country that are laying off workers. They are turning to some entity, to some flag, to some church, to some god, to some sense of higher being, to something that calls us as a Nation to turn beyond that which we do on a daily basis and just see ourselves and see our country. Maybe we, together, can work our way out of this profound crisis.

Before the American Civil War, our 16th President lived in an environment where the States, themselves, asserted themselves and where the United States Government was, at best, fledgling in terms of its national responsibility because, before the American Civil War, it never had to assert itself. Yet, through Abraham Lincoln, ''the United States are a government'' became ''the United States is a government'' because the idea of saving the Union took on national cause whether you were for slavery or against slavery, whether you were in the northern States, the border States or the southern States or whether you were following the movement of popular sovereignty into the western States, making arguments, as you have heard from some of my colleagues, about their property and their liberty.

But the real question that confronted the Nation at that hour was whether or not we were going to be one Nation under God that was indivisible. Questions of what to do with the slaves, questions of what to do with women's rights and the suffragettes who would later culminate in the 19th amendment would be left for other generations to resolve. But one thing is for sure: The question of ending slavery and the question of stopping and providing women with equality was something that required one Nation to accomplish, not 50 different States, not the private sector and different industries but the leadership of an executive—the President.

So, in the Gettysburg Address, Abraham Lincoln took what was a celebration, if you will, after the American Civil War—July 4, our Independence Day—and he redefined it in Gettysburg by saying that the men who paid the ultimate sacrifice in Gettysburg and in Vicksburg have paid a sacrifice higher than our ability to add or detract. He essentially relegates it to the future to make the judgment about what kind of a Nation we would become, not that I would become, not the people of Virginia, not the people of Georgia, not the people of Illinois, not the people of California. What kind of a Nation we will become.

In my own lifetime and at 43 years old, all of us felt that tremendous sense of angst when our Nation was attacked on September the 11th. For a moment, we stopped being Democrats; we stopped being Republicans; we stopped being black and white. We were attacked. We were attacked and we wanted to respond. We looked to our national government to protect us. We did something extraordinary for a moment. We became Americans.

□ 1800

There are these moments in American history where we look beyond our individual selves and we make the judgment that we have to do something for ourselves or our people for our future. And the American people find themselves economically at that hour.

So we have a stimulus deal. Roosevelt said, ''During these troubling economic times that we have nothing to fear but fear itself.'' But that's what we've been hearing from the other side. I've even heard it from some Democrats—just fear; fear—when we should be turning to each other and not on each other to work and provide the American people with some hope, a way out of our predicament.

The American people at this hour don't need to hear the Democratic proposal, the Republican proposal. They need to hear an American proposal that suggests that we are coming together as one people to solve an American problem. That was the best of Abraham Lincoln—not that he was our Nation's first Republican President fighting many southern Democrats in a great war, in a great battle—but our President rose above the circumstances of the hour to ensure that you and I would have a very different future.

So we heard the past. For the last hour we've heard the past. We've heard a recycling of the same old ideas.

President Obama has hinted at a new future. That new future suggests a new paradigm economically. Recently, he said that he wants to limit executive compensation, which I believe many Members of this body applaud if we are giving taxpayer funds to the private sector so that they might help shore up the economy and financially troubled institutions. Certainly people shouldn't be buying Leer jets and jet planes and taking excursions and vacations with taxpayer funds.

There's the hint of a public-private partnership and greater responsibility during this desperate hour for the American people.

I want to talk for a few moments about public-private partnerships as a stimulus plan, a recovery plan for all Americans.

We were once a manufacturing-based economy. We moved from a manufacturing-based economy with trade deals and with other opportunities that took place in the global economy to a more service-based economy. During the Clinton administration, a new economy emerged: the information-based economy. However short-lived, it gave birth to the Internet, the high tech companies with computers, and has automated our system to the point that computers do the jobs now that people used to do.

From a company's perspective, computers obviously don't need health care and don't need benefits. But from a government of, for, and by the people, the responsibility for health care, for decent housing, for a higher quality of life must fall on a caring government. Not everyone can make the transition from a manufacturing-based economy to a service-based economy based upon education level and skill as quickly.

My mother. Love momma to death, but momma is not as proficient on computers as my children are. My children are better able to transition from the last economy to the new economy much faster than the last generation.

But most jobs in America, while they may not be in manufacturing and because of the education levels associated with the information-based economy, are in the service-based economy, the services that we provide. The hard-working men and women of the United States Postal Service, of UPS, of Federal Express, of the Hyatt Hotel, and the Hilton Hotel, and the Fairmont Hotel. The service-based economy employs more Americans than any single aspect of the Nation's economy.

Whatever it is that stimulates the service-based economy by definition is good for the Nation and can stimulate job creation for more and more Americans. I support the stimulus bill. We've got to do something, and we have to do something right now.

What few Members of Congress will tell you is that behind this trillion dollar bill is probably another trillion dollar bill. And given the depth and nature of the crisis, maybe even another trillion dollar bill. And it is my sincere hope that out of the idea of repairing our economy and restructuring our economy, a new partnership will emerge between the public sector and the private sector in unique public-private partnerships to accomplish and finish public works projects.

Before I came to the floor, I went to Wikipedia and I pulled up ''public-private partnership.'' And it describes, specifically, a ''government service or private business venture which is funded and operated through a partnership of government and one or more private sector companies.''

In some types of public-private partnerships, the government uses tax revenue to provide capital for investment, with operations run jointly by the private sector or under contract. In other types, capital investment is made by the private sector on the strength of a contract with government to provide agreed-upon services.

Government contributions to a public-private partnership may also be in kind, i.e., transferring existing assets to the private sector; i.e., leasing them land for the purposes of putting a business on top of the land to create jobs, to grow the business, and to grow the economy.

In some ways, and particularly in urban areas, public-private partnerships manifest themselves in the forms of tax incrementally financed districts, or TIFS. They manifest themselves in the form of enterprise zones to attract businesses that have moved to other areas to open up shop in high unemployment, high density areas.

And in some other cases, the government may support the project by providing revenue subsidies, including tax breaks or providing guaranteed annual revenues for a fixed period.

The idea of a public-private partnership is part of a new paradigm. Public-private partnerships are not the same as private-private partnerships, that is, a quasi-government entity allowing the private sector to run and operate without any public accountability. Private-private partnerships or quasi-private partnerships do not work and are ripe with corruption, waste, fraud, and abuse.

I wish that the TARP funds that we voted on in the last session of the Congress had taken the idea of a public-private partnership approach before President Obama had become elected President. The responsibility for limiting executive compensation should not have been an afterthought. It should have been in the original bill. Public accountability for taxpayer funds: It's fair, it's right, it's accountable.

Typically, however, when Congress moves big economic stimulus bills and emergency supplemental bills, more often than not, some of the best ideas are afterthoughts. And so, before Congress spends the next trillion dollars after we vote on this trillion dollars, I want to put a marker in the next bill that public-private partnerships, public oversight that encourages private spending to help create jobs and grow the economy for most Americans, is something that all Americans ought to support.

For the 14 years that I've had the privilege of serving in the United States Congress, I have been working on such a project, and I want to discuss and share with you in some details the nature of that project. I believe that the goals of this project are consistent with the goals of the stimulus.

Long before I decided to run for Congress, the head of the Federal Aviation Administration, I believe under President George Herbert Walker Bush, said that we needed to build 10 new airports the size of O'Hare Airport in the City of Chicago to handle today's congestion problem.

Some of you may argue, ''Congressman JACKSON, what do airports have to do with stimulating the economy?''

Airports are like the heart of the service-based economy. It's like the central organ that pumps blood to every artery in the body. You show me an airport and I will show you several hotels: the Hyatt, the Hilton, the Fairmont. You show me an airport and I will show you Hertz that buys fleets of cars, and Avis, and Dollar, and Enterprise.

You show me an airport, and I will show you convention centers. They're never that far from airports. You show me a convention center and I will show you conventions: visitors, shows, and hardware shows, and auto shows, and trade shows. You show me an airport and I will show you Boeing; I will show you Airbus; I will show you Lockheed Martin, and Gulf Stream, and Jet Star, and Leer.

You show me an airport and I will show you roads and highways and interstates and intermodal transportation. You show me an airport and I will show you metro; I will show you bus service, limo service, CTA, Pace.

You show me an airport and I will show you tens of thousands of jobs tied to the service-based economy. Even when airports close at night to customer service, they're still open for cargo service, and so Fed Ex packages move all throughout the night, UPS and DHL packages move in the third shift, 24-hours delivery. You show me an airport and I will show you an economic engine that keeps on giving.

So during the George Herbert Walker Bush administration, President Bush, the First, the director of the FAA said that we needed to create 10 new airports the size of O'Hare, O'Hare Airport in the City of Chicago responsible for creating nearly 286,000 jobs conservatively; 10 new airports the size of O'Hare Airport, 286,000 jobs times 10, 2.8 million jobs. Nearly 3 million jobs associated with expanding and building 10 new airports.

How many airports have we built in the United States since George Herbert Walker Bush's administration said that we needed to build ten new airports? Not one because Congress is a slow-moving institution.

All of us have our interests in expanding existing facilities and tweaking a few runways here and there and lengthening a few runways here and there in existing facilities. But the problem is even though aviation capacity is growing nationally at our existing facilities, they're all constrained, meaning that aviation traffic has to be moved to new airports in new air space.

□ 1815

Mr. Speaker, 2.8 million new jobs associated with the service-based economy, if the Congress of the United States can find a way to enter into public-private partnership, if State governments can find a way to enter into public-private partnerships, that

is, taking the best of public oversight with private ingenuity and capital, buying land, leasing it to the private sector like a TIFF or enterprise zone, allowing airport developers to put an airport on existing land and begin the process of generating jobs, this is the stimulus.

Airports generate economic activity in communities that desperately need them. Building airports is consistent and compatible with the goals of the President in this stimulus. It's stimulative by creating jobs and developing infrastructure and expanding aviation capacity.

In Chicago, a third airport as a unique public-private partnership would be the biggest job generator in the region for my congressional district. In some of the communities in my congressional district—I've been here for 14 years—there were 60 people for every one job when I got to Congress. Today, in some of those communities, there are still 60 people for every one job.

Why? Because Wal-Mart is not the answer. Another drugstore is not the answer. Another liquor store is not the answer. Incremental, small businesses, sure, we welcome small businesses, but we need some big businesses on the south side of Chicago. We need growth. We need development. If we have growth and development, our crime rate will go down. People can afford their homes because they will be working, and they can pay taxes and they can pay their mortgages. And because they're paying their taxes, their schools can subsequently flourish.

But it's one thing in a stimulus bill to be fighting for unemployment compensation—I'm for that. It's one thing in a stimulus bill to be fighting for more health care for those who lose their jobs and are uninsured—I'm for that. I'm for all of the programs that make sense in the stimulus bill, but we need a jobs bill.

And so the infrastructure components of the stimulus bill are most attractive to me, the infrastructure components, the permanent, lasting components so that decent men and women in this country can get up every morning and do exactly what we do, go to work. The American people want to work. They don't want a handout.

They're looking to this Congress not to be Democrat and Republican and bickering back and forth. They're looking for us to come up with a solution to a real problem, not with hints of the past, pre-Civil War arguments about the Federal Government shouldn't be involved in the lives of the American people. We didn't have a problem with them being involved after 9/11. We didn't have a problem with them being involved after the Great Depression.

There are these moments in the history of our Nation when we look to our Nation and the source of our strength, our faith in each other, our faith and belief in country, our faith and belief in who we are that we can somehow rise above our petty differences. That's what I experienced and witnessed over the course of the last 2 years in the Presidential cycle, in the election of the 44th President.

So with that said, Mr. Speaker, I want to talk with you about public-private partnerships and the approach to creating 286,000 jobs, with the hopes, Mr. Speaker, that you're listening to me today and that other Members in their offices are listening to me today, with the hopes that my constituents can hear me and the American people can hear us as we wrestle with issues that matter to them, not partisan bickering and division, but issues that matter to them, real solutions to real problems.

So the first thing I want to talk about is the public side of a partnership, and Mr. Speaker, the example that I have is the example that I've been working on for 14 years, and so I'll need my charts.

The late Congressman Henry Hyde and I, distinguished gentleman from Illinois who is now deceased, but I must say up until the moment that he expired Henry Hyde was probably the closest Member of Congress that I was with and to in the Congress of the United States. The late Henry Hyde took me all around the world and showed me how the institution of Congress works. I miss my good friend Henry.

Henry was kind enough to recognize that the south side of Chicago and the south suburbs had a profound economic problem: too few jobs, too many people who wanted to work, too few people interested in trying to provide them with a real solution to a real problem. It was Henry Hyde who helped me understand that the manufacturing economy had fundamentally shifted in our country to other parts of the world.

I knew it because United States Steel, which used to employ 22,000 people in my congressional district at its South Works facility, had closed, and those 22,000 people, while they lived next door to the plant, suddenly woke up without employment opportunities, without health care. And while Gary Works still produces high quality steel, there was nothing quite like the economic impact on the south side of Chicago when United States Steel closed. Henry Hyde understood that.

I asked Henry what was the key to his congressional district. I have 60 people in some of my communities, 60 people for every one job. In his congressional district, three jobs for every one person. Did Henry come to me and tell me my constituents needed more tax breaks? No. Did Henry make the occasional argument—and he did—that somehow welfare was bad and wrong? Yeah, he made the argument.

But most importantly, beyond the partisan bickering, which dominated the politics of the 1980s and the 1990s, Henry Hyde said the key to what's taking place in the northwest suburbs is the service-based economy.

Sixty years ago, there was no O'Hare airport in the northwest suburbs. In fact, those of you who travel through O'Hare, your baggage tag says ORD. It doesn't say O'Hare airport. It says ORD because it was called Orchard Field in DuPage County, not even in Chicago. It's just a big, old field outside of the metropolitan area.

He said, When the goose laid the golden egg, when O'Hare was built, it brought with it unprecedented economic growth. We extended the Kennedy Expressway all the way to O'Hare. We extended the CTA all the way to O'Hare. The mayor of the City of Chicago is advancing the O'Hare modernization program. He wants billions of dollars in future bills in this Congress to throw them at O'Hare. And United has expanded its terminal, and American expanded its terminal, and we built a Hilton and Hyatt and a Fairmont and a Doubletree and a Sofitel and the Rosemont Horizon. And communities that never existed before began popping up around the economic engine, but the goal was always to get to the jewel of the region, the City of Chicago.

The only way to get to Chicago is through O'Hare airport and through Midway airport. Midway's most profound problem is that its runways are too short for a 747 to ever land there. So O'Hare airport remains the crown jewel of our area.

Henry Hyde said, JESSE, O'Hare airport has reached operational capacity, but out in your area where they need jobs, if we can expand aviation capacity to your area, you get to lay a golden egg on the south side of Chicago, Hyatt and Hilton and Fairmont. And we can hardly some days catch a taxi on the south side of Chicago, but if we build an airport, guess what taxicab drivers like to do. When they see you standing out on the corner here in Washington or anywhere in America with a suitcase, you can immediately get a taxicab because the cab driver assumes you're going to some local airport. It's the best fare even for a cab driver. The trip to the airport is the golden jewel of a hack.

So we began the process. I said, Chairman Hyde, the Federal Government doesn't build airports. State governments build airports. However, State governments build airports with the assumption that the States have in their budgets the financial wherewithal to actually build an airport. There's no State in the Union that's in a position to build a new airport. But George H.W. Bush, the former President, said we needed 10 new airports the size of O'Hare 20 years ago, and we haven't built one, and with each airport, about 286,000 jobs or 2.8 million jobs.

Every time I say that we need to build a new airport in this Congress, someone from the other side says, oh, here comes a Jackson earmark. A Jackson earmark? 286,000 jobs, a Jackson earmark? Oh, you can't put that in the bill, that's earmarking. You

haven't worked out the local politics yet. The local politics? The State of Illinois lost 1,200 jobs a day in December, 36,000 jobs in the month of December alone. And I want an earmark? And someone comes down to the floor arguing about, why are you putting in an earmark? I didn't get elected to Congress to hear rhetoric about earmarks. 286,000 jobs at stake with just building one airport.

So the public side of the partnership has to be structured under State law. The Abraham Lincoln National Airport Commission—how appropriate—we hope to start construction on the 200th birthday of our 16th President.

ALNAC, Abraham Lincoln National Airport Commission, is a local airport authority that was formed through an intergovernmental agreement between its constituent members comprised of 32 Illinois municipalities located within the Chicago region. The Abraham Lincoln National Airport Commission publicly solicited private entities to build and finance a commercial airport—there it is, public municipalities, 32 of them, solicited through a bidding process private developers to build an airport—at the site approved by the FAA in their Record of Decision on the Tier 1 Environmental Impact Statement. After evaluation of proposals submitted in response to their solicitation, the Abraham Lincoln National Airport Commission selected the joint venture of SNC-Lavalin America and LCOR as their private development partners.

So now we have the public side, the 32 municipalities, the government oversight, making sure that the facility is consistent with the public's intent, and we also have private capital. Notice what I have said so far. I've not asked for a Federal dollar. I've not asked for a State dollar, yet. Public-private partnership.

ALNAC's private partners then submitted a comprehensive airport alternative concept to IDOT—the Illinois Department of Transportation—in 2004, 2004. Of course, everyone knows that our government and the State of Illinois, the Illinois Department of Transportation in 2004, just like many of us are now realizing in very public ways, has not been a functioning government. But in 2004, we submitted the paperwork for the public-private partnership.

Due to their financing proposal, ALNAC believes that their alternative offers the best flexibility to provide for optimum land utilization, maximized cost efficiencies, and create better long-term planning for their private capital and investors, as well as airports, commercial stakeholders, and tenants. This is a really important part of public-private partnerships.

If we're going to have a public-private partnership, there is some give and there is some take. The private sector is not just in this for the public good, and the public sector is not just in this to restrain the private sector. The private sector must be able to make a profit out of a public-private partnership.

□ 1830

And so the appropriate balance between public accountability and the goals of the private sector, its investors, and its stakeholders is a unique balance that has to be struck in any public-private partnership.

Our proposal is analyzed and compared to all other alternatives in ALNAC's report, according to the Illinois Department of Transportation, addressing the ultimate airport concepts, along with the inaugural airfield passenger terminal facilities and landside access concepts.

In short, the Illinois Department of Transportation determined that the Abraham Lincoln National Airport Commission had the Nation's first public-private partnership for building commercial aviation in the United States. A perfect model.

So, where do the jobs come from? Well, for nearly a decade now the State of Illinois has been acquiring land for this inaugural airport, albeit at a snail's pace. The public-private partnership is simply a business between the public sector and the private sector on the State land, like a TIFF or an enterprise loan.

Let's say, for example, you want to attract Wal-Mart to the south side of Chicago or you want to attract Costco to the south side of Chicago. The city of Chicago, the city of San Francisco, the city of Atlanta offers land in an area and says, Hey, if you put 300 jobs right here, we will give you tax incentives, we will give you tax rebates for however long, whatever the terms of the agreement are. And, as a result of that, 300 Illinoisans, 300 Americans, are somehow working because of the public-private partnership. Well, we are the same thing.

The State of Illinois has been purchasing land for an airport. But they cannot afford to build an airport. And the Federal Government does not build airports. So somehow a balance must be struck between the goals of the public to relieve national aviation, and the private sector, who has got the money. And the private sector needs to be able to get their profit out of the project.

What do we get out of the project? Well, remember, I said some communities have 60 people for every 1 job. An airport with one runway and five gates in this market, on State land, creates 15,000 new jobs. One runway, five gates, 15,000 jobs paid for by the private sector, with public oversight.

Why public oversight? Well, you just don't launch planes into the air. They have to have air traffic controllers, they have be integrated into the national aviation system. So the national aviation system is part of the process. The FAA is part of the process.

You have to have cooperation between the Federal Government. No tired arguments about Federal Government. You have to have the FAA in order to fly a plane. You have to have State governments. This land is owned by the State of Illinois. But the State of Illinois leases land all the time. But one runway, five gates, in a unique public-private partnership, creates 15,000 jobs.

Well, Congressman, how do 15,000 people get into a terminal with only five gates? Fifteen thousand people don't get into a terminal with only five gates. Fifteen thousand people come in the form of pilots, flight attendants, engineers, gate workers, maintenance workers, TSA, Hertz, Avis, Enterprise, Dollar, Hyatt, Hilton, Fairmont, Radisson, Double Tree, the Zanzibar Hotel on Stony Island Avenue. Taxicabs, convention-goers, visitors, hardware shows, auto shows, trade shows. It comes in the form of people coming and going from the Nation's aviation system. That's one runway and five gates.

Within 10 years, the plan then progresses from a small terminal with five gates to, very quickly and very inexpensively, 13 terminals, 13 gates. A $400 million investment goes from five gates—one, two, three, four, five—to 13 gates very quickly. And every time the airport expands, if five gates equals 15,000 jobs, well, how many jobs do we think the next five gates equal? That's right. A 10-gate airport is 30,000 jobs. Still paid for by the private sector.

So now we have gone from 5 gates to 15 gates—phase one of the airport—at very little cost to the private sector. Phase two of the airport. While this part of the airport is under construction, you then build phase two of the airport. And then you build phase three of the airport. And then you build phase four of the airport. All using modular construction paid for by the private sector, with the finances of the airport reinvested in the airport; reinvested in the business, because that is what it is; reinvested in the landside development of the airport; while paying the State back for the land that it acquired from the beginning of the project.

So the taxpayer gets their money back associated from their initial investment in the land, the airport gets built, hotels, and tax bases expand, and schools are funded and people who work pay for their own health care or any other form of health care they choose to because they have a job.

I'm voting for the stimulus bill. But I'd like to see an airport built on this House floor that builds 10 of these monsters right here. Ten of them. And I am sure 2.8 million jobs will be created. This is just the initial terminal.

So, remember, our airport was phase one. We then built phase two. We accomplished additional capacity by just extending the terminal with a very modest expansion and very cheap expansion to 13 gates. And then we build phase four, we build phase five, and once this side of the airport is operational, then we come back to the

other side of the airport, without any disruption in service, and we turn this very modest gate into a much more consistent and pronounced enterprise.

So, the initial long-range phasing of the airport, an airport of this magnitude, about 85,000 jobs to a local economy. In the service-based economy. No, this is not manufacturing, although there are still steel implications and glass implications for building airport terminals and concrete and asphalt associated with building airports. So there is some manufacturing impact associated with building airports.

No, this is not a computer-generated information-based economy, where people write software programs and participate in online chats and engagements of information, although there will be WiFi at the airport.

But airports are central to the service-based economy. The service-based economy. Different than the manufacturing-based economy and very different than the information-based economy. And very different, quite frankly—and I know some members of my staff are going to be a little upset about this—very different than some of the approaches even in this bill that I am supporting.

Yes, this bill has gone from a stimulus bill that was supposed to be stimulating the economy, and this is truly stimulative construction, to a—watch this now—recovery bill. The economy is so bad, we are now in recovery. And we still need even more stimulation.

But we are moving now from the language of stimulation to recovery because the problem is profound. But if we can find private developers anywhere in this country who are willing to put up their own money under public oversight to build public works projects, that is the point. That really is the point. Because the private sector, many of these corporations, do have the money, and are willing to put it up, if the State, if the Federal Government is willing to cooperate so that we can create jobs, move beyond the local politics.

I began this presentation, Mr. Speaker, by saying that there are unique moments in American politics, in American life, in American history, where we no longer look to the States; to the locals; to the old, tired arguments—tax breaks and Big Government and socialism—to doing something for all Americans.

Lincoln did it in Gettysburg and during the Civil War to save the Union. Roosevelt did it when he appealed to something greater in each of us to save our Nation and our economic system. President Bush did it after September 11th, albeit some of us had problems with the direction. But we did rally behind our President and behind the flag because of our sense of insecurity associated with those profound events of September 11th.

I'm suggesting to you, Mr. Speaker, that we can rally behind our President. But we ought to rally behind a new paradigm that makes a difference for all Americans. So, 85,000 jobs associated with this facility, paid for by the private sector, under public-private partnerships. Future stimulus bills ought to encourage them.

Mr. Speaker, it's not just about the traveling public. Serious airport design and planning includes the possibility of cargo, because there are tens of thousands of jobs associated with cargo. Handling mail, handling packages. The global economy. Moving goods and services throughout the world. Making it more efficient. Every time we add a cargo plane carrying cargo to our Nation's aviation capacity, it constrains commercial aviation. Every time we add a new commercial flight, it means one less cargo plane that can fly unless, of course, we are expanding and building new airports.

I'm particularly proud that this concept is conceived of by the private sector at no cost or risk to the taxpayers because the private business model pays the State and the Federal Government back for its investment in building the project. There are no airports in the country to do that. They are like sinkholes. They serve a valuable purpose, but they don't pay back the taxpayer for the public works projects.

Well, this is the example that I like to talk about. Airports. But this could be a port. Any port in America could be built under a public-private partnership model. Job growth in this country in almost any sector of the economy can be built under a public-private partnership model. Not a private-private partnership model, but a public-private partnership model.

□ 1845

Where does this airport go? Well, how about this: Because the private sector has an interest in profitability, they also have little tolerance for graft or corruption. They don't do political fund-raisers. They reinvest in their project for their stockholders and for their investors. They're in it to turn a profit.

You enter into a public-private partnership with the full knowledge that the private sector investor wants to make a profit out of the project. So when the private sector develops and plans an airport of this magnitude, they start with the entire land use scope as part of the project. They start with the big vision first, what the airport could become. An airport of this magnitude in the exact same space, 286,000 jobs, Mr. Speaker. There it is. That's what 286,000 jobs looks like. That's what it looks like. Nothing else that we've discussed on this House floor comes close to that. Not a tax incentive, not a tax break, not stopgap measures to help us recover. And we do need to recover, helping the poor, the disenfranchised and those who have been locked out. We do need to help those Americans who are suffering. But many of those Americans who are suffering also want full-time work. We need infrastructure projects like this that uses the private sector's money that pays the Federal taxpayer and the State taxpayer their money back in a unique public-private partnership.

So, airports usually designed by States start with big plans like this and they never find the money to build an airport of this magnitude. So what the private sector does, as I prepare to close, Mr. Speaker, they start with complete land use, what it could look like, how we get to the 286,000 jobs. And then they do just the opposite of what we do in government.

I really like this part. They start with the big use plan, they then scale it back to 1X, they then scale it back to various phases because they can't build the whole thing at one time, phase 1, phase 2, and phase 3. They only build what they need. And they work it all the way back to the smallest, least expensive facility that creates the most jobs that allows them to operate their business—one runway with five gates. And this one runway and five gates, that same one runway and that same five gates is right here, and this is the same runway. When it becomes a four-runway airport, they've wasted nothing. When it becomes a six-runway airport, they've wasted nothing. They've taken the big plan and they've scaled it all the way back down to the smallest common denominator and they're in a position to go to their investors and say, okay, we have public support in the partnership, we have private capital, only $400 million. That's what it costs to build one runway and five gates, $400 million. They're ready to pay for it. They're ready to put up their own money. And as their business begins to expand, they then move from one runway and five gates to 13 gates while they're working on phase 2. And then they work on phase 3. And they're constantly reinvesting their profit.

Not coming to Mr. OBERSTAR's committee or going over to the Senate looking for another earmark, more taxpayer funds, hustling around Capitol Hill, going to receptions, trying to get the Congressmen's attention. No more of that. Enough of that. The new model shouldn't have them coming up here every year hustling a transportation bill. The new model ought to free them to do what they do with public oversight and expedited interaction from the FAA. Not the old rigmarole. If we want a new Washington, set them free to build the economy. Set them free to grow. Let them do what they do, accountable for their money and their oversight within the rules of local public accountability. Break up the routine where, can I get an earmark this year? Can I get another earmark this year? I've got a worthy project. One more worthy project. And then when we support the worthy projects, we then get criticized for doing what we've been elected to do.

Mr. Speaker, the new model for all Americans, the new paradigm, is a paradigm of public and private partnership that creates a new era of accountability. We don't have to look back to the old America where we don't turn to our government for help. Sure our government can play a role. It can establish a new paradigm of participation for all Americans.

And so, Mr. Speaker, it is my sincere hope that my colleagues who are in their offices, who want to advance the idea of public-private partnerships, that they will look closely at the arguments that we made in the CONGRESSIONAL RECORD, look at our approach and our processes that we followed at the local level with complete transparency, so that we can grow an economy for all Americans that all Americans can be proud of.

I want to enter one more thing into the RECORD, Mr. Speaker, just before I yield back the balance of my time. I was reading in a local newspaper here that in the month of December, our Nation's busiest airport experienced the worst delays ever.

''Chicago's air travelers endured the worst delays in the Nation during December, as foul weather offset any benefit that airlines might have gained from a steep drop in flights at the city's major airports, new data show. O'Hare International Airport, the gem of our city and the gem of our region, reported the worst performance for on-time departures among major U.S. airports for December and calendar year 2008, even after the November opening of a new runway that is designed to help reduce the problem in the first place.''

Because it's not just a function of new runways at existing airports, it's about new runways in a new airspace. God has only given us so much space above this building. He's only given us so much space above airports. And so there's only so many circles they can drive around or fly around an airport. You have to build new airports in new space. But by building them in new space, it means that we change the habitual traffic patterns of people who normally go one way to go to the airport, they now have options to go both ways. And by doing that, Mr. Speaker, we create balanced economic growth for all Americans and all Americans can begin to participate in the bounty that is America.

With that, Mr. Speaker, I thank the leadership for allowing me this opportunity, and I thank the Speaker for his indulgence.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has agreed to without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 41. Concurrent resolution providing for a joint session of Congress to receive a message from the President.

The message also announced that pursuant to section 276d–276g of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senator as Vice Chairman of the Senate Delegation to the Canada-United States Interparliamentary Group conference during the One Hundred Eleventh Congress:

The Senator from Idaho (Mr. CRAPO).

The message also announced that pursuant to section 5 of title I of Division H of Public Law 110–161, the Chair, on behalf of the Vice President, appoints the following Senator as Chairman of the United States-Japan Interparliamentary Group conference for the One Hundred Eleventh Congress:

The Senator from Hawaii (Mr. INOUYE).

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. POLIS of Colorado, from the Committee on Rules (during the Special Order of Mr. JACKSON of Illinois), submitted a privileged report (Rept. No. 111–14) on the resolution (H. Res. 157) providing for consideration of motions to suspend the rules, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. POLIS of Colorado, from the Committee on Rules (during the Special Order of Mr. JACKSON of Illinois), submitted a privileged report (Rept. No. 111–15) on the resolution (H. Res. 158) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

ECONOMIC STIMULUS BILL AND THE FREEDOM OF CHOICE ACT

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

Mr. GINGREY of Georgia. Mr. Speaker, thank you, and I'm grateful for the opportunity to be before my colleagues this evening to discuss a couple of very important issues. One, of course, is immediate and that is this crisis in our economic situation and the so-called economic spendulous—excuse me, stimulus—bill. I use that slip of the tongue, Mr. Speaker, deliberately, because when I talk to my colleagues about the amount of money that we're about to spend to try to stimulate our economy, I think all of my colleagues will agree it's a tremendous amount of spending. And so we do want to spend at least the first half of this allotted time, Mr. Speaker, talking about that issue, about this bill that we're going to be voting on, probably tomorrow, if my intelligence is correct, and then the Senate will vote on the conference report on Friday and President Obama, no doubt, will sign this spendulous bill into law. So we want to spend at least half of our time talking about that and talking about the process and talking about the policy and talking about the missed opportunity to have done this in a better way.

And then in the final time allotted to me this evening, I want to speak about something that is of great concern to a lot of people across this country, certainly of great concern to the members of St. Joseph's Catholic Church in my district, the 11th of Georgia, in my parish, St. Joseph's Catholic Church. As my pastor and my fellow parishioners asked me, many of them I'm sure didn't realize that one of their co-parishioners was their Congressman, but from the pulpit the request to ask Members of Congress to not allow something called the Freedom of Choice Act to be allowed to come into law. And so we are going to discuss that.

I'm very pleased, though, that I have a colleague with me tonight and we'll share time, that's Representative MICHELE BACHMANN from Minnesota, and we may have other Members that will join us. I want them at any time to feel free to ask for time and to speak, or we can have a colloquy on either one of these issues.

Let me just start out, Mr. Speaker, as I said at the outset, and let's talk about this economic stimulus package. It is, as I understand, in the final analysis going to be $798 billion. We currently have a national debt of $10.7 trillion. This is almost going to increase that national debt by 10 percent, Mr. Speaker—by 10 percent—and under the ruse, unfortunately, I truly believe that it is a ruse, of stimulating jobs. Now we have had, indeed, an opportunity, many opportunities over the last several weeks to look at some alternatives, to do things under the regular order, regular process, of subcommittee, committee markups, amendments made in order, so that both sides of the aisle had an opportunity to do this right, to make it better, to concentrate more on across-the-board tax cuts at every marginal tax level as the Republican alternative does, to lower the corporate income tax rate from 35 percent to 25 percent, so that these multitude of small business men and women across this country who create most of the jobs. In fact, the organization of franchisee members are on the Hill right now for their first annual, first inaugural advocacy day, and they will be across the Capitol tomorrow in both Chambers, in the offices of the Members, talking to them about the strain and struggle that

they're going through in regard to very thin margins, high taxes, high cost of health care.

When we designed, we Republicans in the minority, designed a bill, I think it's H.R. 470 is the number, but, Mr. Speaker, it had a strong emphasis on a tax break for all Americans, anybody that paid taxes, 5 percent across the board, to give them an opportunity to have money in their pockets right away, to either spend or save or pay down debt. In addition to that, we are very much in favor of spending on infrastructure projects, roads and bridges and mass transit, things that indeed would put people back to work, I have no doubt.

My State of Georgia, our Department of Transportation board members and commissioner and senior staff are up here as we speak to talk about the shovel-ready projects that they have. And when this bill was first discussed back when President Obama was President-elect Obama, all the talk was about the amount of money that would be spent in all 50 States, all 50 States that are suffering, my home State of Georgia facing a $3 billion deficit, to have the opportunity, as I say, to get some of these projects done and put people back to work.

Mr. Speaker, in the final bill, now could it have changed a little bit in the conference report? It is possible, but unfortunately the Democratic majority who pledged to allow the bill to be posted on the Internet so that we could see it 48 hours in advance and be able to know what exactly is in there, but that hasn't happened, but it is my suspicion that the percentage of that $789.5 billion is probably no more than 7 percent, Mr. Speaker. No more than 7 percent. It's almost as tricky as the so-called TARP legislation.

□ 1900

Remember that, Mr. Speaker? My colleagues, remember that one? Just before the end of the 110th Congress, when Secretary Paulson came to us and said ''the sky is indeed falling, and you have no more than 48 hours to give me the absolute power to take $750 billion of taxpayer money and use it to buy toxic assets, troubled assets, from financial institutions.'' And of course, what happened was something far different from that. The TARP became a totally inappropriate acronym. The Troubled Asset Relief Program turned into a capital infusion program. And $750 billion, half of it, was doled out to the biggest financial institutions in the country, I think nine total. Some of them were even forced to take the money. And then, of course, the money that went to General Motors and Chrysler. We even made the GMAC a bank so they could qualify for the capital infusion with no oversight, no responsibility and no transparency.

And so you say, Mr. Speaker, as a Member of Congress, and also as one of our constituents, a voter, whether a Democrat, Republican, independent, libertarian, said look, ''fool me once, shame on you. Fool me twice, shame on me.'' And I don't think the American public is going to fall for this so-called ''stimulus package'' that was supposed to be money for infrastructure projects with a good balanced amount of tax cuts. It is just not there. It is just not there.

So, Mr. Speaker, we're going to talk about that this evening. And before I yield to my colleague from Minnesota, I just want to put these numbers a little bit in perspective. Now I have a few posters. And these were drawn up as we voted on the House version. In the House version, the number was a little higher than the $789.5 billion that we're going to vote on tomorrow. But it was in the same ballpark, believe me.

Let me show this first poster to my colleagues, Mr. Speaker, and this one is entitled, ''Sizing Up the Stimulus.'' Well, the proposed stimulus in the bill that passed the House a few days ago was $1.2 trillion. Now that includes the debt service over the next 10 years on that borrowed money, and it would be disingenuous not to. You could say, ''oh, no, no, Congressman, you have got it wrong. It was $826 billion. Where do you come up with that $1.2 trillion?'' Well, ladies and gentlemen, that is the debt service. And you cannot ignore that. That has to be paid. And pretty soon, the debt service and the payment for Medicare, Medicaid and entitlement programs is going to take every dollar of our budget.

So, anyway, the proposed stimulus, $1.2 trillion, put in comparison, I know this is a little difficult to see, the writing is a little small, but the Vietnam war, $111 billion, the invasion of Iraq, $551 billion. The New Deal, the New Deal, remember that one? Thirty-two billion dollars. And then the Marshall Plan, $12.7 billion. Just to kind of put these numbers in perspective of what we're talking about because people, Mr. Speaker, easily get a little confused here. Did he say $1 million or did he say $1 billion? And what is $1 trillion? We could describe that. And maybe my colleague knows a good description of how far you could stretch $1 trillion. It would probably cross the globe three times.

Also continuing on that vein of trying to put the cost of this in perspective. Now this is based on the estimated number of jobs that would be created by the Democratic majority by this ''spendulous plan'' that we're going to vote on, as I say, tomorrow. They're estimating that the number of jobs that would be created may be five or six, well, I think it is down to 4 million. And actually the President is not even saying the creation, Mr. Speaker, of 4 million jobs. He is saying the sustainment of and/or creation. So there is really no guarantee and no pledge of that, indeed, but if it does create 4 million jobs, the cost of this, just simple math, $275,000 a job, $275,000 a job. And I'm sure many of these jobs will be paying $25,000 a year. You could hand that money to a worker and keep him or her employed for 8½ years at that rate with a good benefit package. So, again, the cost per job is prohibitive in my opinion.

Colleagues, I'm going to show you one more poster before I yield to the gentlelady from Minnesota. This is a very, very telling chart. And again, strain your eyes a bit because it is worth seeing. And I will try to walk you through it. And it is titled, ''Can You Afford to Pay for the Democratic Spending Bill?'' Can you afford to pay for it? At $825 billion, the economic stimulus plan sailing through Congress, and indeed it is sailing through. We're not going to have 48 hours to look at it. The stimulus plan would cost each American family more than $10,000 on average, each American family more than $10,000. Here is how that price tag compares with typical family expenses in a year. And, Mr. Speaker, I realize I'm talking to my colleagues on this floor, both Republicans and Democrats. I'm not talking to the television audience back home. But the men and women who serve here have families. And they have family expenses. And I'm sure when I point out that on average, a typical family spends $10,400 a year on food, clothing and health care and on shelter, their home, whether they own their home or rental cost, their shelter is $11,657 for their family. And the stimulus spending is going to cost them $10,520. Thirty percent of their overall family budget is going to go toward this stimulus ''spendulous'' bill that is supposedly going to create all these jobs and get us out of this severe economic recession.

Well, would it be worth taking the chance even if we had no other alternatives? Well President Obama says ''yes.'' Vice President BIDEN says, ''well it does have, I hate to admit, a 30 percent chance of failing.'' Mr. Speaker, in my opinion, that is too great a chance. Those odds are not good, not good enough for the American people. The Members of this side of the aisle, the Republican Members, the minority Members, and quite honestly, if they had a chance to speak up and to submit amendments, maybe 50 of the conservative Blue Dog Democrats would agree with us. I wish they would have the opportunity to take a vote. Unfortunately, that has not occurred in this new open bipartisanship spirit that Speaker PELOSI has promised in the 111th Congress.

With that, Mr. Speaker, I would love to yield some time now to my colleague from Minnesota. MICHELE BACHMANN is in her second term, but you would think that it was her tenth term. She is doing an outstanding job. She is very knowledgeable on this issue.

And I will gladly yield to my colleague.

Mrs. BACHMANN. I want to thank the gentleman from Georgia (Mr. GINGREY). He has done a marvelous job laying the groundwork and pouring the

pillars of this important discussion. This is historic, as we all know. Our colleagues understand how historic this level of spending is. Never before in the history of this country have we seen the type of profligate spending that has occurred just since January of this year. Just yesterday, as a matter of fact, we had a $3 trillion day here on Capitol Hill. That is big money. You have heard of fantasy football before. Well, this is fantasy economics that is happening here in Washington, D.C.

My colleague will recall it wasn't that long ago that we were fighting on expanding the SCHIP program by $35 billion before we first take care of the children who needed to be on the SCHIP program. We didn't want to expand eligibility until we first took care of the poor children that needed to have that SCHIP funding. So to just get things in perspective for the American people, we've moved from fighting tooth and nail over spending $35 billion to today we're talking, as my colleague mentioned, what appears to be $798 billion. But again, that is the raw number. It is just like when you buy a house or if you buy a car on credit and you're making your mortgage payment, you know you pay an awful lot more back to the bank because you have to make all those interest payments. This bill will be well over $1 trillion, including the debt service. So we're not talking about a small amount of money.

And just also to put this in perspective and in context, normally this Congress spends about $1 trillion a year in Federal discretionary spending. And we will take what, perhaps 1,000, 1,200 votes in the course of a year until we finally spend about $1 trillion in spending. Well, consider, it wasn't even the end of January and this body spent, in one vote, what this body normally spends in over 1,000 votes over the course of 12 months to spend in discretionary spending.

And remember, this body has hasn't even taken up yet the normal appropriations bills that we have to take up for parks, public safety and education. We haven't even gone there yet with regular budgetary spending that is the duty of this House of Representatives to spend. We've already over and above spent now another $1 trillion on the spending package. We're very concerned about the level of profligate spending.

I wanted to mention a study that was completed by Harvard in the year 2002. It was a long-term study. It looked at 18 different economies across the globe. And it asked this very simple question. What is it that governments can do to stimulate or cause economies to prosper, and concomitantly, what do governments do to cause economies to go in a downward spiral? Well, here is the bottom line. Here is what the nutshell of what this long-term study discovered. It was this: If you want an economy, any kind of economy, to prosper and advance, governments need to do two things. You need to cut government wages, number one, and number two, you need to cut transfer payments, which is redistribution of wealth.

This stimulus package, which is a big government bailout package, does just the opposite. It increases funding eventually of government wages and also of transfer payments. The reverse then also is true in this Harvard study. It said what can governments do to hurt their economies? And it is very simple: Tax increases. That is what hasn't been talked about in this discussion. The only subject of discussion in Washington, D.C. has been, how big can this bill be? How much can we spend?

I'm a former Federal tax litigation attorney. That is what I did for a living, deal with taxes. This bill doesn't answer the question, how are we going to pay for this bill? I don't think the American people realize that yet. Congress has been so free with the American people's money to spend it in every direction they possibly can, but they haven't even addressed the question yet of how they are going to pay for this trillion dollars. And my colleague from Georgia (Mr. GINGREY) is exactly right when he said that we have over $10 trillion of debt, $10 trillion in debt. And now we're going to add to that another 10 percent, and we haven't answered the question, how are we going to pay for it? Well, it is real simple. This is not too tough to figure out. There are only two ways to pay for that kind of spending. You either borrow it from other countries, or you increase the tax load on your citizens, or the Federal Government prints money and puts that money out into the money supply.

□ 1915

Well, what does that mean? Massive tax increases. We already know it's going to hurt the individual. It will hurt the economy. What about borrowing? Borrowing is the same thing. We have to pay that money back. We pay it back to other countries. Well, guess what? Other countries right now are suffering globally with their economies as well.

What about printing money, putting that into the money supply? We could do that, but that's the cruelest tax of all because that's the tax of inflation. So hardworking, prudent Americans who've done all the right things, who've invested well, will see the value of their dollar drop dramatically because their money isn't worth what it once was.

Mr. GINGREY of Georgia. If the gentlelady will yield just for a second. Reclaiming my time. I'm so glad that Representative BACHMANN brought that out about inflationary spiral; and that's absolutely true. You print this money and this debt has to be paid back. First thing you know, the value of our money goes down, and then we've created all these jobs that maybe pay $25,000 a year, and first thing you know, people wake up and realize that their money is only worth $15,000 a year. So that is a huge, huge problem.

And I wanted to make one other point before yielding back to my colleague. As we look at what she was talking about, this national debt, we are approaching a, what, $15 trillion national debt, which is the Gross Domestic Product. The sum of all goods and services in this country is about $15 trillion. And after we add on this death we're going to be at $12.5 trillion. So anybody that has just a scintilla of knowledge of economics knows that this is unsustainable.

And I yield back to my colleague.

Mrs. BACHMANN. I thank the gentleman from Georgia to bring that point up, because what he is stating for the American people is that this Congress is making a decision, together with the Obama administration, we are adding to uncertainty in the marketplace, and that's really the issue, will this Congress address the issue of certainty versus uncertainty in the economy.

I have the largest window manufacturer in the United States in my district. I met with the president of that company several years ago and he said to me, MICHELE, what we need more than anything is certainty in the marketplace.

If you go back to January of 2008, when this Congress made a decision to spend $168 billion in rebate payments that went back into the economy, that decision only led to uncertainty for the American people, uncertainty for American business.

We could go through all of the spending initiatives that Congress took through all of 2008 and now into 2009. But I think yesterday said it all, when our United States Treasury Secretary, Mr. Tim Geithner, made his press conference that was well anticipated, what will the Obama administration do about the TARP monies that are available? We saw Wall Street's response, and it was to tank. Why? Because the Obama administration said what they want to do is have bigger and more powerful government. That's what they wanted, bottom line, bigger more powerful government. That did not calm the markets. That only led to uncertainty in the marketplace. It didn't lead to certainty. That's what we need. What would lead to certainty? And what would lead to certainty into the marketplace would be permanent tax reductions. If businesses and individuals who were interested in risk-taking with their investments knew that we would permanently cut the capital gains tax, permanently lower the business tax, the corporate tax rate, permanently lower marginal tax rates, do something about the estate tax problem that's going to spring open in 2010, and also, if they knew that we were going to radically reform the Sarbanes-Oxley rules, that would send a signal.

Instead, what does the stimulus do? It tells the American people, well,

we're also going to embrace socialized medicine. What? Embrace socialized medicine? This is not what the American people bargained for. This is not what they asked for.

We also know that the current administration wants to impose the largest energy tax we've ever seen in the history of our country, also known as the cap-and-trade system. This leads to massive uncertainty.

If we would have taken $1 trillion last year that we spent on spending and put $1 trillion into permanent tax relief, I think the gentleman from Georgia would agree, this year, our biggest problem would be finding enough workers to fill the jobs that would have been created from permanent tax relief. That's an alternative that the Republican positive solution has put on the table for American business and American individuals. We've got a plan. We've got a big plan. And that's the genius of America. We trust the American people to take their ingenuity to pour it into the marketplace, because we understand that's true wealth creation.

Governments can't create wealth. They never have, they never will. It's the American people and American businesses that create wealth. How? By productivity. How do you get productivity? You produce goods, you produce services. How do you do that? You put capital at work. Why do you do that? You know that you're going to have a return on your investment.

Today, the American business world sees there will be very little return on investment. But the Republican plan offers all sorts of return on investment. And that's why, to the gentleman from Georgia I know this is a marvelous way to go, and I'll be happy to add to your colloquy as we go.

I'll yield back.

Mr. GINGREY of Georgia. Reclaiming my time. Absolutely, what you say couldn't be more true.

And I want to briefly, Mr. Speaker, talk about another colleague from Georgia in the other body, and that's our junior Senator, JOHNNY ISAKSON, a neighbor of mine in Cobb County who has been serving so well, first in this House, Mr. Speaker, and now in the United States Senate.

But JOHNNY ISAKSON, who has been in the real estate business, I think he spent 40 years in the real estate business. His dad owned Northside Realty. And he has gone, he's seen us go through periods like this in the past. And as he was explaining to me, I believe Gerald Ford was President when we went through the last real downturn in the housing market. And what stimulated the market to come back, Mr. Speaker, was a $2,000 tax credit for the purchase of a new home, not for flipping or investment, but as a homestead. And within a short period of time, I'm going to say, 6 months to a year, that economy, that housing market was back to life, and nails were being driven, and walls were being framed and foundations were being laid and, indeed, happy times were here again.

So what JOHNNY ISAKSON, Senator ISAKSON proposed, Mr. Speaker, to get this housing market going and stimulated, and let's face it. As he pointed out, and I completely agree, it was the housing market which brought us down and got us in this situation, and it's going to be the resumption, restoration of the housing market that is going to pull us out.

And Senator ISAKSON had an amendment on the Senate side. And his amendment, my colleagues, that anybody that purchased a home, it doesn't have to be a home in foreclosure, it could be one of these homes that 200, 300, $400,000 homes that are just sitting there with weeds growing in the front yard, beautiful new homes that have been in inventory for a year and a half, builders, many of them, of course, bankrupt and out of business. But if any homeowner purchased a new home, they would get a $15,000 refundable tax credit. And it would not have to be paid back. And of course that amendment was welcomed with open arms on the Senate side, as I understand. I think it may have been approved by voice vote.

And now, all of a sudden, maybe it's they're suspecting that the Senator cannot, in good conscience, support this overall package. I'm not really sure. But his amendment is pulled out. And I get a notice of that, Mr. Speaker, when I'm looking at the fact that the conferees have come to an agreement on this $789.5 billion, and Senator ISAKSON's amendment is gone and we've receded to the House version, which is a pittance in comparison and, quite honestly, not nearly enough to stimulate the housing market.

You know, Mr. Speaker, and my colleagues on both sides of the aisle, let's speak frank on occasion. The meddlesome activity of this Congress, and maybe former administrations caused the problem that we're in. It caused the subprime loan crisis. It turned renters into homeowners when they had poor credit, they had no money to pay down, not a bit. They didn't have to verify their income. They didn't even have to verify they had a job. And then the thinking was, well, it doesn't matter, because the houses are going to appreciate in value, and they can pull the equity out. And you know, we've got this never-ending, wonderful cycle heading for the pot of gold at the end of the rainbow.

Well, all of a sudden that bubble burst, and now we're in a terrible situation. But that what started it all. That's what started it all, Mr. Speaker.

And it seems to me, and I'm sure my colleague will agree with me, that if we address the housing crisis with a bold amendment, it should maybe now should be a stand-alone bill that Senator JOHNNY ISAKSON has presented, and we take a spending bill, a true stimulus spending bill with a major emphasis, as Representative BACHMANN has just pointed out, on tax relief, tax relief for men and women who are paying taxes at every marginal rate, and certainly for these small businessmen and women who bear the brunt of the taxation, and create most of the jobs, if we combine those two things with maybe some targeted, meaningful infrastructure spending for the 50 States that are struggling, many of them here in town this week, and I understand their needs, then I could support that and I could support it with enthusiasm and I think you could see bipartisan support.

But this bill, it became just a wish list for the Democratic majority for things, Mr. Speaker, that they've been wanting to do under regular order for years and couldn't do it. I mean, I can enumerate and I can point out certain things and it would make you laugh if it didn't make you sick. But did it have anything to do truly with creating jobs? I say no. And that's why I said no when I voted.

By the way, Mr. Speaker, before I yield back to my colleague from Minnesota, we did have a bipartisan vote on the floor of this House of Representatives. We, indeed had a bipartisan vote. We had 11 Democrats joining 178 Republicans voting ''no.'' We did not have one single Republican voting ''yes.'' So the bipartisan vote was the ''no'' vote because I think you've got wise men and women on both sides of the aisle that realize that this is not the way to go.

And I yield back to my colleague.

Mrs. BACHMANN. I thank Mr. GINGREY from Georgia for his fine words. And I think one thing that also we should address is the issue that was brought up earlier this week by our President in his press conference, when he stated that only the Federal Government, he said the Federal Government is the only entity left big enough and powerful enough to pull us out of this recession. And I was really struck by that comment that he made. That is a tremendous amount of faith to have in the Federal Government. And it views the Federal Government almost as a Good Fairy, or as the Easter Bunny, or as Santa Claus, that it's the Federal Government that's going to be able to pull the economy out of the doldrums. If that is the case, then why doesn't the Federal Government go ahead and take over everything and just run this country and we just decide we're going to become full-blown, socialist state. I don't think that's what the American people are calling for.

If you look at the living laboratory of the last 100 years of economics, you look at when America has prospered, what economic policies we followed, and when America has foundered, and it's almost like an economic punctuated equilibrium. If you look at the 1930s, under FDR, with historic levels of government spending, historic levels of government intervention, the United

States Secretary of the Treasury during the 1930s was Mr. Henry Morganthau. And after nearly 8 years of historic levels of government spending, and historic levels of government intervention, unemployment levels remained the same as they were at the beginning, about 20, 22 percent level. That's horrific in the United States. The economy had not turned around after that period of time, after historic levels of spending.

□ 1930

Sitting before the Democratic controlled Ways and Means Committee in 1939, Henry Morgenthau said this:

''After historic levels of spending, we aren't any better off now than we were when we first started. The formula we tried did not work.''

Then if you leap forward to the 1960s and 1970s and look at the historic levels of spending that occurred under both LBJ and again under Jimmy Carter, we heard my colleague Mr. GINGREY talk about the housing recession that we had during the time of Gerald Ford and about this massive government spending. This was not the policy that brought us out of the economic doldrums. You look at what did work. Look at the dramatic tax cuts that took place in the early 1980s under Ronald Reagan that turned this country around, that pivoted us economically and started us moving forward. Under that policy, under welfare reform that President Bill Clinton signed into law in the 1990s, we saw the government rise, and we saw the local economy rise across our Nation.

It is phenomenal what can happen, and it is because of the genius of American initiative. We could do that again. We are still the United States of America. We can still flower and can succeed. When I think that all across the globe we look at global economies that are tanking right now, the United States has the potential for being the center of the storm of security because we have so much in place that could offer the world a safe haven for dollars if we were to embrace the policy that both Representative GINGREY and I have been behind, which is this:

Dramatic cuts in government spending and dramatic cuts in taxation. If we have permanent levels of taxation cuts where we lay a ground of certainty in the marketplace, we will see investors want to put capital out if we can zero out capital gains for 3 years. The United States now has the second highest level of taxation in the world. Why would anyone choose the United States to invest in right now? We are not a positive investment climate, but if we would cut corporate tax rates from 34 percent down to 9 percent, zero out capital gains for 3 years, cut marginal tax rates at all levels, as Representative GINGREY has said, and also wipe out the death tax, you would see the economy turn around. Within 6 months, we would be shooting up. Within 18 months, I believe we would have gone through a recession and that we would be roaring, and the rest of the world would look to the United States to invest their currency, and we would forever, I think, be the leader on into the future. We have a good story to tell.

Mr. GINGREY of Georgia. Reclaiming my time, yes, there is no question about it. As for many of these companies—international companies and United States domestic companies that might have an offshore location—the reason they don't bring their profits back into the United States and bring their employment bases as well is due to this tax burden that Representative BACHMANN just pointed out in regard to—I think she is right—the industrialized countries. We may have the second highest corporate tax rate of any country. Of course, then you add State and local. So no wonder we're struggling.

But I will yield back, and we will continue this very, very important discussion.

Mrs. BACHMANN. I thank the gentleman for yielding back.

One thing that I am very concerned about as a former Federal tax lawyer is the burden on the 20- to 25-year-olds. I cannot look 20- and 25-year-olds in the eye and in good conscience say to them, ''This stimulus bill will be good for you.'' It will not. Why? Because kids born during that time period already are inheriting a huge tax bill.

Studies have been done. In my postdoctoral studies that I did in tax law, what my research showed is that, by the time they reach their peak earning years, 20- to 25-year-olds will have to pay a tax burden. Just the Social Security portion of their tax burden will be about 25 percent of their total income. That does not include the Medicaid portion of their tax bills, the Federal tax portion of their tax bills, the State portion, their property tax, their gas tax, their local taxes. By the time all of it is added up, the estimates are, in their peak earning years, that 20- to 25-year-olds could be paying anywhere from 70 to 85 percent of their income in taxation. You heard me right. They could be paying 70 to 85 percent in taxation. That cannot happen. We will see a revolt in this country before people get out of bed in the morning to go and hand over 70 to 85 percent of their checks in taxation.

We can not do that to the next generation. We can not impoverish them by taxing them against the wall. That is why the kindest thing that we could do for the next generation is to hand them a well-run country with low tax rates. We cannot spend our way into prosperity. That is something that Leader BOEHNER has said over and over again. My colleague from Georgia agrees with that. We cannot spend our way into prosperity. What we can do is look at the fundamentals of what works. This Harvard study from 2002 bears it out. This is how you do it:

You cut government wages. You cut transfer payments. You do not increase taxes. Under this current stimulus bill, there is no provision for payment for this $1 trillion in expenditures. The day will come when we have to pay this bill, and it will come sooner than anyone thinks. That is what we are concerned about today.

We have to be adults now. We are Representatives in Congress. We have to be adults with people's money. We cannot just spend money without thinking through how it is going to be paid for, and I think it is important that the American people realize that this Congress has not made provisions for paying for this party, and it is the 20- to 25-year-olds, in the mother of all ironies, who will be the ones to pay for this bill.

Mr. GINGREY of Georgia. Reclaiming my time, I am going to finish up on this very important subject, Mr. Speaker. I want to save some time for the other issue that I want to discuss, and I hope Representative BACHMANN will be able to stay with me for a little while longer because I know this is something that is very near and dear to her heart as well.

In conclusion, when the Democrats—Mr. Speaker, your party—took control in the 110th Congress and when Madam Speaker became the first female Speaker in the history of this body, it was an exciting time. I think we were all excited. Obviously, we Republicans would have preferred the Speaker to be our minority leader, JOHN BOEHNER, but certainly we had to tip our hat to NANCY PELOSI for that historic occasion. You could not ignore her words and what she had said and what her promises were, particularly during the campaign in 2006 that led up to that historic win and to the new Democratic majority:

It is going to be a new day. It is not going to be the same old bipartisan stuff. We are going to make sure the minority has an opportunity to participate. We have been in the minority for 12 years, and it has been a little painful. We feel like we have been shut out. We have not been able to have amendments. There have been too many closed rules, and there have been too many bills brought to the floor without going through the regular process, without going through subcommittee and committee and the Rules Committee and without amendments made in order and without giving Members on both sides of the aisle, who might not have been on the committee of jurisdiction, an opportunity to weigh in.

That is the right way. That is the way, Mr. Speaker, that I and MICHELE BACHMANN and everybody in this Chamber discuss it with our youngsters, whether they're from middle school, high school or whether they're in their first year of college, when we're talking about government and civics and about how things are done.

Speaking of process, I want to take just a minute and describe the comparison now in the way we Republicans did an energy bill back in 2005—in fact,

the Energy Policy Act of 2005. Listen to this, Mr. Speaker:

Hearings and subcommittee markups. The Energy and Commerce Committee held eight public hearings and six subcommittee markups, consuming 29 hours and 10 minutes of public consideration, followed by the full committee markup. The full markup consumed a total of 24 hours during which time 86 amendments were considered. I am sure 86 amendments were not just from one side of the aisle. Then there was the conference committee on this bill.

In advance of the formal conference committee meeting, Representative JOE BARTON, the gentleman from Texas, who was the chairman of the Energy and Commerce Committee, and Representative JOHN DINGELL, the distinguished gentleman from Michigan whom we honored today because of his longevity and wonderful service to this body, were on the conference committee. There was a Democratic Senator and a Republican Senator, and they actually met. Now, this was not a faux pas conference committee. This was a real committee. They met eleven times for a total of 23 hours to create the basic text of legislation that would then be presented to the full conference committee.

Finally, the formal House-Senate conference committee included Members from multiple House and Senate committees. It conducted five public sessions in the cavernous Energy and Commerce main hearing room during which 90 amendments were debated over a total of 20 hours.

Now compare that to the American Recovery and Reinvestment Act of 2009. This bill, this conference report that we're going to vote on tomorrow and that the Senate will vote on Friday: Hearings? Subcommittee markups? No hearings. No subcommittee markups. Full committee markup. The Energy and Commerce Committee spent 12 hours and considered 56 amendments. Three Republican amendments were made in order by the committee only to be immediately pulled out by the Speaker, so none of those amendments were made in order. The conference committee? Our ranking member, JOE BARTON, who included Mr. DINGELL on his conference committee for the energy bill that I talked about in 2005, was not even on the committee. He was not even on the committee. Where is the bipartisanship?

So the Speaker, I guess, and the Senate majority leader met in private to rewrite this stimulus package to come up with this final number. A total of two House Republicans were appointed to the conference committee, neither of them from the Energy and Commerce Committee, and I'm sure neither of them were called to any meeting. They were probably asked to sign the final conference report, which I fully trust that they did not.

Of course, in conclusion, I will say, Mr. Speaker, that the process part of it is annoying and degrading. It is demeaning. It is disrespectful. It is hurtful to our constituents and to 48 percent of the American people. It does not help at all when the President of the United States says, hey, there was an election last November—and guess what? I won. Well, if that is the spirit of bipartisanship, I will have none of it. I want none of it. That is not exactly what I had in mind nor had any of my colleagues.

Well, let me take a breath because I want to talk to you tonight, my colleagues, about something else that is troubling me.

I said this at the outset. I was in church this past Sunday morning when our parish priest said to the parishioners—and I don't know whether my parish priest is a Republican or a Democrat. I have absolutely no idea. I know some of my pastors in the past have been Democrat because they've told me I am the only Republican they've ever voted for. So they weren't playing partisan politics from the pulpit.

The parishioners at mass were asked to contact their House Member or their two Senators about something that was of great concern to the church community, and that was something called the Freedom of Choice Act. I know my colleague from Minnesota is very familiar with this. The bill was introduced in the last Congress, and my parish priest fears that it will be introduced again.

What alerts them? What is their concern? Well, the concern is that President Obama, who is pro-choice, has already rescinded something called the Mexico City Policy.

Mr. Speaker and my colleagues, you all know what I'm talking about. The Mexico City Policy is a policy that we have had in place for the last 8 years. It was in place under President Reagan; it was rescinded by President Clinton, and now it has been rescinded by President Obama.

□ 1945

That policy prohibited any Federal tax dollars that went to international non-government organizations through our foreign aid appropriations bill. It prevented any money going to any of these organizations involving family planning activities if they performed or referred or advised for abortion knowing full well that most Americans don't want their hard-earned tax dollars to be spent on abortion, particularly overseas.

And now President Obama has rescinded that policy. That money can be spent in that way.

President Obama has also stated that he is going to rescind President Bush's restriction on using Federal dollars to destroy human life in the form of embryos at fertility clinics for the sole purpose of harvesting stem cells. I think that was a very good decision that President Bush made back in the summer of 2001 shortly before 9/11 because it's not necessary. And that's what I've argued with my colleagues, Mr. Speaker, repeatedly.

The science has brought us to the point now where we can get stem cells, adult stem cells, from many, many sources. We can get plural potential cells, and the success rate has been with harvesting those cells and not the cells that have been obtained from destroying human life.

So this bill that was introduced in the last Congress called the Freedom of Choice Act, says this, Mr. Speaker, and I want my colleagues to listen very carefully: ''Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that it is a policy of the United States that every woman has a fundamental right to choose to bear a child, also the fundamental right to terminate a pregnancy prior to fetal viability, or to terminate a pregnancy after fetal viability when necessary to protect the life or the health of the woman, and to restrict any State or local government from putting any limits on that whatsoever.''

So that means basically, Mr. Speaker, that a woman at any stage of pregnancy—I mean, carrying an 8-month baby—could terminate that pregnancy.

Now, we have laws in the State of Georgia that say after the period of viability, a pregnancy cannot be terminated without two additional consenting physicians to verify that this is an extreme medical necessity.

But this would take any ability, any power of any State, away from them, and the Federal Government will say a woman has a right to choose. That right includes not only to terminate her pregnancy in the first trimester, not only to terminate her pregnancy in the second trimester, but even in the third trimester when you're talking about maybe even a 6-pound child if someone just says, ''Well, you know, we're doing this because we're concerned about the health of the mother.''

And the health of the mother can be a case of panic attack, a sleep disorder, an episode of anxiety, you know. So we are very concerned about that.

And I wanted to ask my colleague from Minnesota to be with me tonight to help bring this issue, Mr. Speaker, to our colleagues to really kind of tug at your heart strings and at your conscience and help you to understand that we—it looks like that we may be heading in that direction. God forbid, Mr. Speaker, it looks like with the policies that have been enacted thus far in the pronouncements of the new President, that we may be headed in that direction.

I'd like to yield to my colleague on this.

Mrs. BACHMANN. I thank my colleague, Mr. GINGREY of Georgia. I think he has every reason to be very concerned about this Freedom of Choice Act coming before this body, the House of Representatives, and the Senate.

Why? Because during the campaign, the President stated quite clearly that

he wanted the Freedom of Choice Act to be the first piece of legislation that he would sign as President. So important to this pro-abortion President is the issue of the Freedom of Choice Act, he wanted to make that the signature item of his Presidency.

It's a cruel statement to make to the children of this country because there's a lie that's been perpetrated over the years since the 1960s. Planned Parenthood has said ''every child, a wanted child;'' which, by implication, means that if a mother does not want the child, it's better to kill the child than to allow that child to receive life.

But I can attest to the fact that I believe every child in the United States and across the world is a wanted child because there are arms that are open and waiting of childless parents all across this country who would love to receive a child, but children just aren't available for adoption.

My husband and I are fortunate enough to have 5 children born to us, and we were also fortunate to have 23 foster children come into our home. We were delighted to take at-risk children into our home, thrilled that we could have that opportunity. There are people all across this country who would also like to have that opportunity.

It is horrific to know that in the African American community, 50 percent of all African American pregnancies in the United States end in abortion, 50 percent. That is a genocide of African Americans of the United States. It should not be. There are Americans all across this country who would love to adopt African American babies, but they can't because 50 percent of all African American pregnancies today are ending in abortion.

What would the Freedom of Choice Act do? Very simply, it's this: It would eviscerate, it would take away every State and local restriction that there is today on abortion—reasonable restrictions, restrictions like making sure every woman has the right to know what options are available to her, to know what is an abortion, what does it mean. For women who have the opportunity to see their unborn child on an ultrasound machine, it's an earthshaking experience to see your baby, your flesh and blood, moving on an ultrasound machine.

It takes a woman, it takes the father of that baby to think of what this means. This is human life, and it causes them to want to choose life and give life to that unborn child.

Reasonable restrictions have been passed all across this country in many hard-fought battles, and 35 years of effort from the pro-life community would be extinguished just like that. But that's what our President wants to have happen. He wants to take away any pro-life opportunity available from American women.

Mr. GINGREY of Georgia. Reclaiming my time just for a second because I had a little difficulty pulling up the bill.

But this is what Representative BACHMANN is talking about, and this is what the bill says. ''A government may not''—a government may not—''number 1, deny or interfere with a woman's right to choose, (a) to bear a child, (b) to terminate a pregnancy prior to viability''—that's probably about 24 weeks of life—or (c) to terminate a pregnancy after 24 weeks of life, viability, ''where termination is necessary to protect the life or the health of the woman.''

And then it goes on to say a government may not ''discriminate against the exercise of these rights set forth'' in that paragraph ''in the regulation or provision of benefits, facilities, services, or information.''

Just like the gentlelady from Minnesota was talking about. Let them see an ultrasound. Why not? It's being taken anyway. Why shouldn't they have the opportunity to see it?

Well, I want to thank, first of all, my colleague for being with me this evening. Two important issues. I thank Mr. Speaker for his indulgence.

Let's be thinking, men and women, and ask God for the wisdom of Socrates as we debate and make decisions on these terribly important issues facing our Nation and our people.

With that, I yield back my time.

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 Mr. ALTMIRE) to revise and extend their remarks and include extraneous material:)

Mr. ALTMIRE, for 5 minutes, today.
Ms. WOOLSEY, for 5 minutes, today.
Mr. DEFAZIO, for 5 minutes, today.
Mr. STUPAK, for 5 minutes, today.
Mr. ENGEL, for 5 minutes, today.
Mr. RAHALL, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. PENCE, for 5 minutes, today.
Mr. THOMPSON of Pennsylvania, for 5 minutes, today.
Mr. FORTENBERRY, for 5 minutes, today.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. WOLF, for 5 minutes, today.

ADJOURNMENT

Mr. GINGREY of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 55 minutes p.m.), the House adjourned until tomorrow, Thursday, February 12, 2009, at 10 a.m.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MICHAEL PATRICK RYAN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 20 AND DEC. 24, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Mike Ryan	12/20	12/21	Kuwait		167.00						167.00
	12/21	12/22	Iraq								—
	12/23	12/23	Afghanistan								—
	12/23	12/24	Germany		321.00						321.00
Committee total					488.00						488.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

MICHAEL RYAN, Jan. 26, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Collin C. Peterson	11/30	12/2	United Kingdom		614.12		10,501.39				11,115.51
Hon. Tim Holden	11/30	12/2	United Kingdom		614.12		7,928.39				8,542.51
Hon. Bob Etheridge	12/1	12/2	United Kingdom		399.92		7,565.39				7,965.31
Hon. Jim Marshall	11/30	12/2	United Kingdom		614.12		7,928.39				8,542.51
Hon. Jim Costa	12/1	12/2	United Kingdom		399.92		9,793.39				10,193.31
Rob Larew	12/1	12/2	United Kingdom		399.92		8,699.39				9,099.31
Clark Ogilvie	11/30	12/2	United Kingdom		614.12		7,898.39				8,512.51
Kevin Kramp	11/30	12/2	United Kingdom		614.12		7,898.39				8,512.51

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Cherie Slayton	11/30	12/2	United Kingdom		614.12		7,928.39				8,542.51
Hon. Collin C. Peterson	12/2	12/3	Brussells		383.40		380.21				763.61
Hon. Tim Holden	12/2	12/3	Brussells		383.40		380.21				763.61
Hon. Bob Etheridge	12/2	12/3	Brussells		383.40		380.21				763.61
Hon. Jim Marshall	12/2	12/3	Brussells		383.40		380.21				763.61
Hon. Jim Costa	12/2	12/3	Brussells		383.40		380.21				763.61
Rob Larew	12/2	12/3	Brussells		383.40		380.21				763.61
Clark Ogilvie	12/2	12/3	Brussells		383.40		380.21				763.61
Kevin Kramp	12/2	12/3	Brussells		383.40		380.21				763.61
Cherie Slayton	12/2	12/3	Brussells		383.40		380.21				763.61
Hon. Collin C. Peterson	12/3	12/6	Frankfurt		1,428.00		102.27				1,530.27
Hon. Tim Holden	12/3	12/6	Frankfurt		1,428.00		102.27				1,530.27
Hon. Bob Etheridge	12/3	12/5	Frankfurt		952.00		102.27				1,054.27
Hon. Jim Marshall	12/3	12/5	Frankfurt		952.00		102.27				1,054.27
Hon. Jim Costa	12/3	12/5	Frankfurt		952.00		102.27				1,054.27
Rob Larew	12/3	12/6	Frankfurt		1,428.00		102.27				1,530.27
Clark Ogilvie	12/3	12/5	Frankfurt		952.00		102.27				1,054.27
Kevin Kramp	12/3	12/6	Frankfurt		1,428.00		102.27				1,530.27
Cherie Slayton	12/3	12/6	Frankfurt		1,428.00		102.27				1,530.27
CODEL Total					19,283.08		80,483.83				99,766.91
Hon. Charles W. Boustany, Jr.	11/30	12/1	Germany		168.00						168.00
Hon. Charles W. Boustany, Jr.	12/1	12/4	Ethiopia		264.00						264.00
Hon. Charles W. Boustany, Jr.	12/4	12/5	Tanzania		136.00						136.00
Hon. Charles W. Boustany, Jr.	12/5	12/7	Tunsia		284.00						284.00
Hon. Jean Schmidt	10/10	10/11	Germany		358.00		5,161.52				5,519.52
Hon. Leonard L. Boswell	12/13	12/15	Japan		824.00						824.00
Hon. Bob Goodlatte	12/13	12/15	Japan		824.00						824.00
Hon. Steve King	12/13	12/15	Japan		824.00						824.00
Hon. Henry Cuellar	12/13	12/15	Japan		824.00						824.00
Hon. Adrian Smith	12/13	12/15	Japan		824.00						824.00
Chandler Goule	12/13	12/15	Japan		824.00						824.00
Richard Thomson	12/13	12/15	Japan		824.00						824.00
Keith Jones	12/13	12/15	Japan		824.00						824.00
Tyler Jameson	12/13	12/15	Japan		824.00						824.00
April Slayton	12/13	12/15	Japan		824.00						824.00
Hon. Leonard L. Boswell	12/15	12/17	South Korea		700.00						700.00
Hon. Bob Goodlatte	12/15	12/17	South Korea		700.00						700.00
Hon. Steve King	12/15	12/17	South Korea		700.00						700.00
Hon. Henry Cuellar	12/15	12/17	South Korea		700.00						700.00
Hon. Adrian Smith	12/15	12/17	South Korea		700.00						700.00
Chandler Goule	12/15	12/17	South Korea		700.00						700.00
Richard Thomson	12/15	12/17	South Korea		700.00						700.00
Keith Jones	12/15	12/17	South Korea		700.00						700.00
Tyler Jameson	12/15	12/17	South Korea		700.00						700.00
April Slayton	12/15	12/17	South Korea		700.00						700.00
Hon. Leonard L. Boswell	12/17	12/19	Vietnam		612.00						612.00
Hon. Bob Goodlatte	12/17	12/19	Vietnam		612.00						612.00
Hon. Steve King	12/17	12/19	Vietnam		612.00						612.00
Hon. Henry Cuellar	12/17	12/19	Vietnam		612.00						612.00
Hon. Adrian Smith	12/17	12/19	Vietnam		612.00						612.00
Chandler Goule	12/17	12/19	Vietnam		612.00						612.00
Richard Thomson	12/17	12/19	Vietnam		612.00						612.00
Keith Jones	12/17	12/19	Vietnam		612.00						612.00
Tyler Jameson	12/17	12/19	Vietnam		612.00						612.00
April Slayton	12/17	12/19	Vietnam		612.00						612.00
Committee total					41,853.08		$85,645.35				$127,498.43

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. COLLIN C. PETERSON, Chairman, Jan. 27, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Jo Ann Emerson	9/29	9/30	Kosovo		176.00		(3)				
	10/1	10/2	Italy		203.00		(3)				
Jeff Shockey	10/5	10/10	Kuwait		1,911.70						
	10/10	10/12	Germany		681.10						
Commercial/Military Air							13,563.10				
Tom McLemore	10/5	10/10	Kuwait		1,911.70						
	10/10	10/12	Germany		681.10						
Commercial/Military Air							13,563.10				
Ann Marie Chotvacs	10/5	10/10	Kuwait		1,911.70						
	10/10	10/12	Germany		681.10						
Commercial/Military Air							13,563.10				
John Blazey	10/12	10/16	China		2,282.00						
	10/17	10/22	Vietnam		1,696.00						
Commercial Air							13,194.92				
Elizabeth Dawson	10/5	10/7	Belgium		884.00						
	10/7	10/8	Luxembourg		413.00						
	10/8	10/9	Belgium		884.00						
Commercial Air							8,275.93				
Sarah Young	10/9	10/10	Afghanistan		25.00						
	10/10	10/12	Kuwait		964.00						
	10/12	10/15	Iraq		33.00						
Commercial/Military Air							8,281.30				
Celes Hughes	10/9	10/10	Afghanistan		25.00						
	10/10	10/12	Kuwait		964.00						
	10/12	10/15	Iraq		33.00						
Commercial/Military Air							8,302.30				
Hon. Steve Israel	10/11	10/12	Germany		383.00		(3)				
	10/12	10/13	Afghanistan				(3)				
	10/13	10/14	Germany				(3)				
Taunja Berquam	10/5	10/7	Canada		847.46						
Commercial Air							617.00				
Rob Blair	10/5	10/7	Canada		847.46						
Commercial Air							602.00				

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Linda Pagelsen	10/20	10/25	United Kingdom		1,696.00						
Commercial Air							9,619.41				
Misc. Transportation Costs							561.37				
Hon. Maurice Hinchey	11/6	11/9	Peru		1,384.12		(3)				
	11/9	11/11	Chile		635.56		(3)				
	11/11	11/13	Paraguay		372.37		(3)				
Paul Terry	10/27	10/30	Italy		1,350.00						
	10/30	11/1	Qatar		768.13						
	11/1	11/2	United Arab Emirates		490.00						
	11/2	11/4	Kuwait		964.00						
Commercial Air							12,959.07				
Kristi Mallard	10/27	10/30	Italy		1,350.00						
	10/30	11/1	Qatar		768.13						
	11/1	11/2	United Arab Emirates		490.00						
	11/2	11/4	Kuwait		964.00						
Commercial Air							12,909.19				
Misc. Transportation Costs							49.88				
Hon. Ed Pastor	11/10	11/11	Spain		392.00		(3)				
	11/11	11/12	United Arab Emirates		877.14		(3)				
	11/12	11/14	Qatar		773.72		(3)				
	11/14	11/16	Italy		1,399.00		(3)				
Greg Lankler	11/13	11/16	Afghanistan		536.75						
Misc. Transportation Costs							144.70				
Hon. David Price	11/29	11/30	Hawaii		177.00						
	12/1	12/3	Philippines		572.00						
	12/3	12/5	China		1,045.14						
	12/5	12/7	Vietnam		758.00						
	12/7	12/8	Hawaii		450.70						
Misc. Embassy Costs									1,004.09		
Commercial Air											
Hon. John Carter	11/29	11/30	Hawaii		177.00		(3)				
	12/1	12/3	Philippines		572.00		(3)				
	12/3	12/5	China		1,045.14		(3)				
	12/5	12/7	Vietnam		758.00		(3)				
	12/7	12/8	Hawaii		450.70		(3)				
Misc. Embassy Costs									1,004.09		
Hon. Sam Farr	11/29	11/30	Hawaii		177.00		(3)				
	12/1	12/3	Philippines		572.00		(3)				
	12/3	12/5	China		1,045.14		(3)				
	12/5	12/7	Vietnam		723.36		(3)				
	12/7	12/8	Hawaii		450.70		(3)				
Misc. Embassy Costs									1,004.09		
Misc. Transportation Costs							370.50				
Hon. Lucille Roybal-Allard	11/29	11/30	Hawaii		312.00		(3)				
	12/1	12/3	Philippines		572.00		(3)				
	12/3	12/5	China		1,045.14		(3)				
	12/5	12/7	Vietnam		758.00		(3)				
	12/7	12/8	Hawaii		450.70		(3)				
Misc. Embassy Costs									1,004.09		
Hon. Mike Honda	11/29	11/30	Hawaii		177.00		(3)				
	12/1	12/3	Philippines		572.00		(3)				
	12/3	12/5	China		1,045.14		(3)				
	12/5	12/7	Vietnam		723.36		(3)				
	12/7	12/8	Hawaii		450.70		(3)				
Misc. Embassy Costs									1,004.09		
Stephanie Gupta	11/29	11/30	Hawaii		211.09		(3)				
	12/1	12/3	Philippines		572.00		(3)				
	12/3	12/5	China		1,045.14		(3)				
	12/5	12/7	Vietnam		723.36		(3)				
	12/7	12/8	Hawaii		450.70		(3)				
Misc. Embassy Costs									1,004.09		
Jeff Ashford	11/29	11/30	Hawaii		177.00						
	12/1	12/3	Philippines		572.00						
	12/3	12/4	China		522.57						
Misc. Embassy Costs									426.33		
Commercial/Military Air							5,388.71				
Jim Holm	11/29	11/30	Hawaii		211.09		(3)				
	12/1	12/3	Philippines		572.00		(3)				
	12/3	12/5	China		1,045.14		(3)				
	12/5	12/7	Vietnam		723.36		(3)				
	12/7	12/8	Hawaii		450.70		(3)				
Misc. Embassy Costs									1,004.09		
Ben Nicholson	11/29	11/30	Hawaii		211.09		(3)				
	12/1	12/3	Philippines		572.00		(3)				
	12/3	12/5	China		1,045.14		(3)				
	12/5	12/7	Vietnam		723.36		(3)				
	12/7	12/8	Hawaii		450.70		(3)				
Misc. Embassy Costs									1,004.09		
Hon. John P. Murtha	11/24	11/28	Czech Republic		1,737.10		(3)				
	11/28	12/1	United Arab Emirates		1,656.12		(3)				
	12/1	12/3	Italy		1,049.62		(3)				
Paul Juola	11/24	11/28	Czech Republic		1,737.10		(3)				
	11/28	12/1	United Arab Emirates		1,656.12		(3)				
	12/1	12/3	Italy		1,049.62		(3)				
Chris White	11/24	11/28	Czech Republic		1,737.10		(3)				
	11/28	12/1	United Arab Emirates		1,656.12		(3)				
	12/1	12/3	Italy		1,049.62		(3)				
Sarah Young	11/24	11/28	Czech Republic		1,737.10		(3)				
	11/28	12/1	United Arab Emirates		1,656.12		(3)				
	12/1	12/3	Italy		1,049.62		(3)				
Misc. Transportation Costs							804.00				
Adam Harris	12/8	12/10	England		1,128.41						
Commercial Air/Train							9,632.04				
Adrienne Ramsay	12/8	12/10	England		2,015.79						
Commercial Air/Train							9,711.04				
Celes Hughes	12/8	12/10	Germany		708.00						
	12/10	12/12	Djibouti		672.00						
	12/12	12/13	South Africa		238.00						
	12/13	12/15	Botswana		290.00						
Commercial Air							10,426.54				
Christopher White	12/8	12/10	Germany		708.00						
	12/10	12/12	Djibouti		672.00						
	12/12	12/13	South Africa		238.00						
	12/13	12/15	Botswana		290.00						
Commercial Air/Misc. Transportation Costs							10,361.54				

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Robert Aderholt	12/3	12/4	Nigeria		132.00		(3)				
	12/4	12/5	Ethiopia		303.00		(3)				
	12/5	12/6	Qatar				(3)				
	12/6	12/7	United Kingdom				(3)				
Jeff Shockey	12/14	12/18	United Kingdom		1,198.25						
Commercial Air/Misc. Transportation							9,649.01				
Tom McLemore	12/14	12/18	United Kingdom		1,198.25						
Commercial Air/Misc. Transportation							9,646.01				
Hon. Steve Israel	12/20	12/21	Kuwait		167.00		(3)				
	12/21	12/22	Iraq				(3)				
	12/23	12/23	Afghanistan				(3)				
	12/23	12/24	Germany		321.00		(3)				
Committee Total					87,058.66		182,195.76		8,459.05		

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. DAVID R. OBEY, Chairman, Jan. 31, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Visit to Italy, Kosovo, September 29–October 2, 2008:											
Hon. Ike Skelton	9/30	10/1	Kosovo		176.00						176.00
	10/1	10/2	Italy		203.00						203.00
Hon. Madeleine Z. Bordallo	9/30	10/1	Kosovo		176.00						176.00
	10/1	10/2	Italy		203.00						203.00
Erin Conaton	9/30	10/1	Kosovo		176.00						176.00
	10/1	10/2	Italy		203.00						203.00
Paul Arcangeli	9/30	10/1	Kosovo		176.00						176.00
Commercial Transportation							3,705.60				3,705.60
Kyle Wilkens	9/30	10/1	Kosovo		176.00						176.00
	10/1	10/2	Italy		203.00						203.00
Michael Casey	9/30	10/1	Kosovo		176.00						176.00
	10/1	10/2	Italy		203.00						203.00
Stephanie Sanok	9/30	10/1	Kosovo		176.00						176.00
	10/1	10/2	Italy		203.00						203.00
Delegation Expenses	9/30	10/1	Kosovo				44.50		10,397.07		10,441.57
Delegation Expenses	10/1	10/2	Italy						922.94		922.94
Visit to Dominican Republic, October 10–13, 2008:											
David Kildee	10/10	10/12	Dominican Republic								
Commercial Transportation							1,421.00				1,421.00
Visit to Paraguay, Colombia, October 11–18, 2008:											
William Natter	10/12	10/14	Paraguay		180.00						180.00
	10/14	10/18	Colombia		1,101.00						1,101.00
Commercial Transportation							6,386.59				6,386.59
Timothy McClees	10/12	10/14	Paraguay		180.00						180.00
	10/14	10/18	Colombia		1,101.00						1,101.00
Commercial Transportation							7,178.59				7,178.59
Alexander Kugajevsky	10/14	10/18	Colombia		1,101.00						1,101.00
Commercial Transportation							4,186.39				4,186.39
Eryn Robinson	10/14	10/18	Colombia		1,101.00						1,101.00
Commercial Transportation							2,314.86				2,314.86
Visit to Indonesia, Kazakhstan, Thailand, October 13–23, 2008:											
Mark Lewis	10/16	10/17	Thailand								
	10/17	10/19	Indonesia		849.00						849.00
	10/19	10/23	Kazahkstan		327.00						327.00
Commercial Transportation							6,944.18				6,944.18
Stephanie Sanok	10/16	10/17	Thailand								
	10/17	10/19	Indonesia		849.00						849.00
	10/19	10/23	Kazahkstan		327.00						327.00
Commercial Transportation							6,944.18				6,944.18
Joseph Hicken	10/16	10/17	Thailand								
	10/17	10/19	Indonesia		849.00						849.00
	10/19	10/23	Kazahkstan		327.00						327.00
Commercial Transportation							6,944.18				6,944.18
Visit to Afghanistan, Pakistan, Qatar, India, October 17–25, 2008:											
Erin Conaton	10/19	10/20	Pakistan		126.00						126.00
	10/20	10/24	Afghanistan		290.00						290.00
	10/24	10/25	Qatar		390.00						390.00
Commercial Transportation							9,181.29				9,181.29
Julie Unmacht	10/19	10/20	Pakistan		126.00						126.00
	10/20	10/24	Afghanistan		290.00						290.00
	10/24	10/25	Qatar		390.00						390.00
Commercial Transportation							9,181.29				9,181.29
Aileen Alexander	10/19	10/20	Pakistan		126.00						126.00
	10/20	10/24	Afghanistan		290.00						290.00
	10/24	10/25	Qatar		390.00						390.00
Commercial Transportation							9,181.29				9,181.29
Thomas Hawley	10/19	10/20	Pakistan		126.00						126.00
	10/20	10/24	Afghanistan		290.00						290.00
	10/24	10/25	Qatar		390.00						390.00
Commercial Transportation							9,651.29				9,651.29
Paul Oostburg Sanz	10/18	10/21	India		236.00						236.00
	10/20	10/24	Afghanistan		215.00						215.00
	10/24	10/25	Qatar		390.00						390.00
Commercial Transportation							12,288.81				12,288.81
Andrew Hunter	10/18	10/21	India		468.00						468.00
	10/20	10/24	Afghanistan		215.00						215.00
	10/24	10/25	Qatar		390.00						390.00
Commercial Transportation							12,288.81				12,288.81
Visit to Japan, South Korea, October 20–November 4, 2008:											
Vickie Plunkett	10/21	10/30	Japan		3,003.00						3,003.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	10/30	11/4	South Korea		579.00						579.00
Commercial Transportation							12,156.41				
Paul Arcangeli	10/25	10/30	Japan		1,618.00						1,618.00
	10/30	11/4	South Korea		579.00						579.00
Commercial Transportation							7,917.77				
Lara Battles	10/21	10/29	Japan		2,737.00						2,737.00
	10/28	11/1	South Korea		480.00						480.00
Commercial Transportation							14,071.41				
Cathleen Garman	10/21	10/29	Japan		3,003.00						3,003.00
	10/28	11/1	South Korea		579.00						579.00
Commercial Transportation							13,035.41				
Thomas Hawley	10/25	10/28	Japan		992.00						992.00
	10/28	11/1	South Korea		480.00						480.00
Commercial Transportation							7,670.18				
Lynn Williams	10/21	10/30	Japan		3,003.00						3,003.00
	10/30	11/4	South Korea		579.00						579.00
Commercial Transportation							14,950.53				
David Sienicki	10/23	10/28	Japan		1,645.00						1,645.00
	10/28	11/1	South Korea		480.00						480.00
Commercial Transportation							12,089.67				
Eryn Robinson	10/23	10/28	Japan		1,645.00						1,645.00
	10/28	11/1	South Korea		480.00						480.00
Commercial Transportation							13,300.67				
Visit to Spain, November 11–16, 2008, With CODEL Sires;											
Hon. Phil Gingrey	11/13	11/16	Spain		1,281.00						1,281.00
Visit to France, United Arab Emirates, Germany, Afghanistan, November 23–28, 2008:											
Hon. Ike Skelton	11/23	11/25	France		1,103.38						1,103.38
	11/25	11/26	United Arab Emirates		863.97						863.97
	11/26	11/27	Afghanistan		25.00						25.00
	11/27	11/28	Germany		271.18						271.18
Hon. Solomon Ortiz	11/23	11/25	France		1,103.38						1,103.38
	11/25	11/26	United Arab Emirates		863.97						863.97
	11/26	11/27	Afghanistan		25.00						25.00
	11/27	11/28	Germany		271.18						271.18
Hon. Rick Larsen	11/23	11/25	France		1,103.38						1,103.38
	11/25	11/26	United Arab Emirates		863.97						863.97
	11/26	11/27	Afghanistan		25.00						25.00
	11/27	11/28	Germany		271.18						271.18
Hon. Dave Loebsack	11/23	11/25	France		1,103.38						1,103.38
	11/25	11/26	United Arab Emirates		863.97						863.97
	11/26	11/27	Afghanistan		25.00						25.00
	11/27	11/28	Germany		271.18						271.18
Hon. Madeleine Bordallo	11/23	11/25	France		1,103.38						1,103.38
	11/25	11/26	United Arab Emirates		863.97						863.97
	11/26	11/27	Afghanistan		25.00						25.00
	11/27	11/28	Germany		271.18						271.18
Erin Conaton	11/23	11/25	France		1,103.38						1,103.38
	11/25	11/26	United Arab Emirates		863.97						863.97
	11/26	11/27	Afghanistan		25.00						25.00
	11/27	11/28	Germany		271.18						271.18
Kyle Wilkens	11/23	11/25	France		1,103.38						1,103.38
	11/25	11/26	United Arab Emirates		863.97						863.97
	11/26	11/27	Afghanistan		25.00						25.00
	11/27	11/28	Germany		271.18						271.18
Thomas Hawley	11/23	11/25	France		1,103.38						1,103.38
	11/25	11/26	United Arab Emirates		863.97						863.97
	11/26	11/27	Afghanistan		25.00						25.00
	11/27	11/28	Germany		271.18						271.18
Visit to Tunisia, Tanzania, Ethiopia, Germany, November 29–December 8, 2008:											
Hon. Kendrick Meek	11/30	12/1	Germany		168.00						168.00
	12/1	12/4	Ethiopia		264.00						264.00
	12/4	12/5	Tanzania		136.00						136.00
	12/5	12/7	Tunsia		284.00						284.00
Mark Lewis	11/30	12/1	Germany		168.00						168.00
	12/1	12/4	Ethiopia		264.00						264.00
	12/4	12/5	Tanzania		136.00						136.00
	12/5	12/7	Tunsia		284.00						284.00
Visit to Nigeria, Rwanda, Uganda, Ethiopia, Djibouti, Qatar, United Kingdom, Afghanistan, With CODEL Inhofe, December 2–7, 2008:											
Hon. Jeff Miller	12/3	12/4	Nigeria		132.00						132.00
	12/4	12/4	Rwanda								
	12/4	12/5	Ethiopia		303.00						303.00
	12/5	12/5	Uganda								
	12/5	12/5	Qatar								
	12/6	12/6	Afghanistan								
	12/6	12/6	Kuwait								
	12/6	12/7	United Kingdom								
Visit to Israel, With STAFFDEL Fieldhouse, December 7–12, 2008:											
Frank Rose	12/8	12/12	Israel		3,856.00						3,856.00
Commercial Transportation							8,406.75				8,406.75
Visit to Austria, Belgium, Guinea-Bissau, Senegal, December 7–13, 2008:											
Paul Oostburg Sanz	12/8	12/8	Austria								
	12/8	12/9	Belgium		241.00						241.00
	12/9	12/10	Senegal		233.33						233.33
	12/10	12/11	Guinea Bissau		217.00						217.00
	12/11	12/13	Senegal		466.66						466.66
Commercial Transportation							11,356.02				11,356.02
Alexander Kugajevsky	12/8	12/8	Austria								
	12/8	12/9	Belgium		341.00						341.00
	12/9	12/10	Senegal		316.67						316.67
	12/10	12/11	Guinea Bissau		267.00						267.00
	12/11	12/13	Senegal		633.32						633.32
Commercial Transportation							11,356.02				11,356.02
Visit to Czech Republic, Poland, Russia, December 12–18, 2008:											
Hon. Ellen Tauscher	12/12	12/14	Germany		933.97						933.97
	12/14	12/16	Russia		252.00						252.00
	12/16	12/17	Poland		763.00						763.00
	12/17	12/18	Czech Republic		389.00						389.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Commercial Transportation							2,829.60				2,829.60
Hon. Rick Larsen	12/12	12/14	Germany		933.97						933.97
	12/14	12/16	Russia		252.00						252.00
	12/16	12/17	Poland		763.00						763.00
	12/17	12/18	Czech Republic		389.00						389.00
Commercial Transportation							2,829.60				2,829.60
Hon. Loretta Sanchez	12/12	12/14	Germany		933.97						933.97
	12/14	12/16	Russia		252.00						252.00
	12/16	12/17	Poland		763.00						763.00
	12/17	12/18	Czech Republic		389.00						389.00
Commercial Transportation							6,414.58				6,414.58
Hon. Buck McKeon	12/12	12/14	Germany		933.97						933.97
	12/14	12/16	Russia		252.00						252.00
	12/16	12/17	Poland		763.00						763.00
	12/17	12/18	Czech Republic		389.00						389.00
Hon. K. Michael Conaway	12/12	12/14	Germany		933.97						933.97
	12/14	12/16	Russia		252.00						252.00
	12/16	12/17	Poland		763.00						763.00
	12/17	12/18	Czech Republic		389.00						389.00
Hon. Doug Lamborn	12/12	12/14	Germany		933.97						933.97
	12/14	12/16	Russia		252.00						252.00
	12/16	12/17	Poland		763.00						763.00
	12/17	12/18	Czech Republic		389.00						389.00
Commercial Transportation							2,085.60				2,085.60
Hon. Robert W. DeGrasse, Jr	12/12	12/14	Germany		933.97						933.97
	12/14	12/16	Russia		252.00						252.00
	12/16	12/17	Poland		763.00						763.00
	12/17	12/18	Czech Republic		389.00						389.00
Commercial Transportation							2,829.60				2,829.60
Rudy Barnes	12/12	12/14	Germany		933.97						933.97
	12/14	12/16	Russia		252.00						252.00
	12/16	12/17	Poland		763.00						763.00
	12/17	12/18	Czech Republic		389.00						389.00
Commercial Transportation							2,829.60				2,829.60
Kari Bingen Tytler	12/12	12/14	Germany		933.97						933.97
	12/14	12/16	Russia		252.00						252.00
	12/16	12/17	Poland		763.00						763.00
	12/17	12/18	Czech Republic		389.00						389.00
Commercial Transportation							2,829.60				2,829.60
Visit to Bahrain, Afghanistan, Germany, Kuwait, Iraq, December 15–22, 2008:											
Hon. Gene Taylor	12/16	12/17	Kuwait		117.00						117.00
	12/17	12/18	Iraq								
	12/18	12/20	Bahrain		248.00						248.00
	12/20	12/21	Afghanistan								
	12/21	12/22	Germany		113.00						113.00
Hon. Rob Wittman	12/16	12/17	Kuwait		117.00						117.00
	12/17	12/18	Iraq								
	12/18	12/20	Bahrain		248.00						248.00
	12/20	12/21	Afghanistan								
	12/21	12/22	Germany		113.00						113.00
Hon. Loretta Sanchez	12/18	12/20	Bahrain		248.00						248.00
	12/20	12/21	Afghanistan								
	12/21	12/22	Germany		113.00						113.00
Hon. K. Michael Conaway	12/16	12/17	Kuwait		117.00						117.00
	12/17	12/18	Iraq								
	12/18	12/20	Bahrain		248.00						248.00
	12/20	12/21	Afghanistan								
	12/21	12/22	Germany		113.00						113.00
Hon. Joe Courtney	12/16	12/17	Kuwait		117.00						117.00
	12/17	12/18	Iraq								
	12/18	12/20	Bahrain		248.00						248.00
	12/20	12/21	Afghanistan								
	12/21	12/22	Germany		113.00						113.00
William Ebbs	12/16	12/17	Kuwait		117.00						117.00
	12/17	12/18	Iraq								
	12/18	12/20	Bahrain		248.00						248.00
	12/20	12/21	Afghanistan								
	12/21	12/22	Germany		113.00						113.00
Erin Conaton	12/16	12/17	Kuwait		117.00						117.00
	12/17	12/18	Iraq								
	12/18	12/20	Bahrain		248.00						248.00
	12/20	12/21	Afghanistan								
	12/21	12/22	Germany		113.00						113.00
Visit to Iraq, Kuwait, Dubai, Germany, Afghanistan, With CODEL Weiner, December 19–24, 2008:											
Hon. Tom Cole	12/20	12/21	Kuwait		167.00						167.00
	12/21	12/22	Iraq								
	12/22	12/23	Dubai								
	12/23	12/23	Afghanistan								
	12/23	12/24	Germany		321.00						321.00
Committee Total					90,621.55		256,802.23		11,320.01		263,551.74

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. IKE SKELTON, Chairman, Feb. 2, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND LABOR, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008.

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
STAFEDEL—Almeida, Dec. 14–20, 2008 to Guatemala/Panama							2,450.30				
Tico Almeida	12/14	12/17	Guatemala		420.00				421.00		
	12/17	12/19	Panama		444.00				462.00		
CODEL—Hinojosa, Nov. 9–17, 2008 to Spain/Italy/Quatar/UAE											
Hon. Rubén Hinojosa	11/9	11/11	Barcelona, Spain		392.00		(3)		436.00		

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND LABOR, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008.—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	11/11	11/12	Dubai, UAE		193.00		(3)		351.00		
	11/12	11/14	Quatar		278.00		(3)		496.00		
	11/14	11/15	Florence, Italy		209.00		(3)		372.00		
	11/15	11/16	Rome, Italy		244.00		(3)		318.00		
Hon. Mazie Hirono	11/9	11/11	Barcelona, Spain		392.00		(3)		436.00		
	11/11	11/12	Dubai, UAE		193.00		(3)		351.00		
	11/12	11/14	Quatar		278.00		(3)		496.00		
	11/14	11/15	Florence, Italy		209.00		(3)		372.00		
	11/15	11/16	Rome, Italy		244.00		(3)		318.00		
Ricardo Martinez	11/9	11/11	Barcelona, Spain		392.00		(3)		436.00		
	11/11	11/12	Dubai, UAE		193.00		(3)		351.00		
	11/12	11/14	Quatar		278.00		(3)		496.00		
	11/14	11/15	Florence, Italy		209.00		(3)		372.00		
	11/15	11/16	Rome, Italy		244.00		(3)		318.00		
Julie Radocchia	11/9	11/11	Barcelona, Spain		392.00		(3)		436.00		
	11/11	11/12	Dubai, UAE		193.00		(3)		351.00		
	11/12	11/14	Quatar		278.00		(3)		496.00		
	11/14	11/15	Florence, Italy		209.00		(3)		372.00		
	11/15	11/16	Rome, Italy		244.00		(3)		318.00		
Committee Total					6.128.00		2,450.30		8,775.00		17,353.30

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. GEORGE MILLER, Chairman, Feb. 2, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Richard Miller [4]	10/3	10/8	France		2,760.00						2,760.00
John Jimison [4]	10/3	10/8	France		2,760.00						2,760.00
Hon. Joe Barton	10/18	10/21	Kuwait		432.00		8,192.30				8,624.30
	10/20	10/21	Iraq								
David Cavicke	10/18	10/21	Kuwait		432.00		8,192.30				8,624.30
	10/20	10/21	Iraq								
Ryan Thompson	10/18	10/21	Kuwait		432		8,192.30				8,624.30
	10/20	10/21	Iraq								
Lisa Miller	12/6	12/12	Poland		840.00		8,844.86				9,684.86
Peter Spencer	12/6	12/12	Poland		840.00		8,844.86				9,684.86
Alex Barron	12/8	12/13	Poland		840.00		9,006.36				9,846.36
Lorie Schmidt	12/8	12/13	Poland		840.00		9,006.36				9,846.36
Lance Kotschwar	11/12	11/15	Belgium		1,173.00		617.60				1,790.60
Hon. Tim Murphy	11/23	11/25	France		1,103.38		(3)				1,103.38
	11/25	11/26	United Arab Emir.		863.97		(3)				863.97
	11/26	11/27	Afghanistan		25.00		(3)				25.00
	11/27	11/28	Germany		271.18		(3)				271.18
David Nelson	11/28	12/4	Hong Kong		3,474.00						3,474.00
	12/4	12/8	Hanoi, Vietnam		1,512.00						1,512.00
	12/8	12/11	Ho Chi Minh, Vietnam		1,218.00						1,218.00
	12/11	12/17	Bangkok, Thailand		1,908.00						1,908.00
Commercial Air							10,740.31				10,740.31
Krista Rosenthal	11/29	12/4	Hong Kong		2,645.00						2,645.00
	12/4	12/12	Vietnam		2,730.00						2,730.00
	12/12	12/16	Thailand		1,970.00						1,979.00
Commercial Air [5]							11,823.40				11,823.40
Hon. Ed Whitfield	12/20	12/21	Ireland/Kuwait		340.00		(3)				340.00
	12/21	12/22	Iraq/Kuwait				(3)				
	12/22	12/23	Afghanistan				(3)				
	12/23	12/24	Germany		230.48		(3)				230.48
Committee Total					$29,649.01		$83,460.65				$113,109.66

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
[4] Commercial airfare paid for by DOE, under the MECEA program, this report does not include the DOE program.
[5] Total airfare includes $559.16 credit.

HON. JOHN D. DINGELL, Chairman, Jan. 28, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Ackerman	12/12	12/14	Cyprus		306.00		(3)				306.00
	12/14	12/15	Afghanistan		75.00		(3)				75.00
	12/15	12/16	Belgium		425.00		(3)				425.00
David Adams	12/12	12/14	Cyprus		306.00		(3)				306.00
	12/14	12/15	Afghanistan		75.00		(3)				75.00
	12/15	12/16	Belgium		306.00		(3)				306.00
Jasmeet Ahuja	12/11	12/16	Sri Lanka		875.00						875.00
	12/17	12/19	Pakistan		152.00						152.00
	12/11	12/19	Round Trip Airfare.				11,382.33				11,382.33
David Beraka	11/30	12/3	Algeria		1,081.00						1,081.00
	12/3	12/6	Tunisia		616.00						616.00
	11/30	12/6	Round Trip Airfare.				10,412.18				10,412.18
Hon. Berman	10/12	10/16	Russia		1,984.00		11,497.37				13,481.37
	12/15	12/19	Israel		1,724.00		9,254.30				10,978.30
Paul Berkowitz	12/1	12/5	Germany		1,760.00						1,760.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	12/5	12/11	Russia		2.934.00						2,934.00
	12/1	12/11	Round Trip Airfare.				9,845.46				9,845.46
Hon. Burton	11/6	11/9	Peru		1,384.12		(3)				1,384.12
	11/9	11/11	Chile		635.56		(3)				635.56
	11/11	11/13	Paraguay		372.37		(3)				372.37
Douglas Campbell	10/12	10/16	Russia		1,984.00		8,872.17				10,856.17
Hon. Carnahan	9/30	10/1	Kosovo		176.00		(3)				176.00
	10/1	10/2	Italy		203.00		(3)				203.00
Joan Condon	12/8	12/9	Belgium		341.00						341.00
	12/9	12/10	Senegal		249.00						249.00
	12/10	12/11	Guinea-Bissau		217.00						217.00
	12/11	12/13	Senegal		551.00						551.00
	12/8	12/13	Round Trip Airfare.				11,668.18				11,668.18
Hon. Delahunt	11/30	12/5	Germany		1,886.00						1,886.00
	12/5	12/11	Russia		2,967.00						2,967.00
	12/5	12/11	Round Trip Airfare.				9,209.98				9,209.98
Howard Diamond	12/12	12/14	Cyprus		306.00		(3)				306.00
	12/14	12/15	Afghanistan		75.00		(3)				75.00
	12/15	12/16	Belgium		425.00		(3)				425.00
Hon. Engel	11/6	11/9	Peru		1,384.12		(3)				1,384.12
	11/9	11/11	Chile		635.56		(3)				635.56
	11/11	11/13	Paraguay		372.37		(3)				372.37
Hon. Faleomavaega	12/9	12/10	Samoa		466.00						466.00
	12/10	12/15	Tonga		1,290.00						1,290.00
	12/9	12/15	Round Trip Airfare.				1,966.93				1,966.93
Hon. Flake	12/12	12/14	Cyprus		306.00		(3)				306.00
	12/14	12/15	Afghanistan		75.00		(3)				75.00
	12/15	12/16	Belgium		425.00		(3)				425.00
Lelia Gomez	11/5	11/9	El Salvador		726.00		2,025.30				2,751.30
Dennis Halpin	12/2	12/7	Taiwan		1,250.00		11,059.36				12,309.36
Daniel Harsha	11/13	11/16	Spain		1,281.00		(3)				1,281.00
Hon. Hinojosa	12/12	12/15	Peru		766.00		(3)				766.00
	12/15	12/16	Chile		319.00		(3)				319.00
	12/16	12/18	Argentina		599.42		(3)				599.42
Hans Hogrefe	11/8	11/13	Ecuador		1,223.00		2,241.30				3,464.30
Eric Jacobstein	11/6	11/9	Peru		1,384.12		(3)				1,384.12
	11/9	11/11	Chile		635.56		(3)				635.56
	11/11	11/13	Paraguay		372.37		(3)				372.37
Jonathan Katz	11/11	11/12	Austria		369.00						369.00
	11/12	11/13	Belgium		425.00						425.00
	11/11	11/13	Round Trip Airfare.				7,610.38				7,610.38
	12/2	12/4	Israel		862.00						862.00
	12/4	12/5	Czech Republic		413.48						413.48
	12/2	12/5	Round Trip Airfare.				7,904.81				7,904.81
David Killion	11/30	12/3	Tunisia		1,081.00						1,081.00
	12/3	12/6	Algeria		616.00						616.00
	12/6	12/10	France		1,692.00						1,692.00
	11/30	12/10	Round Trip Airfare.				10,453.60				10,453.60
Robert King	10/12	10/16	Russia		1,984.00		8,872.17				10,856.17
Sophia King	12/12	12/15	Peru		766.00		(3)				766.00
	12/15	12/16	Chile		319.00		(3)				319.00
	12/16	12/18	Argentina		599.42		(3)				599.42
Hon. Klein	11/13	11/16	Spain		1,281.00		(3)				1,281.00
	12/12	12/14	Cyprus		306.00		(3)				306.00
	12/14	12/15	Afghanistan		75.00		(3)				75.00
	12/15	12/16	Belgium		425.00		(3)				425.00
Jessica Lee	12/2	12/7	Taiwan		1,388.00		11,059.36				12,447.36
Vili Lei	12/4	12/9	Italy		2,475.00		8,260.83				10,735.83
Gregory McCarthy	12/12	12/14	Cyprus		306.00		(3)				306.00
	12/14	12/15	Afghanistan		75.00		(3)				75.00
	12/15	12/16	Belgium		425.00		(3)				425.00
Mary McVeigh	12/2	12/7	Taiwan		1,388.00		11,059.36				12,447.36
Alan Makovsky	12/15	12/23	Israel		3,448.00		7,100.30				10,548.30
Pearl-Alice Marsh	11/9	11/11	Senegal		530.00						530.00
	11/11	11/12	Italy		415.00						415.00
	11/12	11/14	Germany		668.00						668.00
	11/9	11/14	Round Trip Airfare.				16,718.35				16,718.35
	12/8	12/9	Belgium		341.00						341.00
	12/9	12/10	Senegal		269.00						269.00
	12/10	12/11	Guinea-Bissau		217.00						217.00
	12/11	12/13	Senegal		551.00						551.00
	12/8	12/13	Round Trip Airfare.				11,356.02				11,356.02
Hon. Meeks	11/6	11/10	Colombia		1,499.00		2,341.90				3,840.90
	12/12	12/15	Peru		766.00		(3)				766.00
	12/15	12/16	Chile		319.00		(3)		[4] 8,124.15		8,443.15
	12/16	12/18	Argentina		599.42		(3)		[4] 5,016.86		5,616.28
Hon. Miller	11/6	11/9	Peru		1,384.12		(3)				1,384.12
	11/9	11/11	Chile		635.56		(3)				635.56
	11/11	11/13	Paraguay		372.37		(3)				372.37
Jonathan Cobb Mixter	10/12	10/15	Malaysia		500.00		13,371.44				13,871.44
	12/2	12/7	Taiwan		1,388.00		11,059.36				12,447.36
Taylor Morgan	12/8	12/10	Kazakhstan		679.00						679.00
	12/10	12/12	Kyrgyzstan		562.00						562.00
	12/12	12/16	Uzbekistan		824.00						824.00
	12/16	12/17	United Kingdom		425.00						425.00
	12/8	12/17	Round Trip Airfare.				13,570.93				13,570.93
Jim Nichols	12/16	12/20	Poland, Georgia, Iceland.		1,495.00		(3)				1,495.00
Elisa Perry	12/5	12/1	Russia		2,967.00		8,770.36				11,737.36
Hon. Poe	11/1	11/2	France		463.00						463.00
	11/2	11/4	Georgia		1,004.00						1,004.00
	11/1	11/4	Round Trip Airfare.				13,175.79				13,175.79
	12/15	12/17	Greece		631.00						631.00
	12/17	12/19	Macedonia		373.00						373.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	12/15	12/19	Round Trip Airfare.				11,827.97				11,827.97
Peter Quilter	11/6	11/9	Argentina		595.00		3,829.90				4,424.90
	11/9	11/11	Chile		635.56		(3)				635.56
	11/11	11/13	Paraguay		372.37		(3)				372.37
David Richmond	12/4	12/9	Italy		2,475.00		8,260.83				10,735.83
Sheri Rickert	11/24	11/28	Brazil		1,212.00		8,891.30				10,103.30
	12/3	12/6	Russia		1,336.00		8,141.45				9,479.45
Joshua Rogin	11/10	11/12	Austria		738.00						738.00
	11/12	11/13	Belgium		425.00						425.00
	11/10	11/13	Round Trip Airfare.				8,727.49				8,727.49
Hon. Rohrabacher	12/2	12/5	Germany		1,320.00						1,320.00
	12/5	12/11	Russia		2,867.00						2,867.00
	12/2	12/11	Round Trip Airfare.				9,283.78				9,283.78
Julie Schoenthaler	11/6	11/9	Peru		1,384.12		(3)				1,384.12
	11/9	11/11	Chile		635.56		(3)				635.56
	11/11	11/13	Paraguay		372.37		(3)				372.37
Daniel Silverberg	12/17	12/18	Pakistan		76.00		10,974.45				11,050.45
Hon. Sires	11/13	11/16	Spain		1,281.00		(3)				1,281.00
Amanda Sloat	10/12	10/16	Russia		1,984.00						1,984.00
	10/16	10/18	Ukraine		708.00						708.00
	10/12	10/18	Round Trip Airfare.				8,021.48				8,021.48
	12/15	12/20	Bosnia		1,424,00		0,276.36				10,700.36
Hon. Smith (NJ)	12/3	12/6	Russia		1,338.00		8,141.45				9,479.45
Jason Steinbaum	11/6	11/11	Chile		635.56		(3)				635.56
	11/9	11/9	Peru		1,384.12		(3)				1,384.12
	11/11	11/13	Paraguay		372.37		(3)				372.37
Mark Walker	11/6	11/9	Peru		1,384.12		(3)				1,384.12
	11/9	11/11	Chile		635.56		(3)				635.56
	11/11	11/13	Paraguay		372.37		(3)				372.37
Robyn Wapner	11/6	11/9	Peru		1,384.12		(3)				1,384.12
	11/9	11/11	Chile		635.56		(3)				635.56
	11/11	11/13	Paraguay		372.37		(3)				372.37
Lynne Weil	11/30	12/3	Algeria		826.00						826.00
	12/3	12/7	Tunisia		768.00						768.00
	12/7	12/10	France		1,031.00						1,031.00
	11/30	12/10	Round Trip Airfare.				10,428.60				10,428.60
Kristin Wells	11/24	11/28	Brazil		1,212.00		7,563.30				8,775.30
Hon. Wexler	11/11	11/12	Austria		369.00						369.00
	11/12	11/13	Belgium		425.00						425.00
	11/11	11/13	Round Trip Airfare.				7,610.38				7,610.38
	12/2	12/4	Israel		862.00						862.00
	12/4	12/5	Czech Republic		413.48						413.48
	12/2	12/5	Round Trip Airfare.				7,904.81				7,904.81
Lisa Williams	12/4	12/9	Italy		2,475.00		8,260.83				10,735.83
Hon. Wilson	12/12	12/14	Cyprus		306.00		(3)				306.00
	12/14	12/15	Afghanistan		75.00		(3)				75.00
	12/15	12/16	Belgium		425.00		(3)				425.00
Brent Woolfork	12/8	12/10	Kazakhstan		679.00						679.00
	12/10	12/12	Kyrgyzstan		562.00						562.00
	12/12	12/16	Uzbekistan		824.00						824.00
	12/16	12/17	United Kingdom		425.00						425.00
	12/8	12/17	Round Trip Airfare.				13,570.93				13,570.93
Hon. Woolsey	11/13	11/16	Spain		1,281.00		(3)				1,281.00
Committee Total					119,813.55		412,835.13		13,141.01		545,789.69

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
[4] Indicates Delegation costs.

HON. HOWARD L. BERMAN, Chairman, Feb. 2, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Virginia Fox	11/6	11/9	Peru		1,384.12		(3)				1,384.12
	11/9	11/11	Chile		635.56						635.56
	11/11	11/13	Paraguay		372.37						372.37
Hon. Kenny Marchant	10/18	10/21	Kuwait		432.00		8,192.30				8,624.30
	10/20	10/21	Iraq								
R.N. Palarino	12/2	12/3	Qatar		393.00		8,219.27				8,612.27
	12/3	12/4	Afghanistan		75.00						75.00
	12/4	12/5	Bahrain		299.00						299.00
	12/5	12/6	Qatar		389.00						389.00
	12/6	12/7	Kuwait		342.00						342.00
	12/7	12/8	Iraq								
	12/8	12/9	Kuwait		342.00						342.00
Aimee Brooke Bennett	12/2	12/3	Qatar		393.00		9,138.27				9,531.27
	12/3	12/4	Afghanistan		75.00						75.00
	12/4	12/5	Bahrain		299.00						299.00
	12/5	12/6	Qatar		389.00						389.00
	12/6	12/7	Kuwait		342.00						342.00
	12/7	12/8	Iraq								
	12/8	12/9	Kuwait		342.00						342.00
Robin Appleberry	11/16	11/22	South Africa		323.00		9,982.13				10,305.13
Alexandra Teitz	12/9	12/13	Poland		1,837.00		7,639.86				9,476.86
Robin Appleberry	10/19	10/26	Switzerland		2,029.57		9,014.07				11,043.64
Hon. Todd Platts	10/7	10/7	Kuwait				7,959.40				7,959.40
	10/7	10/8	Iraq								

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	10/8	10/8	Kuwait								
Bruce Fernandez	10/7	10/7	Kuwait				7,959.40				7,959.40
	10/7	10/8	Iraq								
	10/8	10/8	Kuwait								
Bruce Fernandez	10/7	10/7	Kuwait				7,959.40				7,959.40
	10/7	10/8	Iraq								
	10/8	10/8	Kuwait								
Hon. Stephen Lynch	10/7	10/7	Kuwait				7,959.40				7,959.40
	10/8	10/8	Iraq								
	10/8	10/8	Kuwait								
Davis Hake	10/7	10/7	Iraq				12,388.00				12,388.00
	10/8	10/8	Kuwait								
	10/8	10/8	Kuwait								
Meredith Liberty	10/19	10/19	France				13,851.29				13,851.29
	10/19	10/21	Mali		456.00						456.00
	10/22	10/24	Kenya		853.00						853.00
	10/24	10/25	Djibouti		336.00						336.00
	10/25	10/26	Ethiopia		264.00						264.00
	10/27	10/28	Germany		174.00						174.00
Aimee Brooke Bennett	10/19	10/19	France				13,851.29				13,851.29
	10/19	10/21	Mali		456.00						456.00
	10/22	10/24	Kenya		853.00						853.00
	10/24	10/25	Djibouti		336.00						336.00
	10/25	10/26	Ethiopia		264.00						264.00
	10/27	10/28	Germany		174.00						174.00
Davis Hake	10/19	10/19	France				13,851.29				13,851.29
	10/19	10/21	Mali		456.00						456.00
	10/22	10/24	Kenya		853.00						853.00
	10/24	10/25	Djibouti		336.00						336.00
	10/25	10/26	Ethiopia		264.00						264.00
	10/27	10/28	Germany		174.00						174.00
Dave Turk	10/19	10/19	France				13,851.29				13,851.29
	10/19	10/21	Mali		456.00						456.00
	10/22	10/24	Kenya		853.00						853.00
	10/24	10/25	Djibouti		336.00						336.00
	10/25	10/26	Ethiopia		264.00						264.00
	10/27	10/28	Germany		174.00						174.00
Andrew Wright	10/19	10/19	France				13,851.29				13,851.29
	10/19	10/21	Mali		456.00						456.00
	10/22	10/24	Kenya		853.00						853.00
	10/24	10/25	Djibouti		336.00						336.00
	10/25	10/26	Ethiopia		264.00						264.00
	10/27	10/28	Germany		174.00						174.00
Lauren Ploch	10/22	10/24	Kenya		853.00		6,696.39				7,549.39
	10/24	10/25	Djibouti		336.00						336.00
	10/25	10/26	Ethiopia		264.00						264.00
	10/27	10/28	Germany		174.00						174.00
Hon. Brian Higgins	12/12	12/14	Cyprus		306.00		(3)				306.00
	12/14	12/15	Afghanistan		75.00						75.00
	12/15	12/16	Belgium		425.00						425.00
Committee Total					23,541.62		172,364.34				195,905.96

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military transportation.

HON. EDOLPHUS TOWNS, Chairman, Jan. 30, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE AND TECHNOLOGY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Chuck Atkins	10/12	10/16	China		1,117.02		13,126.91		97.93		14,341.86
	10/16	10/22	Vietnam		1,916.00						1,916.00
Alisa Ferguson	10/12	10/16	China		1,117.02		13,126.91		97.93		14,341.86
	10/16	10/22	Vietnam		1,916.00						1,916.00
Richard Obermann	10/12	10/16	China		1,117.02		13,126.91		97.93		14,341.86
	10/16	10/22	Vietnam		1,696.00						1,696.00
Dahlia Sokolov	10/12	10/16	China		1,117.02		13,126.91		97.93		14,341.86
	10/16	10/22	Vietnam		1,696.00						1,696.00
Janet Poppleton	10/12	10/16	China		1,117.02		13,126.91		97.93		14,341.86
	10/16	10/22	Vietnam		1,696.00						1,696.00
Edward Feddeman	10/10	10/11	Russia		446.00		10,444.73		552.00		11,442.73
	10/11	10/12	Kazakhstan		474.00		1,830.00				2,304.00
	10/12	10/14	Russia		992.00						992.00
	10/14	10/18	Germany		1,702.00						1,702.00
Ken Monroe	10/10	10/11	Russia		446.00		10,444.73		552.00		11,442.73
	10/11	10/12	Kazakhstan		474.00		1,830.00				2,304.00
	10/12	10/14	Russia		992.00						992.00
	10/14 [4]	10/20	Germany		1,702.00						1,702.00
Jean Fruci	12/7	12/15	Poland		4,544.00		3,668.68				8,212.68
Chris King	12/8	12/15	Poland		3,626.00		3,641.68				7,267.00
Margaret Caravelli	12/8	12/12	Poland		1,472.00		9,434.86				10,906.86
	12/12	[4] 12/14.	Czech Republic								
Bart Forsyth	12/6	12/13	Poland		3,976.00		9,099.45				13,075.45
Tara Rothschild	12/8	12/12	Poland		1,472.00		9,434.86				10,906.86
	12/12	[4] 12/14.	Czech Republic								
Hon. Brian Baird [5]	12/2	12/3	Qatar		393.00		8,219.27				8,612.27
	12/3	12/4	Afghanistan		75.00		(3)				75.00
	12/4	12/5	Bahrain		349.00		(3)				349.00
	12/5	12/6	Qatar		389.00		(3)				389.00
	12/6	12/7	Kuwait		342.00		(3)				342.00
	12/7	12/8	Iraq				(3)				
	12/8	12/9	Kuwait		342.00		(3)				342.00
Hon. Randy Neugebauer [5]	12/3	12/4	Nigeria		132.00		(3)				132.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE AND TECHNOLOGY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	12/4	12/4	Rwanda				(3)				
	12/4	12/5	Ethiopia		[6] 303.00		(3)				303.00
	12/5	12/5	Uganda				(3)				
	12/5	12/6	Qatar				(3)				
	12/6	12/6	Afghanistan				(3)				
	12/6	12/6	Kuwait				(3)				
	12/6	12/7	United Kingdom		(7)		(3)				
Committee Total											174,424.88

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
[4] Two nights at personal expense.
[5] Financial information not yet received from State Department.
[6] Includes U.K.
[7] Included with Ethiopia per diem.

HON. BART GORDON, Chairman, Jan. 29, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Laura Richardson	11/13	11/16	Spain		869.00		(3)				869.00
Hon. Mazio Hirono	12/1	12/2	Philippines		572.00		(3)				572.00
	12/3	12/4	Hong Kong		1,045.14		(3)				1,045.14
	12/5	12/6	Vietnam		758.00		(3)				758.00
Committee Total											3,244.14

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. JIM OBERSTAR, Chairman, Jan. 27, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at the right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. ZOE LOFGREN, Chairman, Jan. 28, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Bud Cramer	10/1	10/13	Europe		937.25		(3)				
	10/1	10/13	Europe		1,011.23		(3)				
	10/1	10/13	Europe		1,215.18		(3)				
	10/1	10/13	Europe		1,333.00		(3)				
	10/1	10/13	Europe		1,229.83		(3)				
Military aircraft											5,726.49
Mark Young	10/11	10/13	Latin America		230.00						
	10/14	10/18	Latin America								
Laurence Hanauer	10/12	10/13	Europe		399.00						
	10/14	10/15	Europe		808.00						
	10/16	10/18	Europe		760.00						
	10/19	10/21	Europe		399.00						
Commercial Aircraft							11,009.41				13,375.41
Joshua Kirshner	10/12	10/13	Europe		399.00						
	10/14	10/15	Europe		808.00						
	10/16	10/18	Europe		760.00						
	10/19	10/21	Europe		399.00						
Commercial Aircraft							10,514.41				12,880.41
Jay Heath	10/12	10/13	Europe		399.00						
	10/14	10/15	Europe		808.00						
	10/16	10/18	Europe		760.00						
	10/19	10/21	Europe		399.00						
Commercial Aircraft							10,514.41				12,880.41
Donald Campbell	10/18	10/21	Asia								
Commercial Aircraft							12,449.17				
Frank Garcia	10/18	10/21	Asia								
Commercial Aircraft							12,449.17				
Hon. Mike Thompson	11/10	11/14	Middle East		25.00						
	11/14	11/15	Middle East		289.00						
Commercial Aircraft							9,844.54				10,158.54
Hon. Rush Holt	11/10	11/14	Middle East		25.00						
	11/14	11/15	Middle East		289.00						
Commercial Aircraft							9,844.54				10,158.54
Hon. Anna Eashoo	11/10	11/14	Middle East		25.00						

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	11/14	11/15	Middle East		289.00						
Commercial Aircraft							9,844.54				10,158.54
Iram Ali	11/10	11/14	Middle East		25.00						
	11/14	11/15	Middle East		289.00						
Commercial Aircraft							9,714.54				10,028.54
George Pappas	11/10	11/14	Middle East		25.00						
	11/14	11/15	Middle East		289.00						
Commercial Aircraft							9,714.54				10,028.54
Hon. Darrell Issa	12/11	12/13	Asia		340.00						
	12/14	12/16	Asia		690.00						
	12/16	12/18	Asia		1,384.00						
Commercial Aircraft							10,023.05				12,437.05
Jim Lewis	12/11	12/13	Asia		340.00						
	12/14	12/16	Asia		690.00						
	12/16	12/18	Asia		1,384.00						
Commercial Aircraft							13,529.55				15,943.55
Hon. Mike Thompson	12/17	12/20	Asia		711.00						
	12/20	12/22	Asia		948.00		9,290.24				
Commercial Aircraft							7,757.39				9,416.39
Laurence Hanauer	12/17	12/20	Asia		711.00						
	12/20	12/22	Asia		948.00						
Commercial Aircraft							7,412.55				9,071.55
Joshua Kirshner	12/17	12/20	Asia		711.00						
	12/20	12/22	Asia		948.00						
Commercial Aircraft							9,800.77				11,459.77
Sarah Roland-Geffroy	12/17	12/20	Asia		711.00						
	12/20	12/22	Asia		948.00						
Commercial Aircraft							9,290.24				10,949.24
Stacey Dixon	12/16	12/19	Middle East		76.00						
Commercial Aircraft							11,566.04				11,642.04
Donald Vieira	12/20	12/22	Middle East		167.00		(3)				
	12/22	12/24	Europe		321.00		(3)				
Military aircraft											488.00
Committee Total											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. SILVESTRE REYES, Chairman, Jan. 30, 2009.

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Bud Cramer	10/1	10/13	Europe		937.25		(3)				
	10/1	10/13	Europe		1,011.23		(3)				
	10/1	10/13	Europe		1,215.18		(3)				
	10/1	10/13	Europe		1,333.00		(3)				
	10/1	10/13	Europe		1,229.83		(3)				
Military aircraft											5,726.49
Mark Young	10/11	10/13	Latin America		230.00						
	10/14	10/16	Latin America		820.00						
	10/16	10/18	Latin America		862.00						
Commercial aircraft							7,173.59				9,085.59
Laurence Hanauer,	10/12	10/13	Europe		399.00						
	10/14	10/15	Europe		808.00						
	10/16	10/18	Europe		760.00						
	10/19	10/21	Europe		399.00						
Commercial Aircraft							11,009.41				13,375.41
Joshua Kirshner	10/12	10/13	Europe		399.00						
	10/14	10/15	Europe		808.00						
	10/16	10/18	Europe		760.00						
	10/19	10/21	Europe		399.00						
Commercial Aircraft							10,514.41				12,880.41
Jay Heath	10/12	10/13	Europe		399.00						
	10/14	10/15	Europe		808.00						
	10/16	10/18	Europe		760.00						
	10/19	10/21	Europe		399.00						
Commercial Aircraft							10,514.41				12,880.41
Donald Campbell	10/19	10/22	Asia		1,098.00						
	10/23	10/25	Asia		548.00						
Commercial Aircraft							12,449.17				14,095.17
Frank Garcia	10/19	10/22	Asia		1,098.00						
	10/23	10/25	Asia		548.00						
Commercial Aircraft							12,449.17				14,095.17
Hon. Mike Thompson	11/10	11/14	Middle East		25.00						
	11/14	11/15	Middle East		289.00						
Commercial Aircraft							9,844.54				10,158.54
Hon. Rush Holt	11/10	11/14	Middle East		25.00						
	11/14	11/15	Middle East		289.00						
Commercial Aircraft							9,844.54				10,158.54
Hon. Anna Eshoo	11/10	11/14	Middle East		25.00						
	11/14	11/15	Middle East		289.00						
Commercial Aircraft							9,844.54				10,154.54
Iram Ali	11/10	11/14	Middle East		25.00						
	11/14	11/15	Middle East		289.00						
Commercial Aircraft							9,714.54				10,028.54
George Pappas	11/10	11/14	Middle East		25.00						
	11/14	11/15	Middle East		289.00						
Commercial Aircraft							9,714.54				10,028.54
Hon. Darrell Issa	12/11	12/13	Asia		340.00						
	12/14	12/16	Asia		690.00						
	12/16	12/18	Asia		1,384.00						
Commercial Aircraft							10,023.05				12,437.05
Jim Lewis	12/11	12/13	Asia		340.00						
	12/14	12/16	Asia		690.00						
	12/16	12/18	Asia		1,384.00						

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Commercial Aircraft							13,529.55				15,943.55
Hon. Mike Thompson	12/17	12/20	Asia		711.00						
	12/20	12/22	Asia		948.00						
Commercial Aircraft							7,757.39				9,416.39
Laurence Hanauer	12/17	12/20	Asia		711.00						
	12/20	12/22	Asia		948.00						
Commercial Aircraft							7,412.55				9,071.55
Joshua Kirshner	12/17	12/20	Asia		711.00						
	12/20	12/22	Asia		948.00						
Commercial Aircraft							9,800.77				11,459.77
Sarah Roland-Geffroy	12/17	12/20	Asia		711.00						
	12/20	12/22	Asia		948.00						
Commercial Aircraft							9,290.24				10,949.24
Stacey Dixon	12/16	12/19	Middle East		76.00						
Commercial aircraft							11,566.04				11,642.04
Donald Vieira	12/20	12/22	Middle East		167.00	(3)					
	12/22	12/24	Europe		321.00	(3)					
Military aircraft											488.00
Committee Total											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. SILVESTRE REYES, Chariman, Feb. 2, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Shelly Han	10/07	10/12	Georgia		1,690.00		10,340.70				12,030.70
	10/12	10/16	Azerbaijan		1,268.00						1,268.00
	10/16	10/18	Czech Republic		832.00						832.00
Kyle Parker	10/07	10/12	Georgia		1,690.00		10,569.99				12,259.99
	10/12	10/17	Azerbaijan		1,585.00						1,585.00
Winsome Packer	10/07	10/12	Georgia		1,352.00		2,733.00				4,085.00
Mischa Thompson	10/01	10/9	Poland		3,197.60		10,635.61				13,833.21
Clifford Bond	9/28	10/10	Poland		3,117.00		8,742.89				11,859.89
Erika Schlager	9/28	10/11	Poland		3,590.00		8,830.91				12,420.91
Alex T. Johnson	10/04	10/8	Poland		1,032.00		9,745.18				10,777.18
	10/08	10/12	Germany		1,412.00						1,412.00
Ronald McNamara	10/05	10/11	Poland		1,548.00		8,735.41				10,283.41
Fred Turner	10/02	10/5	Poland		1,010.00		10,977.70				11,987.70
	10/05	10/7	Portugal		946.34						946.34
Winsome Packer	9/30	10/5	Poland		1,265.25		1,670.88				2,936.13
Alex T. Johnson	10/24	10/30	Jordan		1,806.00		8,159.09				9,965.09
Winsome Packer	10/26	10/29	Jordan		903.00		1,710.00				2,613.00
Hon. Alcee L. Hastings	11/29	12/1	Morocco		749.00		8,223.92				8,972.92
	12/01	12/2	Algeria		385.44						385.44
	12/02	12/3	Tunisia		247.00						247.00
	12/03	12/7	Egypt		1,541.86						1,541.86
	12/07	12/9	Israel		862.00						862.00
	12/09	12/15	Portugal		1,838.26						1,838.26
Alex T. Johnson	11/29	12/1	Morocco		749.00		8,553.39				9,302.39
	12/01	12/2	Algeria		385.44						385.44
	12/02	12/3	Tunisia		247.00						247.00
	12/03	12/7	Egypt		1,541.86						1,541.86
	12/07	12/9	Israel		862.00						862.00
	12/09	12/13	Portugal		1,225.51						1,225.51
Lale Mamaux	11/29	12/1	Morocco		749.00		7,278.81				8,027.81
	12/01	12/2	Algeria		385.44						385.44
	12/02	12/3	Tunisia		247.00						247.00
	12/03	12/7	Egypt		1,541.86						1,541.86
	12/07	12/9	Israel		862.00						862.00
	12/09	12/11	Portugal		612.75						612.75
Winsome Packer	12/02	12/6	Finland		1,288.00		1,246.00				2,534.00
Clifford Bond	12/08	12/12	Kosovo		976.00		10,126.61				11,102.61
Robert Hand	12/08	12/12	Kosovo		726.00		6,769.61				7,495.61
Winsome Packer	10/05	10/24	Austria		10,323.00						10,323.00
	11/08	11/30	Austria		7,337.00		7,394.93				14,731.93
	12/06	12/23	Austria		6,960.00						6,960.00
Committee Total					70,886.61		142,444.63				213,331.24

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. ALCEE L. HASTINGS, Chairman, Jan. 27, 2009.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

551. A letter from the Under Secretary Natural Resources and Environment, Department of Agriculture, transmitting reports on the Mendocino National Forest Fire Management Plan and the Cultural and Historic Resources, pursuant to Public Law 109-362, section 7(b); to the Committee on Agriculture.

552. A letter from the Secretary, Department of the Navy, transmitting notification of an increase in the Program Acquisition Unit Cost for the VH-71 Presidential Helicopter Replacement Program that exceeds the original Unit Cost Report baseline by at least 50 percent, pursuant to 10 U.S.C. 2433; to the Committee on Armed Services.

553. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Portfolio Holdings (RIN: 2590-AA22) received February 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

554. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Capital Classifications and Critical Capital Levels for the Federal Home Loan Banks (RIN: 2590-AA21) received February 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

555. A letter from the Dir., Office of Policy, Reports and Disclosure, Department of Labor, transmitting the Department's final rule — Labor Organization Annual Financial Reports (RIN: 1215-AB62) received February 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

556. A letter from the Deputy Inspector General, Environmental Protection Agency, transmitting the Inspector General's report entitled, ''Annual Superfund Report to Congress for Fiscal Year 2008,'' pursuant to the Superfund Amendments and Reauthorization Act of 1986; to the Committee on Energy and Commerce.

557. A letter from the Acting Assistant Secretary Legislative Affairs, Department of State, transmitting notification that Asylum Access's project was not selected to establish a legal assistance program for refugees in Tanzania; to the Committee on Foreign Affairs.

558. A letter from the Director, Congressional Budget Office, transmitting notification of a waiver of the deduction of pay requirement for a reemployed annuitant, pursuant to Public Law 102-190, section 655(d); to the Committee on Oversight and Government Reform.

559. A letter from the Colonel, Corps of Engineers Secretary, Mississippi River Commission, Department of the Army, transmitting the Annual Report for the Mississippi River Commission covering calendar year 2008, pursuant to Public Law 94-409; to the Committee on Oversight and Government Reform.

560. A letter from the Acting Administrator, General Services Administration, transmitting notification of the new mileage reimbursement rates for Federal employees who use privately owned vehicles (POVs), including privately owned automobiles, motorcycles, and airplanes, while on official travel, pursuant to 5 U.S.C. 5707(b)(1)(A); to the Committee on Oversight and Government Reform.

561. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security zone; Steam generator transit, Captain of the Port zone San Diego; San Diego, California [Docket No.: USCG-2008-1236] (RIN: 1625-AA87) received February 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

562. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — 2008 Rates for Pilotage on the Great Lakes [Docket No.: USCG-2007-0039] (RIN: 1625-AB23) received February 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

563. A letter from the Project Counsel, Department of Homeland Security, transmitting the Department's final rule — Tank Level or Pressure Monitoring Devices on Single-Hull Tank Ships and Single-Hull Tank Barges Carrying Oil or Oil Residue as Cargo [Docket No.: USCG-2001-9046] (RIN: 1625-AB12) received February 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

564. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Saftey Zone: Oregon Inlet, North Carolina, Dredge Project [Docket No.: USCG-2008-1081] (RIN: 1625-AA00) received February 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

565. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Saftey Zone; Saugus River, Lynn, MA [Docket No.: USCG-2008-1026] (RIN: 1625-AA00) received February 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

566. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Oil Pollution Prevention; Non-Transportation Related Onshore Facilities; Spill Prevention, Control, and Countermeasure Rule — Final Amendments [EPA-HQ-OPA-2007-0584; FRL-8770-7] (RIN: 2050-AG16) received January 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

567. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Oklahoma: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2008-0754 FRL-8767-9] received January 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

568. A letter from the Director, Regulatory management Division, Environmental Protection Agency, transmitting the Agency's final rule — Procedures for Implementing the National Environmental Policy Act and Assessing the Environmental Effects Abroad of EPA Actions [EPA-HQ-OECA-2009-0006; FRL-8766-2] (RIN: 2020-AA48) received January 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

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. PERLMUTTER: Committee on Rules. House Resolution 157. Resolution providing for consideration of motions to suspend the rules, and for other purposes (Rept. 111–14). Referred to the House Calendar.

Ms. SLAUGHTER: Committee on Rules. House Resolution 158. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 111–15). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PETERSON:

H.R. 977. A bill to amend the Commodity Exchange Act to bring greater transparency and accountability to commodity markets, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ALTMIRE (for himself, Mrs. MILLER of Michigan, Mr. CLEAVER, Mr. HOLDEN, Mr. MASSA, Mr. PLATTS, Ms. PINGREE of Maine, Mr. SHULER, Mr. PETERSON, Mr. SPACE, Mr. EHLERS, Mr. MCINTYRE, Mr. CAPUANO, and Mr. MICHAUD):

H.R. 978. A bill to recognize and clarify the authority of the States to regulate intrastate helicopter medical services pursuant to their authority over public health planning and protection, patient safety and protection, emergency medical services, the quality and coordination of medical care, and the practice of medicine within their jurisdictions; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HARE (for himself, Mr. ARCURI, Mr. KISSELL, Ms. GIFFORDS, Mr. SPACE, Mr. BOCCIERI, Mr. MASSA, Mr. LIPINSKI, Mrs. KIRKPATRICK of Arizona, Ms. PINGREE of Maine, and Mr. TONKO):

H.R. 979. A bill to limit excessive and luxury expenses by recipients of assistance under the Emergency Economic Stabilization Act of 2008, and for other purposes; to the Committee on Financial Services.

By Mrs. MALONEY (for herself, Mr. GRIJALVA, Mr. BACA, Ms. BORDALLO, Mrs. CAPPS, Mr. CARNAHAN, Mr. CARSON of Indiana, Mr. CHANDLER, Mrs. CHRISTENSEN, Mr. COSTA, Mr. GUTIERREZ, Mr. HINCHEY, Ms. HIRONO, Mr. INSLEE, Mr. KUCINICH, Mr. LANGEVIN, Mrs. LOWEY, Mr. MARKEY of Massachusetts, Ms. MCCOLLUM, Mr. GEORGE MILLER of California, Mr. MOORE of Kansas, Mr. NADLER of New York, Mrs. NAPOLITANO, Mr. RAHALL, Mr. SCOTT of Georgia, Mr. SERRANO, Mr. WAXMAN, Mr. BERMAN, Ms. SCHWARTZ, Mr. JONES, Mr. MEEKS of New York, Mr. STARK, Ms. WATERS, Mr. SHERMAN, Mr. ACKERMAN, Ms. CORRINE BROWN of Florida, Mr. CLEAVER, Ms. DELAURO, Ms. LEE of California, Mr. CUMMINGS, and Mr. LANCE):

H.R. 980. A bill to designate certain National Forest System lands and public lands under the jurisdiction of the Secretary of the Interior in the States of Idaho, Montana, Oregon, Washington, and Wyoming as wilderness, wild and scenic rivers, wildland recovery areas, and biological connecting corridors, and for other purposes; to the Committee on Natural Resources.

By Mr. MCGOVERN (for himself, Mr. ISSA, Ms. MCCOLLUM, Mr. BOUSTANY, Mr. MORAN of Virginia, Mr. ELLISON, and Mr. RAHALL):

H.R. 981. A bill to limit the use of cluster munitions; to the Committee on Armed Services.

By Mr. GOODLATTE (for himself, Mr. MCINTYRE, Mr. BOOZMAN, Mr. BACHUS, Mr. BARTLETT, Mrs. BLACKBURN, Mr. BLUNT, Mr. BROUN of Georgia, Mr. DUNCAN, Ms. FOXX, Mr. GOHMERT, Mr. GRAVES, Mr. FRANKS of Arizona, Mr. JONES, Mr. LATHAM, Mr. LINDER, Mr. LUCAS, Mr. MACK, Mr. MANZULLO, Mr. MCCOTTER, Mr. SIMPSON, Mr. WESTMORELAND, Mr. YOUNG of Alaska, Mr. ISSA, Mr. COLE, Mrs. MCMORRIS RODGERS, Mr. HASTINGS of Washington, Mrs. MYRICK, Mr. AKIN, Mr. KING of Iowa, Mr. NEUGEBAUER, Mr. CONAWAY, Mr. SMITH of Texas, Mr. LAMBORN, Mr. SENSENBRENNER, Mr. PENCE, Mr. THORNBERRY, Mr. HENSARLING, Mr. INGLIS, Mr. BILBRAY, Mr. BISHOP of Utah, Mr. BONNER, Mr. BURGESS, Mr. CANTOR, Mr. CULBERSON, Mr. FORBES, Mr. HUNTER, Mr. MCCARTHY of California, Mr. MCHENRY, Mr. MILLER of Florida, Mr. ROGERS of Kentucky, Mr. SESSIONS, Mr. SHADEGG, Mr. SHUSTER, Mr. PETERSON, Mr. SOUDER, Mr. TERRY, Mr. THOMPSON of Pennsylvania, Mr. TIAHRT, Mr. WITTMAN, Mr. GINGREY of Georgia, Mr. PITTS, Mr. PRICE of Georgia, Mr. WILSON of South Carolina, Mr. LATTA, and Mr. DREIER):

H.R. 982. A bill to terminate the Internal Revenue Code of 1986; to the Committee on Ways and Means, 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. SULLIVAN (for himself, Mr. BOUSTANY, Mr. WILSON of South Carolina, Mr. PAUL, Mr. SESSIONS, Mr. MCHENRY, Mr. HARPER, Mr. SCALISE, Mr. CULBERSON, Mr. MARCHANT, Mr. ROONEY, Mrs. BLACKBURN, Mrs. MYRICK, Mr. CASSIDY, Mr. KLINE of Minnesota, Mr. WESTMORELAND, Mr. GINGREY of Georgia, Mr. BUYER, Mr. FLEMING, Ms. FALLIN, Mr. BARRETT of South Carolina, Mrs. BACHMANN, and Mr. ALEXANDER):

H.R. 983. A bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects; to the Committee on Oversight and Government Reform.

By Mr. NADLER of New York (for himself, Mr. PETRI, Mr. CONYERS, Mr. DELAHUNT, Ms. ZOE LOFGREN of California, Mr. FRANK of Massachusetts, and Mr. DOGGETT):

H.R. 984. A bill to provide safe, fair, and responsible procedures and standards for resolving claims of state secret privilege; to the Committee on the Judiciary.

By Mr. BOUCHER (for himself, Mr. PENCE, Mr. CONYERS, Mr. GOODLATTE, Mr. YARMUTH, Mr. WALDEN, Ms. ZOE LOFGREN of California, Mr. COBLE, Mr. WEXLER, Mr. BLUNT, Ms. BERKLEY, Mr. WU, Ms. SCHAKOWSKY, Ms. LEE of California, Mr. DELAHUNT, Mr. MACK, Mr. MCCAUL, Ms. NORTON, Mr. WOLF, Ms. WOOLSEY, Mr. MURPHY of Connecticut, Mr. UPTON, Ms. SLAUGHTER, Mr. BERRY, Ms. GIFFORDS, Mr. GONZALEZ, Mr. PUTNAM, Mr. WEINER, Mr. PAYNE, Mr. COHEN, Mr. KENNEDY, Mr. RADANOVICH, Mr. COOPER, Mr. DOYLE, Ms. BALDWIN, Ms. WASSERMAN SCHULTZ, Ms. ESHOO, Mr. BUTTERFIELD, and Mr. REHBERG):

H.R. 985. A bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media; to the Committee on the Judiciary.

By Mr. ADLER of New Jersey (for himself, Mr. SIRES, Mr. FRELINGHUYSEN, Mr. PASCRELL, Mr. PALLONE, Mr. HOLT, Mr. LANCE, Mr. LOBIONDO, Mr. ANDREWS, Mr. PAYNE, Mr. ROTHMAN of New Jersey, Mr. GARRETT of New Jersey, and Mr. SMITH of New Jersey):

H.R. 986. A bill to designate the facility of the United States Postal Service located at 28 Washington Street in Mount Holly, New Jersey, as the ''Jim Saxton Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. ALTMIRE (for himself, Mr. DOYLE, Mr. TIM MURPHY of Pennsylvania, Mrs. DAHLKEMPER, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. SESTAK, Mr. HOLDEN, Ms. SCHWARTZ, Mr. PLATTS, Mr. SHUSTER, Mr. FATTAH, Mr. BRADY of Pennsylvania, Mr. CARNEY, Mr. KANJORSKI, Mr. THOMPSON of Pennsylvania, Mr. PITTS, Mr. GERLACH, Mr. DENT, and Mr. MURTHA):

H.R. 987. A bill to designate the facility of the United States Postal Service located at 601 8th Street in Freedom, Pennsylvania, as the ''John Scott Challis, Jr. Post Office''; to the Committee on Oversight and Government Reform.

By Mr. BERRY (for himself and Mrs. EMERSON):

H.R. 988. A bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GERLACH (for himself and Mr. ALEXANDER):

H.R. 989. A bill to provide a Federal income tax credit for Eagle employers, and for other purposes; to the Committee on Ways and Means.

By Mr. GRAVES (for himself and Mr. CLEAVER):

H.R. 990. A bill to amend title 49, United States Code, to establish additional goals for airport master plans; to the Committee on Transportation and Infrastructure.

By Mr. GUTIERREZ:

H.R. 991. A bill to treat arbitration clauses which are unilaterally imposed on consumers as an unfair and deceptive trade practice and prohibit their use in consumer transactions, and for other purposes; to the Committee on Financial Services.

By Mr. HILL:

H.R. 992. A bill to establish the James Madison Memorial Commission to develop a plan of action for the establishment and maintenance of a James Madison memorial in Washington, DC, and for other purposes; to the Committee on Natural Resources.

By Mr. LUJÁN:

H.R. 993. A bill to establish a Presidential commission to determine and evaluate the validity of certain land claims arising out of the Treaty of Guadalupe-Hidalgo of 1848 involving the descendants of persons who were Mexican citizens at the time of the Treaty; to the Committee on Natural Resources.

By Mr. GARY G. MILLER of California (for himself, Mr. ROHRABACHER, Mr. BURTON of Indiana, Mr. BOOZMAN, Mr. CAMPBELL, Mr. DREIER, Mr. BILBRAY, Mr. FLEMING, Mr. GALLEGLY, and Mrs. MYRICK):

H.R. 994. A bill to remove the incentives and loopholes that encourage illegal aliens to come to the United States to live and work, provide additional resources to local law enforcement and Federal border and immigration officers, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Oversight and Government Reform, Education and Labor, House Administration, Financial Services, Homeland Security, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER of New York (for himself, Mr. ACKERMAN, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Ms. BORDALLO, Mrs. CAPPS, Mrs. CHRISTENSEN, Mr. CLEAVER, Mr. COHEN, Ms. EDWARDS of Maryland, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. HONDA, Ms. KAPTUR, Mr. KUCINICH, Ms. LEE of California, Mrs. MALONEY, Mr. MICHAUD, Mrs. NAPOLITANO, Ms. NORTON, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. SIRES, Ms. SUTTON, Ms. ROS-LEHTINEN, Ms. WASSERMAN SCHULTZ, and Mr. SCOTT of Virginia):

H.R. 995. A bill to amend the Public Health Service Act and Employee Retirement Income Security Act of 1974 to require that group and individual health insurance coverage and group health plans provide coverage for annual screening mammography for women 40 years of age or older and for such screening and annual magnetic resonance imaging for women at high risk for breast cancer if the coverage or plans include coverage for diagnostic mammography for women 40 years of age or older; to the Committee on Energy and Commerce, 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. NUNES (for himself and Mr. MCCARTHY of California):

H.R. 996. A bill to temporarily exempt certain public and private development projects from any requirement for a review, statement, or analysis under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of Iowa (for himself, Mrs. BACHMANN, Mrs. BLACKBURN, Mr. LUETKEMEYER, Mr. BURGESS, Mr. BURTON of Indiana, Mr. COBLE, Mr. CULBERSON, Mr. ROHRABACHER, Mr. DREIER, Mr. DUNCAN, Mr. FRANKS of Arizona, Mr. BROWN of South Carolina, Mr. HERGER, Mr. INGLIS, Mr. JONES, Mr. MCCAUL, Mr. MCHENRY, Mr. PAUL, Mr. ROE of Tennessee, Mr. ROGERS of Alabama, Mr. TIBERI, Mr. BROUN of Georgia, Mr. GRAVES, Mr. BILIRAKIS, Mrs. MYRICK, Mr. SIMPSON, Mr. MCHUGH, Mr. PLATTS, Mr. HOEKSTRA, Mr. SULLIVAN, Mr. BILBRAY, Mr. ROGERS of Kentucky, Mr. ROGERS of Michigan, Mr. WOLF, Mr. FLEMING, Mr. SMITH of Nebraska, Mr. SHUSTER, Ms. FOXX, Mr. POE of Texas, Mr. LUCAS, Mr. BARTLETT, Mr. WHITFIELD, Mr. GARY G. MILLER of California, Mr. KLINE of Minnesota, Mr. MARCHANT, Mrs. LUMMIS, Mr. WITTMAN, Mr. STEARNS, Mr. LATOURETTE, Mr. AKIN, Mr. HUNTER, Mr. SAM JOHNSON of Texas, Ms. FALLIN, Mr. WAMP, Mr. PITTS, Mrs. SCHMIDT, Mr. WESTMORELAND, and Mr. MCCLINTOCK):

H.R. 997. A bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution; 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 Mr. ROONEY:

H.R. 998. A bill to amend the Internal Revenue Code of 1986 to provide for the creation of disaster protection funds by property and casualty insurance companies for the payment of policyholders' claims arising from future catastrophic events; to the Committee on Ways and Means.

By Mr. ROSKAM (for himself and Mr. KIRK):

H.R. 999. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve food safety; to the Committee on Energy and Commerce.

By Mr. SALAZAR (for himself, Ms. MARKEY of Colorado, Mr. PERLMUTTER, Ms. DEGETTE, Mr. COFFMAN of Colorado, Mr. POLIS of Colorado, and Mr. LAMBORN):

H.R. 1000. A bill to provide environmental assistance to non-Federal interests in the State of Colorado; to the Committee on Transportation and Infrastructure.

By Mr. SHADEGG (for himself, Mr. FLAKE, and Mr. PASTOR of Arizona):

H.R. 1001. A bill to create a new nonimmigrant visa category for registered nurses, and for other purposes; to the Committee on the Judiciary.

By Mr. SHULER (for himself, Mr. BUTTERFIELD, Mr. COBLE, Mr. CONNOLLY of Virginia, Mr. ETHERIDGE, Mr. JONES, Mr. KISSELL, Mr. MCHENRY, Mr. MCINTYRE, Mrs. MYRICK, Mr. PRICE of North Carolina, Mr. MILLER of North Carolina, Mr. WATT, and Ms. FOXX):

H.R. 1002. A bill to adjust the boundaries of Pisgah National Forest in McDowell County, North Carolina; to the Committee on Agriculture.

By Mr. SMITH of New Jersey:

H.R. 1003. A bill to prohibit the closure of Fort Monmouth, New Jersey, notwithstanding the recommendations of the Defense Base Closure and Realignment Commission; to the Committee on Armed Services.

By Mr. SMITH of New Jersey:

H.R. 1004. A bill to amend title 38, United States Code, to provide an enhanced funding process to ensure an adequate level of funding for veterans health care programs of the Department of Veterans Affairs, to establish standards of access to care for veterans seeking health care from the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SMITH of New Jersey:

H.R. 1005. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to improve public notification and community relations concerning actions for the removal of environmental hazards; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, 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. STUPAK (for himself, Mr. TERRY, and Mr. PAULSEN):

H.R. 1006. A bill to require secondary metal recycling agents to keep records of their transactions in order to deter individuals and enterprises engaged in the theft and interstate sale of stolen secondary metal, and for other purposes; to the Committee on Energy and Commerce.

By Mr. THOMPSON of Mississippi (for himself, Mr. CHILDERS, and Mr. HARPER):

H.R. 1007. A bill to establish the Mississippi Delta National Heritage Area and the Mississippi Hills National Heritage Area, and for other purposes; to the Committee on Natural Resources.

By Mr. THOMPSON of Mississippi (for himself, Ms. LORETTA SANCHEZ of California, Mr. MCDERMOTT, Mr. CUELLAR, Mr. CARNEY, and Mr. CLEAVER):

H.R. 1008. A bill to reaffirm and clarify the authority of the Comptroller General to audit and evaluate the programs, activities, and financial transactions of the intelligence community, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DREIER (for himself, Mr. CONYERS, Mr. SMITH of Texas, Mr. SENSENBRENNER, and Mr. PIERLUISI):

H.J. Res. 21. A joint resolution proposing an amendment to the Constitution of the United States relative to the election of Senators; to the Committee on the Judiciary.

By Mr. GORDON of Tennessee:

H. Con. Res. 47. Concurrent resolution providing for an adjournment or recess of the two Houses; considered and agreed to.

By Ms. SCHAKOWSKY (for herself, Ms. BALDWIN, Mr. BISHOP of Georgia, Ms. BORDALLO, Mrs. CAPPS, Ms. CASTOR of Florida, Ms. DELAURO, Mr. HINCHEY, Mr. HODES, Ms. LEE of California, Ms. ZOE LOFGREN of California, Ms. MCCOLLUM, Mr. NADLER of New York, Mr. SCOTT of Virginia, Ms. SHEA-PORTER, Ms. SLAUGHTER, Mr. STARK, Ms. SUTTON, Mrs. NAPOLITANO, and Mr. MCGOVERN):

H. Con. Res. 48. Concurrent resolution expressing the sense of Congress that national health care reform should ensure that the health care needs of women and of all individuals in the United States are met; to the Committee on Energy and Commerce.

By Mr. KILDEE (for himself, Mr. UPTON, Mr. CONYERS, Mr. CAMP, Mr. LEVIN, Mr. EHLERS, Mr. STUPAK, Mr. HOEKSTRA, Ms. KILPATRICK of Michigan, Mr. ROGERS of Michigan, Mr. PETERS, Mrs. MILLER of Michigan, Mr. SCHAUER, and Mr. MCCOTTER):

H. Res. 154. A resolution honoring John D. Dingell for holding the record as the longest serving member of the House of Representatives; considered and agreed to.

By Mr. FILNER (for himself, Mr. BILBRAY, Mr. HONDA, Mr. ISSA, and Mr. SCOTT of Virginia):

H. Res. 155. A resolution recognizing Filipino American Heritage Month and celebrating the heritage and culture of Filipino Americans and their immense contributions to the Nation; to the Committee on Oversight and Government Reform.

By Mr. MCCOTTER (for himself and Ms. ROS-LEHTINEN):

H. Res. 156. A resolution supporting Charter 08 and the ideals of the Charter 08 movement; to the Committee on Foreign Affairs.

By Mr. HODES (for himself and Ms. SHEA-PORTER):

H. Res. 159. A resolution honoring the New Hampshire State Senate for becoming the 1st statewide legislative body with a majority of women in the United States; to the Committee on Oversight and Government Reform.

By Mr. KENNEDY (for himself, Mrs. BONO MACK, Mr. MCDERMOTT, Ms. BORDALLO, Mr. MCGOVERN, Mr. VAN HOLLEN, Ms. KAPTUR, Ms. BALDWIN, Mr. HONDA, Mr. CUMMINGS, Mrs. CHRISTENSEN, Mrs. NAPOLITANO, Mr. BACA, Mr. WEXLER, and Mr. STARK):

H. Res. 160. A resolution honoring Mental Health America (formerly known as the National Mental Health Association) on the 100th anniversary of its founding and for a century of significant contributions; to the Committee on Energy and Commerce.

By Mr. MACK:

H. Res. 161. A resolution expressing the sense of the House of Representatives regarding the need for free, democratic, transparent, and fair elections in the Bolivarian Republic of Venezuela without threats or intimidation; to the Committee on Foreign Affairs.

By Mr. RANGEL (for himself and Mr. CAMP):

H. Res. 162. A resolution providing amounts for the expenses of the Committee on Ways and Means in the One Hundred Eleventh Congress; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. LIPINSKI introduced a bill (H.R. 1009) for the relief of Corina de Chalup Turcinovic; which was referred 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. 22: Mr. WALZ, Mr. EDWARDS of Texas, Mr. PASTOR of Arizona, Mr. THOMPSON of Mississippi, Mr. ABERCROMBIE, Mr. SESTAK, Mr. LATHAM, Mr. KAGEN, Mr. BOREN, Mr. MASSA, Mr. KUCINICH, Mr. HOLDEN, Mr. BARTLETT, and Ms. ROS-LEHTINEN.

H.R. 31: Mr. BRADY of Pennsylvania, Mr. SCOTT of Virginia, Mr. SMITH of Washington, and Mr. MCDERMOTT.

H.R. 74: Mr. CALVERT.

H.R. 81: Mr. WITTMAN.

H.R. 104: Mr. FILNER.

H.R. 118: Mr. HOLT.

H.R. 131: Mrs. CAPITO, Mr. BUYER, Mr. BROUN of Georgia, Mr. DAVIS of Kentucky, Mr. JONES, Mr. KING of New York, and Mr. BACHUS.

H.R. 156: Mrs. BIGGERT.

H.R. 158: Mr. MCGOVERN.

H.R. 159: Mr. ROYCE.

H.R. 179: Mr. GEORGE MILLER of California and Mr. WEINER.

H.R. 182: Mr. KUCINICH and Mr. PAYNE.

H.R. 219: Mr. MORAN of Kansas.

H.R. 230: Ms. BERKLEY.

H.R. 272: Mr. CARNAHAN.

H.R. 273: Mr. WALZ.

H.R. 362: Mr. SALAZAR and Mr. OBERSTAR.

H.R. 503: Mr. FRANK of Massachusetts, Ms. ROS-LEHTINEN, Mr. ABERCROMBIE, and Ms. HIRONO.

H.R. 529: Mr. LINCOLN DIAZ-BALART of Florida and Mr. MARIO DIAZ-BALART of Florida.

H.R. 614: Mr. MANZULLO.

H.R. 622: Mr. ALEXANDER.

H.R. 630: Mr. MCCOTTER.

H.R. 634: Mr. LIPINSKI, Mr. SCHOCK, Mr. BARRETT of South Carolina, and Mr. PETRI.

H.R. 658: Mr. BLUMENAUER.

H.R. 676: Mr. HONDA, Mr. WEXLER, Mr. FATTAH, Mr. FILNER, Mr. BRADY of Pennsylvania, Ms. MOORE of Wisconsin, and Mr. ABERCROMBIE.

H.R. 697: Mr. FRANK of Massachusetts.

H.R. 716: Mr. NADLER of New York.

H.R. 721: Mr. GENE GREEN of Texas and Mr. PAUL.

H.R. 752: Mr. ROONEY.

H.R. 800: Mr. SOUDER.

H.R. 816: Mr. HALL of New York, Mr. BERRY, Mr. KENNEDY, Mr. WILSON of Ohio, Ms. BORDALLO, Ms. NORTON, Mr. BOUCHER, Ms. GIFFORDS, Mr. RODRIGUEZ, Mr. JOHNSON of Georgia, Mrs. Kirkpatrick of Arizona, Ms. SCHWARTZ, Mr. WITTMAN, Mr. BRADY of Pennsylvania, Mr. MICHAUD, Mr. ROGERS of Michigan, Mr. Adler of New Jersey, Mr. ORTIZ, Ms. WOOLSEY, Mr. GORDON of Tennessee, Mr. FRANK of Massachusetts, Mr. HOLT, Mr. FILNER, Mr. KAGEN, Mr. OBERSTAR, Mr. PASTOR of Arizona, and Mr. COURTNEY.

H.R. 826: Mr. MCINTYRE and Mr. BUTTERFIELD.

H.R. 857: Ms. WATERS, Ms. ZOE LOFGREN of California, and Mr. TONKO.

H.R. 867: Mr. MARSHALL.

H.R. 875: Mr. CARSON of Indiana and Ms. BERKLEY.

H.R. 893: Mr. ENGEL.

H.R. 897: Ms. GINNY BROWN-WAITE of Florida and Mr. SOUDER.

H.R. 900: Mr. NEUGEBAUER.

H.R. 930: Mr. SIRES.

H.R. 968: Mr. PAUL.

H.J. Res. 18: Mr. MURPHY of Connecticut, Mr. SMITH of Washington, Mr. SCHIFF, Ms. SHEA-PORTER, Mr. JOHNSON of Georgia, Ms. BERKLEY, Ms. PINGREE of Maine, Mr. THOMPSON of California, and Ms. WOOLSEY.

H. Con. Res. 36: Mr. STEARNS.

H. Con. Res. 40: Mr. LANCE, Mr. RUSH, Mr. BACA, Mr. Rooney, Mr. Adler of New Jersey, Mr. SALAZAR, Mr. PETERSON, Mr. STEARNS, and Mr. PERRIELLO.

H. Res. 22: Ms. PINGREE of Maine.

H. Res. 55: Mr. MCDERMOTT, Mr. LUCAS, Mr. WOLF, Mr. HINCHEY, Mr. CALVERT, Mr. BILBRAY, and Mr. RADANOVICH.

H. Res. 65: Ms. SUTTON, Mr. HARE, and Mr. BERMAN.

H. Res. 75: Mr. DREIER and Mr. LEVIN.

H. Res. 76: Mr. SMITH of Washington and Mr. COSTA.

H. Res. 101: Mr. PASTOR of Arizona, Mr. ROTHMAN of New Jersey, Mr. BISHOP of New York, and Ms. ROYBAL-ALLARD.

H. Res. 125: Mr. BOEHNER, Mr. BURGESS, Mr. DREIER, Mr. DUNCAN, Mr. GARRETT of New Jersey, Mr. HOLT, Mr. LOBIONDO, Mr. DANIEL E. LUNGREN of California, Mr. PENCE, Mrs. SCHMIDT, and Mr. STUPAK.

H. Res. 147: Mr. SENSENBRENNER.

H. Res. 153: Ms. HARMAN and Mr. HELLER.

PETITIONS, ETC.

Under clause 3 of rule XII,

15. The SPEAKER presented a petition of the New Orleans City Council, relative to Resolution (R-08-618) expressing its support of efforts toward passage of H.R. 4048: the Gulf Coast Civic Works Act; which was referred to the Committee on the Judiciary.

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PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, WEDNESDAY, FEBRUARY 11, 2009 No. 28

Senate

The Senate met at 10 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God of love, whose plan for history is to unite all things in You, bring unity to Capitol Hill. We do not ask for uniformity, with its leveling process that reduces everything and everybody to its lowest common denominator. We ask for true unity, with its bountiful diversity in which each person finds individual fulfillment in the community of love. Lord, give our Senators unity like the symphony with its variety of instruments, its many different notes which produce grand harmonies. May our lawmakers produce these melodies by seeking to understand before being understood, to console before being consoled, and to serve before being served.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 11, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The Senator from California is recognized.

THIS RECESSION

Mrs. BOXER. Madam President, I would like to take this time to bring us up-to-date on where we stand with this recession, nationally and in my home State, and also to alert the American people to something.

In 1993, when Bill Clinton got elected, this country was in a lot of trouble. We had terrible deficits—we had a terrible trade deficit, we had debt. President Clinton and the Democratic Congress came in, and we said we have to get our country back on track. The President put together a budget. I wish to remind people that budget did not get one Republican vote. I wish to read to you what Senator Lott, on August 6, 1993, said about that Clinton budget.

As we all know, that Clinton budget got us on the path of deficit reduction and an actual surplus in our fiscal year budget. It set us on the path of debt reduction. As a matter of fact, we were far along on that path. We expected to have no debt whatsoever. When George Bush got in office, the Republicans took over and the deficits soared and the debt soared.

I wish to read what Senator Lott said in 1993. Remember, it was a very similar situation in terms of a budgetary crisis, a fiscal crisis. When Bill Clinton's budget passed—and we helped him get it passed—we set off on a path of economic recovery that was unmatched. Listen to this. This is Senator Trent Lott, August 6, 1993, in opposition to the Democrats' economic plan:

> This is a pork alert: Pork alert. This bill is 1,800 pages. We will not know until next April 15, probably, all the stuff that's in here. Are we talking about a little money? . . . No, we are talking about big sums.

He says:

> So when you stand up and say Republicans have not been involved, let me assure you, we should have been involved. We would have liked to have been involved. But we would like to concentrate on spending cuts at first. And then talk about other things like economic growth incentive activities, that we would like to see considered in this process.

The Republicans who have been in charge for a very long time have been the party of ''no'': Do it my way or it is the highway. Only I can write the perfect bill.

I have said, and I say this respectfully to my friends, I could write a perfect bill—for me. I can assure you the people of California would like my bill better than the bill that is before us. Each of us can stand and write the perfect bill.

So we have a choice. We can allow this new President to have the opportunity to do what he said he would do during the campaign, which is to ensure that this National Government becomes part of the solution.

Believe me, I defend my Republican friends' right to say no, no, no. They have every right to do it. They have absolutely every right to do it. What I feel a little sad about is they feel they have to filibuster; each and every time

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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we have to get 60 votes—60 votes—60 votes—because they know very much it becomes a hardship. But that is what they are doing.

I ask unanimous consent to have this and another quote printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mrs. BOXER. In 1993, when they opposed the Democrats' economic plan, back then, that plan that set us off on economic recovery and economic prosperity, they said almost the same exact words: We are not involved, it is pork, it is this, it is that, it is a big bill. They held up the bill.

It is all the same. It is not the GOP; it is the SOP, the ''same old party.'' Right now we can't be the same old party.

Democrats can't be the same old party, Republicans can't be the same old party.

We need to join together. I hope more of my colleagues on the other side will join us. I thank the three who have, and I look forward to working with them as we move out into the future.

EXHIBIT 1

1993 QUOTES

Last, the American people should know unequivocally this plan does not reduce our long-term deficit. What I am suggesting is, if you like these taxes, wait around because the deficit starts back up in 1998 even with all of these taxes and more will be needed. And I ask where are we going to get the spending cuts and the money to bring it under control? My guess is more taxes year after year.—Senator Packwood August 6, 1993

This is a pork alert: Pork alert. This bill is 1,800 pages. We will not know until next April 15, probably, all the stuff that has been slid in here. Are we talking about, oh, just a little bit of money? A few million here and there? No; we are talking about big sums.

So when you stand up and say the Republicans have not been involved, let me assure you, we should have been involved. We would have liked to have been involved. But we would like to concentrate on spending cuts at first. And then we can talk about other things, like economic growth incentives, that we would like to see considered in this process.—Senator Lott August 6, 1993

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

THE STIMULUS

Mr. MCCONNELL. Madam President, yesterday the Senate cast one of the most expensive votes in history. We have heard a lot from our friends about the dangers of deficits over the last few years. Yet the Senate this week voted to spend more than $1.2 trillion, including interest, over the next 10 years. The projected annual budget deficit for this particular fiscal year is also $1.2 trillion. We are told, of course, this is just the beginning. We have known for weeks the Treasury Secretary is planning a financial rescue plan. We still don't know the cost. Apparently, the sticker shock would have been too much to take, 1 day after the Senate voted to spend $1.2 trillion on a stimulus—all of this on top of the $400 billion Omnibus appropriations bill we will soon vote on, which will bring discretionary spending for the Federal Government for the very first time to over $1 trillion this year.

Americans are wondering how we are going to pay for all of this. Judging by the market reaction to Secretary Geithner's announcement yesterday and the newspaper editorials this morning, it is clear everyone is looking for a little more detail. With that in mind, the importance of a thorough review of the administration's budget is all the more important, so we know the totality of what the administration is asking of taxpayers.

Any parent knows you don't buy a new car and plan the summer vacation before you set the family budget for the year. I think Americans would like to know exactly how the administration plans to pay for all these things in the context of all the normal annual spending.

In the 24 days Congress has been in session this year, Congressional Democrats have agreed to spend more than $50 billion a day. Americans know they have a limit on their spending. This week they are wondering what the Government's limit is.

ENERGY PRODUCTION

Mr. MCCONNELL. Madam President, our new Secretary of the Interior has weighed in on developing American oil and gas resources located on our Outer Continental Shelf. As the process moves forward, it is my hope he will be mindful that hindering the growth of responsible domestic energy production means hindering an increase of American jobs at a time when many people are out of work. It also means hindering America's dependence on foreign oil, which has a direct impact, of course, on the price of gasoline.

Last summer, Congress heard from Americans, and I heard from countless Kentuckians, demanding a balanced approach to our energy problem that includes boosting American energy production as well as conserving what we already have. I hope the Secretary of Interior will keep the views of the American people in mind as we go forward.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THIS RECESSION

Mr. DURBIN. Madam President, you know in your State of New York and I know in my State of Illinois what this recession really means. In December, the recession hit my home State of Illinois hard. We lost 1,200 jobs a day in the month of December—36,000 jobs. That is a hit that continues, I am afraid, in the month of January and maybe even in the early part of February. The overall unemployment rate for America is 7.6 percent. Madam President, 3.6 million jobs have been lost since the beginning of the recession several months ago. Clearly, that is the element which is driving our discussion now about what to do.

There are some on the other side of the aisle in Congress who argue that the best thing to do is nothing, let the economy solve its own problems. But, sadly, many of us are meeting the casualties of this recession, and many of us know them personally because they are in our families.

I talk to a lot of my friends who are struggling. It does not sound like much, you know, when they say: My hours have been cut back. A friend of mine, a lady who is raising three children, a single mom raising three kids, had her hours cut back. Her agency does counseling for drug addiction. So she is only working three-quarters of the regular time she was expecting. Well, as a result of that cutback in her pay, she could not pay her rent, and, sadly, she is now facing some of the hardest decisions of her life. So just a cutback in pay for many people who live on the margin makes all the difference. And then, of course, there are those who lost their jobs altogether. Many of those people find they stand the possibility of losing their homes. They cannot make the mortgage payments, and they are facing foreclosure. Their savings that have been devastated by the decline in the stock market have now become the only place to turn. They have had to make serious decisions.

I talked to groups of college presidents from Illinois who came to see me, and some of them, community colleges. The colleges and universities are struggling because a lot of students are sitting there saying: I cannot keep going to school. I mean, dad lost his job and mom is working, and I am a big drain on their savings at a time when they do not have it. So colleges and universities are scrambling all over the campus to try to get people to stay in school. They are afraid they are going to lose them. Community college representatives who came to visit me yesterday said, incidentally, their enrollment is up because a lot of the students say: I can no longer go to the expensive other school, so I am going to come back and do community college courses and try to keep up with it.

Lifestyles are changing. People are making decisions; some of them we hope will be temporary, some may not. That is what troubles me when we look

at the debate in Congress. There are so many people who, I am afraid, are removed from this. It really would do a lot of Senators some good to get in touch with the real world out there and what people are going through. We are somewhat insulated in the life we lead, and we have to overcome that because the people who are the casualties and victims here are the ones who should be remembered when it comes to these votes.

Now, President Obama inherited this. I am not going to dwell on the mistakes and miscalculations of the previous administration. That is a matter of record. There is no point in going into that. That was yesterday. We need to talk about today and tomorrow. What are we going do about this?

What the administration, what the President wants to do is to make sure we do not stand back as spectators and watch this collision that is occurring, destroying a lot of lives and a lot of people's hopes. So he came to us and said: We have to breathe some life into this economy. We think that this year in America, $1 trillion less will be spent on goods and services, $1 trillion taken out of the economy. What happens? Shops close. People are laid off if there is not economic activity. So what the President has said is: Let's infuse back into the economy government spending now to try to make up for that and to try to get us moving forward.

Now, I understand—and we all have to be honest about this—that the money we spend on this stimulus is money added to our Nation's debt. But failing to do anything and allowing this recession to continue to go downhill will increase our Nation's debt anyway and, of course, will add to a lot of suffering by families and businesses. So the President came forward and said: Let's focus on several things. First, let's provide tax relief to working families. They are struggling. They need a helping hand. Let's provide help in a safety net, a little more money for people who are unemployed, $25 a week. For anybody who thinks that is a huge amount of money, that is $100 a month for people unemployed. For most of us, that does not mean a lot; for people struggling to get by, it could be important.

Also, there is some help when it comes to continuing health insurance. That is one of the first things that happen when you lose a job—you lose your health insurance. The COBRA program allows you to turn to Government help for that, but it is darn expensive if you have to pay both the employee and employer share. So we are trying to provide a helping hand when it comes to the folks who have lost their health insurance, giving them a little bit of help so their families are not left defenseless to the next diagnosis or the next disease.

Then we add, for the poorest of the poor, those who are struggling the hardest, help with food stamps. You know, if you keep track in your own community, you are going to find that a lot of pantries and church-run efforts to help feed people have more folks showing up than ever. Even those who are working part time are struggling to put food on the table. So we provided additional help when it comes to this supplementary feeding program to help families who are struggling the hardest.

I have often used this statistic, but I still marvel at the fact that one out of eight people in the State of Michigan is on food stamps—one out of eight. It shows you what has happened to their economy, and, sadly, many of our States are following in terms of our own needs.

So we have the tax cuts for working families, we have this safety net, and the President has also asked us to put money into spending that will not only create jobs but make an investment in America's future.

Transportation is the obvious thing to turn to, but it goes beyond that. President Obama would like to see us put more money into building libraries, laboratories, and the classrooms of the 21st century, modernizing schools so they are energy efficient, reducing the cost of energy. That is a good investment for families, and it is a great investment for schools. The President wants money to go in, as well, to health technology so we start computerizing medical records across America. That is a first step in bringing medical care into the 21st century. With computerized records, doctors and nurses are less likely to make mistakes. They are more likely to have all the information they need before they make a diagnosis and suggest a treatment. It will reduce the cost of medical care and reduce the number of mistakes made, which is very important. That is money well spent.

The President focuses on energy. He is right to do so. We have to understand, as long as we are dependent on foreign nations for our major energy sources, we are at their mercy. We saw it happen when gasoline was over $4 a gallon, and it could happen again. We have to be thoughtful in the way we move forward in this economy, creating jobs but looking for more energy efficiency, more energy independence. That is part of the President's goal.

Yesterday, Secretary of the Treasury Mr. Geithner came forward with a plan dealing with banking institutions. It is a complex problem, and it is a multifaceted response. It tries to get at the heart of these banks that, sadly, have portfolios riddled with mortgages that have been overvalued. We have to get to the bottom line so the banks have solid balance sheets and the people have more confidence in them and, importantly, the credit being offered by these institutions starts coming forward so businesses, large and small, individuals buying homes or automobiles, have a chance.

It is a big agenda, and there are a lot of people on the other side of the aisle who say: We shouldn't do any of this. What are we doing this for? The economy will fix itself.

I disagree. The American people expect us to find solutions, do our best to come up with good-faith efforts to find solutions. They expect us to work together and not squabble, to try to find give-and-take that leads to a good solution. They want to make sure there is accountability. They are mad—I am too—that $350 billion was spent several months ago for the so-called TARP, and at the end of the day, a lot of people said: How much did they spend and what did it do?

That is taxpayer dollars. We have a responsibility to be transparent and be held accountable as part of that. They certainly expect us to do this on a timely basis. They don't want Congress chewing over this issue for weeks and months while the economy continues to decline.

Some have suggested: Are you saying this is going to work? Is this perfect? The answer is, no; I am not sure. But if we do nothing, I know what will happen. It is going to get progressively worse, where more people lose their jobs, more businesses fail, more families suffer, and we will see a spiral head downhill and continue not only in the United States but around the world. That is why what we are doing in the stimulus program is so important, that we get it done. As we speak, last-minute negotiations are underway for the stimulus bill. I hope we can get it done even today to send a clear message across the United States and maybe to the rest of the world, as they are paying attention, that we take it seriously. We are not going to buy into a Herbert Hoover mentality that everything will get well if we leave it alone. It is not going to happen.

This patient, the American economy, is in serious need of attention now. We need to apply the tourniquets to stop the bleeding. We need to make a good diagnosis and order the medicine and treatment that is essential. It has to be done in a timely fashion. I encourage my colleagues to come together. Fortunately for us, three Republicans stepped forward in the Senate and joined this effort. We could not have done it without them. We have listened to them. We have accepted their counsel. We have made changes and compromises. We have tried to work together. I invite even more to finally realize that just standing back and saying: No, I will not do a thing, isn't going to solve this problem. We are expected to work together.

We understand what led up to this; we don't want to dwell on the past. But we want to look forward to a new America that gets back on its feet using the spirit of this country to restore the economy and get us moving forward again.

Mrs. BOXER. Will my friend yield for a few questions?

Mr. DURBIN. I am happy to yield.

Mrs. BOXER. I was thinking the other day to when we had another difficult crisis of confidence in the economy in 1993, when Bill Clinton was elected and we had deficits as far as the eye could see and debt as far as the eye could see. Things were slowing. We were in difficulty. A new President came forward, Bill Clinton, and we had the Congress, the Democrats did. We passed a budget. We did it without one Republican vote. Thank goodness here we have three. We have the 60-vote supermajority Republicans are insisting upon. If you remember, it was Senator Bob Kerrey who had to think long and hard and decided to support that.

I wonder if my friend remembers because I just looked up some of the comments made by the Republicans. I read into the RECORD one of them by Trent Lott. He said: We have not been involved in this. This is going to be a disaster. This is awful. They said: No.

I wonder if my friend knows about the Clinton economic record: 23 million new jobs created during the 8 years of the Clinton Presidency; the largest surplus in history was left behind by President Clinton, over $230 billion; unemployment rates were the lowest in three decades; there was the lowest overall poverty and child poverty rate since the 1970s.

Does my friend remember that battle and how we Democrats had to do it all by ourselves?

Mr. DURBIN. I remember it well because I was serving in the House at the time. When we called the Clinton plan to try to reduce the deficit and invigorate the economy, we did not have a single Republican who supported us. When it came to the Senate, it passed because Vice President Gore cast the deciding vote so it could go forward. That is the reality. There were many skeptics. You mentioned Senator Lott. There were others who said: This isn't going to work. The best thing to do is nothing. Sadly, they were wrong. They should have known they were wrong. We ended up seeing a surge in economic growth, the likes of which we have not seen in modern times.

I think right now we are in a slightly different situation because we are not talking about a big economic surge. We need to stabilize the economy. That is the key. I am afraid many of the people who are criticizing President Obama's efforts are not in touch with what is going on at home.

I watched this morning, as I am sure the Senator from California did, as President Obama went to Ft. Myers, FL, and talked to two particular people. One was Henrietta Hughes, who said: I am living in my car. I am a homeless person. What I wouldn't give to have my own kitchen and bathroom. Can you help me?

Sadly, a lot of people are homeless today. The President reached out, embraced her, and said: We will do what we can. Someone in the community stepped forward.

Another fellow said: I have been at McDonald's for 4 years. McDonald's is a great Illinois corporation, but the fact is, he wants benefits. He wants improvement in wages. You see a lot of people struggling and falling behind. If we don't stabilize this economy, that group is going to grow—people losing their homes, people in jobs that don't even sustain them.

What we are doing is a leap of faith. We are saying: We believe in this President. We believe in this last election where the people said they wanted change. We are going to stick with this President and move forward. We hope some Republicans will join us this time.

Mrs. BOXER. I think my friend is so eloquent as usual. The point I am trying to make is, we faced a serious economic problem in 1993, when a Democratic President took over. You are right. Things are way worse, and it is a different circumstance. But the same thing happened then. We had Senate leadership, Senator Lott saying, on August 6, 1993: This is a pork alert, pork alert. It is 1,800 pages. We are talking about big sums. He said: We have to concentrate on spending cuts first.

They predicted gloom and doom. What happened was the greatest economic recovery in modern history because we took a chance. We followed the wisdom of many economists at the time. We know now that if the Republicans would just join with us, we can get this economy moving in the right direction. A trillion dollars has been taken out of the economy due to lost productivity. Who is going to put it back? The banks won't. We are the only ones who can put it back. It is not going to be a trillion. It is probably under $800 billion. But it is the way to go forward.

I agree with my friend. I am so glad President Obama is out there. Doesn't he agree—and this is my last question. Then I will do a presentation about what is happening in my State—that it is important for the President to get out there, not to a group of people who have been prescreened, who are all his admirers, but actually to get there with all these people who are troubled? They are worried. They have hope and faith, but they are scared. It gives him a reality check rather than listening to what goes on around here because I am afraid the GOP, the Grand Old Party, has turned into the same old party, the same old negativity we heard in 1993 when we had another Democratic President get us on the right road to an amazing recovery. It is sort of the same old thing.

I wonder how my friend feels about our President getting out among the people.

Mr. DURBIN. The Senator from California knows the President, before he was elected, was my colleague for 4 years in the Senate. Every Thursday morning at 8:30, then-Senator Obama and I would get together for a town meeting which we opened to people who came to Washington. Originally, it was for people from Illinois who came to Washington. Then when I saw the crowds growing with my colleague, Senator Obama, I suggested those who wish they were from Illinois or just those who want to see Barack Obama. We would have a huge room full of people. Many of them were fans and admirers. But I watched Senator Obama field questions then.

During the campaign I saw the same thing. This is risky business about which politicians are warned: Don't walk into that crowd that has not been prescreened because they are going to throw you curve balls. They will criticize you. It could get tough and out of hand. Be ready.

He is ready because he has been tested. He was tested as a Senator, certainly tested 2 years on the campaign trail. It is downright refreshing that he walks in and has somebody hold up their hand and he doesn't know what is coming. This could be a person who would never consider voting for him, a person who disagrees with him completely, and he is prepared to hear that. That is a refreshing change in American politics. I hope he sticks with it. I think he will.

The fact that he is going to communities that are suffering—whether it is Elkhart, IN, or Ft. Myers, FL—he is doing his best, as Presidents are generally isolated in the White House and away from most of the people, to get back in touch. I hope our colleagues will do the same, whether they go to New York or California or Illinois or Florida. Go out and talk to the folks.

In my hometown of Springfield, my wife came in Sunday and said: I was just driving down South Grand Avenue, and there was a young woman standing there with a sign saying: I am out of work. Can you help me feed my family?

This was in my hometown. That is an eye opener. There are people like that. But she was so desperate she stood out by the side of the road asking for help. That is happening.

We have to do something about it. The answer is not to ignore it. The answer is not to do nothing. The answer is to do our level best to find a solution so we can have our best efforts, working together to find a way, an accountable way, to get the economy moving again.

I yield the floor.

Mrs. BOXER. What is the order now?

The ACTING PRESIDENT pro tempore. The Senate is conducting morning business, and the Senator is authorized to speak for up to 10 minutes.

The Senator from California.

Mrs. BOXER. Madam President, I want to pick up on where I left off. This is the same old, same old fight again. I looked back for some more quotes on the Clinton economic plan which led to 23 million new jobs, the longest period of peacetime economic expansion in American history. I read what Senator Lott from the other side said about it.

Here are other Senators: We are going to pile up more debt. We are

going to cost jobs. That was Senator Conrad Burns.

What happened? We went into surplus, and we created 23 million new jobs.

ORRIN HATCH:

Make no mistake, these higher rates will cost jobs.

That was because there were some tax hikes on the wealthiest few. It went on and on.

This is Phil Gramm, the guru of the other side:

I want to predict here tonight that if we adopt this bill the American economy is going to get weaker and not stronger, the deficit four years from today will be higher than it is today and not lower. . . .

He was wrong. This is no longer an academic debate. The Republicans, in 1993, said the same things about the Clinton plan they are saying about the Obama plan.

Phil Gramm again:

I believe that hundreds of thousands of people are going to lose their jobs as a result of this program. I believe that Bill Clinton will be one of those people.

Well, Bill Clinton got reelected. Twenty-three million new jobs were created. He left behind the largest surplus in history. Unemployment rates were the lowest in three decades. We had the lowest overall poverty and child poverty rates since the 1970s.

CHARLES GRASSLEY, my colleague:

I really do not think it takes a rocket scientist to know this bill will cost jobs.

That is what he said of the Clinton plan that created 23 million new jobs.

Connie Mack from Florida, from the other side of the aisle:

This bill will cost America jobs, no doubt about it.

Senator William Roth, from the other side:

It will flatten the economy. I am concerned about what it will do to our families. . . .

Well, what did it do to our families? The Clinton plan, with the Democratic support, created 23 million new jobs, left behind the highest surplus in history, unemployment rates were the lowest in three decades, and we had the longest peacetime expansion of economic expansion in history.

Rick Santorum, from the other side of the aisle:

. . . bad policy. Let's do something that creates jobs that doesn't feed the monster of government.

It goes on and on, and later today I will read some more into the RECORD.

So as I was listening to the debate yesterday and the day before and the day before—it has been good—I had a sense of deja vu. I heard this before. I turned to my staff and I said: Can you go and find out what the Republicans said about Bill Clinton's economic plan that was so successful? We did not get one Republican vote. Thank God we are getting three Republican votes for this plan because they have set a 60-vote filibuster-proof vote. That is what we need, which is a shame, but that is the way it is.

So what I would like to do today, again, is make the point that Republicans and Democrats have a philosophical disagreement. They had it back in 1993. We tested who was right and who was wrong. We put in the Clinton plan. We got a great economic recovery. We got surpluses as far as the eye could see. We had the debt going totally down.

When the Republicans took over, the deficits soared, the debt doubled, and we have now on the backs of the American people—every man, woman, and child—$17,000 more in debt as a result of an open checkbook for Iraq and tax cuts to the millionaires and the billionaires who never needed it anyway. That is a fact. It has been proven. There is no debate over it.

I have what the Republicans said back then, and I know what happened to the economy. So if you are looking for past history to guide what we do today, it is time to step to the plate and support President Obama. He has learned from history. He has looked at what happened. He understands.

So I want to take us now to where we are in this recession: 3.6 million jobs lost since the beginning of the recession. I want people to think about 3,600,000 people. Think about your own community, how many people live in that community. Think about your own State, how many people live in that State. Think about what it means to have these many people unemployed, and think about what it means for their families, for their spouses, for their children, in the face of this. Doing nothing is not a passive act. It is a hostile act. It is a hostile act because doing nothing says: We like the status quo. We don't care about this. Let it just play out. I say that is unacceptable.

Now, we can look at what is happening month by month: almost 600,000 jobs lost in January; 524,000 in December; 533,000 in November. This is what is happening on the ground today.

The other day, I placed into the RECORD some of the layoffs that are going on in my State—everything from Macy's, to Starbucks, to little mom-and-pops, to big companies, to high-tech, all over California. We have 37 million people, and, as they say in California, when we get a cold, everybody else sneezes because we have such an impact. We would be about the seventh largest economy in the world.

This is another bad picture, I show you in the Chamber—unemployment rates rising: 6.7 percent in November; December, 7.2 percent; January, 7.6 percent. In my home State, it is now 9.3 percent unemployment. And there are some communities that have 15 percent unemployment. That is getting closer to a depression.

We have a problem, and we cannot afford stall tactics around here and 60-vote supermajorities. We cannot afford partisanship. We need cooperation because the longer we wait to put those dollars into our communities, the more job losses we are going to see.

Total unemployed Americans: 11.6 million. That is unemployed Americans at the time. Think about that. Think about your community. Think about your State. Think about what 11.6 million unemployed Americans means. There are 1.6 million unemployed Californians. The number of long-term unemployed—they have been looking and looking and cannot find work—is 2.6 million.

By the way, there are 7.8 million underemployed Americans, meaning people who get part-time work who want full-time work—so many people who have higher skills that are not being put to good use. Underemployment is a problem. It is a serious problem.

They say pictures speak a thousand words. I show you a picture of a homeless man in Bakersfield. My local officials in Bakersfield, CA, have noticed a rise in the number of homeless individuals. These are individuals without shelter. As shown in this picture, here is one hiding his face—hiding his face. It is a sad thing, and we are seeing more of it across our Nation.

Job seekers in search of employment at a Goodwill Industries career center in Los Angeles. A Los Angeles man who lost his job at a computer disposal facility was forced to place his children into foster care. Imagine all of us having to place our children into foster care because we could not find another job to support our family. He said: You've got to stay positive, but the economy is failing. I'll take anything.

He visited this Los Angeles Goodwill career center to learn about job opportunities.

The other day, I held up a picture from Florida where thousands of people came for 35 firefighter jobs, and they had to have the police come out, not that anyone was acting out, but they just needed order—for 35 firefighter jobs.

In Fresno, kids are having a good time, but where are they having a good time? In a pool at a home that has been foreclosed upon. They are creating backyard skateboard arenas. The skaters found the addresses of foreclosed homes on the Internet or through friends who work in real estate, and these young people came there to this foreclosed home. This home was once teeming with a family. Your home is your castle. It is a dream being lost.

If we do not pass this first leg of our economic recovery package, this will continue. Because it is one thing to lose your home because your interest rate got out of reach—that is a terrible thing—it is worse when you lose your home because you lost your job. So this is not a good picture.

This is an area in our State that was ready for development in the city of Rio Vista in eastern Solano County. The city of Rio Vista is nearing bankruptcy, its problems coming from plummeting property and sales taxes, a lack of funds coming from the State. The city has laid off employees. They have left open full-time positions. They

have frozen salaries. They have cut city programs. And they have closed city hall 1 day a week. This is a small city, and the reverberations are many.

The San Fernando Valley Career Center—this is a picture of a gentleman who is desperately looking for work. This is what he says: I don't have a single cent in my pocket.

He has been unemployed since September. He visited this career center to seek job opportunities. People are trying desperately to find work.

It is easy to stand up here and say: I don't like the bill. I don't like page 47. I don't like paragraph 2 and paragraph 8. The bottom line is, you can either have the perfect bill, no bill, or the compromise. Again, yesterday we passed the compromise, and we need to get this done.

This breaks my heart. I know all of us feel this way when we see our constituents who are hard workers, who cherish work, who want the pride of a job, having this circumstance.

There is a story from North Hollywood: a mother of five laid off in November 2007, spending hours each day looking for work. She said: This is the longest I've been unemployed. I feel stressed out. I have bills piling up.

So we are at the crossroads. President Obama is getting out to this country. He is going to places like this, where people are desperate. This is ''one nation under God, indivisible, with liberty and justice for all.'' We are not going to live up to that ideal if we do not act now.

My friends on the other side of the aisle, believe me, they had their turn. They had 8 years of their turn. They took a surplus, they turned it into deficit. They took debt that was on the way out and expanded it by double, laying on the backs of every man, woman, and child another $17,000 of debt. They had their chance. This is the worst economy we have seen since the Great Depression. They had their chance. They had an open checkbook for Iraq and they had an open checkbook for their very wealthy friends, and it did not work.

When we were in charge—we are not perfect, God knows, that is for sure—we got this economy back on track. We know what it takes. We have to stimulate this economy. That is the first leg. When it gets on its feet, we will wrap our hands around these deficits and get them under control. We will make sure our financial system has sensible regulation again so people have confidence in it. We know what we are doing.

It is true that the problems are vast, but this country did go through the Great Depression. And what did we see? When we put people to work, it restored their faith and confidence. When we mobilized for a war, we mobilized the productivity of people. We do not want to mobilize for war now, but we do want to mobilize for energy independence by turning to clean energy and creating technologies we can export. We know we have to take care of the housing crisis. We know we have to get ahead of it. We know we have to help people stay in their homes. This next tranche of the TARP funds that Timothy Geithner talked about—the money is already there—$50 billion will be used for that, and I hope even more. So we know what we are doing.

We are not standing up here with a plan that, as President Obama said, is plucked out of the air. It is not plucked out of the air. He spoke to economists—Democratic economists, Republican economists, and those all over the map—and the vast majority say we need to stimulate this economy, get money to the cities, get money to the counties, get money to the States, get money to the private sector, rebuild our physical infrastructure, our highways, our bridges. These are things we need to do anyway—these are things we need to do anyway. We need to get funds to law enforcement so we are not laying off police officers but hiring them. We need to get funds to our schools so we are not laying off teachers, but we are hiring them. We need to have tax breaks in here to encourage investments in alternative clean energy so we can make our government buildings energy efficient. These are all things that save money, create jobs, and we have to do them anyway.

So as President Obama has said, we didn't expect this kind of an economic crisis, but it is upon us. It is upon us. Listen to my friends on the other side and go back to 1993. They are saying the same things. They were the party of ''no'' then; they are the party of ''no'' now. No, no, no, no, no; don't do it. It is not going to work; it is going to hurt the economy; it will lead to a recession; it will increase the debt. All the things they are saying now they said then. They always have a reason to say no.

I wish to close by saying to the three Republican colleagues of mine who came forward: Thank you again. I have said it before. It takes courage. It is hard to go against the caucus you sit in every day. It is hard. I have had to do it on a couple of things. It is very unpleasant. I remember being 1 of 11 people who went a different way on one occasion on a gay rights issue. It was very hard. I remember being 1 of 23 who voted against the Iraq war. It was popular then. It was very hard. I remember voting against the Medicare prescription drug benefit because I thought it would lead to major problems with people getting kicked off their insurance when they needed their medicines the most. It also stopped Medicare from negotiating. It didn't allow them to negotiate for lower prices, and I felt the pharmaceutical companies were going to make a bundle and the people wouldn't get the benefits. I was in the minority. So I know how it feels to be in the minority. I know how it feels to vote differently than most of your colleagues. It is a lonely feeling. I say to those Republican friends on the other side: You are showing courage and you are showing wisdom. You are also showing you have learned from history, because you went back to the Clinton years where we didn't get one Republican vote for a bold economic plan. All the dire predictions turned out to be totally false.

We need to get back to those days of economic growth and expansion, but we can't do it until we move forward with this three-legged stool, this economic stimulus package to create jobs, jobs, jobs; the housing piece to address the terrible loss of confidence in housing, to help people stay in their homes and stop the slide; and, of course, the third piece of making sure our financial sector works once again, so that creditworthy people can step to the plate, go to the bank, and get a loan. It is very hard to do that.

I wish to point out one other piece of the package that is so important. The small businesses in our country will have some credit. This is very key. They will be able to go to the SBA and get this credit. So this is a package that is worthy of our support. It is far from perfect because, again, each of us could write the perfect bill, but that is not possible. Thank you to my Republican friends who have joined us.

I wish to say to the conferees: I understand the pressures they are under and I make a plea to them that within the confines of the numbers we sent over, I hope they can find the right path to take so that this bill coming out of conference is acceptable over here, we get the 60 votes, and we move forward. We have a lot of work to do.

Today I was on a TV show and it was so interesting because one of the experts on the show said, Well, wait a minute. You are talking about this economic stimulus. What about energy independence? What about health care? And he went on and on. What about exports? I thought after I got off the show: In 8 years we have developed all of these problems. We are not going to fix them in 24 hours. You have to have a list, as President Obama has, and tick them off one at a time, address these issues one at a time. The first issue is the stimulus. The second issue will be the financial sector, and then the housing sector. We are already talking about an energy bill that is going to come out pretty soon, which is going to be very exciting. These experts were saying we need a bold vision for America. I agree with them, but we can't fix what went wrong in 8 years in 24 hours. Give us a couple of months, at least, to get it on track and the effects of it will start being felt soon after that, but we can't do everything in 1 day.

So, yes, these experts are right. We have to do all of this, but we have to start at the beginning. The stimulus package is No. 1. We are almost there. When it comes back from conference, we will have another vote, and it will go to the President's desk, and then we will move forward with the rest of the economic recovery plan. I do believe in

my hearts of hearts—I have been around here a while—I do believe President Obama has learned from history. I do believe President Obama is a student of history, because if you are not a student of history you are going to repeat the mistakes of the past. I think he knows what works and I think he knows what doesn't work. So let's get behind him on this first initiative. Let's get it done. Then we will attack each and every problem, because there are many we have on our plate, but we will deal with them. I am confident—this is America—we will be stronger at the end of the day.

Thank you very much, Madam President. I yield the floor, and I note 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. TESTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. TESTER. Madam President, we have made some difficult decisions over the past few months. After years of failed policies that have dragged our economy into the ditch, we still have many more difficult decisions ahead.

The next big decision will be for Republicans and Democrats working together on a final version of the jobs bill. Now we have an opportunity to focus on a bill that will rebuild our economy from the ground up by putting Americans back to work right now.

The jobs bill we passed yesterday creates jobs—up to 4 million of them—and saves many more by investing in our roads, bridges, water systems, energy facilities, and our schools.

This is long-term infrastructure that will support our economy for generations to come. The jobs bill also invests in what matters—people. It invests in health care and an education, puts cops on the street.

Where I come from, we call things as we see them. The word ''stimulus'' is a Washington, DC, word that doesn't mean much in my book. That is why, from day one, I have called this the jobs bill because that is exactly what it is.

You are either for jobs or you are against jobs. Every day, we hear of layoffs by the tens of thousands.

Unemployment numbers are skyrocketing. Businesses—and even entire industries—are being forced to call it quits.

The national housing slump is taking its toll on Montana's timber industry. The Columbia Falls Aluminum Company is at risk of closing its doors after decades of being a major driver of the economy in Flathead Valley. The Stillwater Mine has laid off hundreds of its employees.

Montana's unemployment rate jumped from 4.9 percent in December to 5.4 percent last month. That is an increase, in 1 month, of a half percent.

The numbers are grim, and they are real. Now is the time for Congress to vote for jobs.

They say a picture is worth a thousand words. This picture is worth much more than that. It is a picture that I came across in the Whitefish Pilot the other day. It was taken by a guy named David Erickson.

The man in this picture is standing on a street corner in Whitefish, MT. He is holding a cardboard sign that says: Work needed. He is someone whom I represent in the Senate. He is one of the 950,000 Montanans whom I am proud to call my boss. His story is a story of millions of Americans right now—millions of Americans who either don't have a job or who went to work today wondering if it will be the last day on the job.

Millions of Americans are wondering how they are going to be able to continue to put food on the table for their families or pay their mortgage or pay for medicine or pay for childcare.

We are not talking about a few folks who drew a short stick. We are talking about millions of Americans who are in the same boat as this guy in the picture—folks who are paying a tough price for the failed economic policies of the past.

Some DC politicians say we don't need to pass a jobs bill because the current recession is only temporary. I ask you to tell that to the guy standing on the street in Whitefish, MT, or to the unemployed woman who wrote me to say she is willing to sweep the streets with a broom if we will give her a job.

These are proud folks. They don't want unemployment checks; they want paychecks. Right now, work is needed. That is the task ahead for my friends in the House and Senate who are working on the final version of the jobs bill.

We need jobs, jobs, and more jobs. We don't need politics as usual. Now is not the time for Congress to be against jobs. It is the time for Congress to work together to put folks back to work by investing in America.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASEY). Without objection, it is so ordered.

Ms. STABENOW. Mr. President, I ask unanimous consent under morning business to use such time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

STIMULUS PACKAGE

Ms. STABENOW. Mr. President, we have an opportunity in the next day or two to do something extremely significant to create jobs in this country, to help rebuild the middle class of this country, and to help rebuild confidence in the economy and to turn things around in America. I am anxious to do that, and I know our leadership is working very hard at this moment.

I thank Senator REID and everyone involved in this effort, the Speaker, and I thank our colleagues who have worked across the aisle with us to be able to address what is the most serious economic crisis certainly since the Great Depression. We have seen numbers of jobs lost that only rival back to 1945.

In the morning I had the opportunity to chair a meeting with business leaders from around the country in every part of the economy, from retail sales to restaurants to manufacturing to homebuilders, realtors, the health care industry and information technology. One thing came through loudly and clearly.

First, they are optimistic about America. They want to say we can get through this. But there is a sense that we have to move boldly and we have to get something done to turn things around. That is what this economic recovery package is all about.

We know the numbers. Certainly I know the numbers in Michigan. My constituents, the families of Michigan, understand the numbers of what has been happening to people in my State and across the country. But we have seen since December of 2007 over 3.6 million jobs lost.

It is my understanding now we have more people looking for work than there are available jobs. As a result of policies, of actions and inaction in the last 8 years, we now see over 11.7 million workers without a job. They want to work. People want to work. They work hard. People in my State right now are working hard if they are working. They may be working one job, two jobs, three part-time jobs to try to hold it together. But they want to work. We have seen the set of economic policies and inaction for too long that has created this horrible economic tsunami for too many people in this country.

In my home State, unemployment is 10.6 percent, the highest in 25 years. That is only the people we count. It does not count the people who have been unemployed so long that they are no longer involved in the numbers.

The people of Michigan want to work. They want jobs. They want to be able to pay their house payment, be able to put food on the table, be able to have their small business be successful, be able to manufacture and make things in Michigan for this country and be a part of a vibrant middle class, which has been so wonderful about our country. That is what this economic recovery package is all about. We don't want to see these numbers, 3.6 million lost jobs.

This is a picture from Miami. It is a little bit warmer in Miami than it is in

my State at the moment, although they cannot snow ski. That is something we encourage people to do. I know in your home State of Pennsylvania as well, it is a little bit colder. We are enjoying the wonderful north at the moment. But this is serious. On this picture you could take off Miami and put Michigan and it would be the same. This is a picture of a thousand people who lined up for 35 firefighting jobs in Miami. First, this recovery package will help keep those firefighters on duty. It will help keep police officers on duty. It will help keep teachers in our classrooms. It is critically important that that part of the package be passed.

But when you look at a thousand people—and we have seen thousands of people show up in lines around block after block for jobs—this is not about them wanting to work. It is about whether we are going to have economic policies that create jobs both in the short run and in the long run. I do not want to see any more of these pictures than I absolutely have to—Americans who are standing in line waiting to try to get one of a handful of jobs available.

This is about creating jobs in America. That is what this is about. We want to turn those numbers around. We know there is no silver bullet. Believe me, I don't think there is anybody here who wishes more there was a silver bullet because I would take it, I don't care whose idea it was. We don't have a silver bullet. But we do know from talking to smart people, economists, from conservative economists to liberal economists to everything in between, we do know there are things that will make a big difference. In fact, those same economists were telling us that those things would make a difference last year and the year before and the year before. Unfortunately, there were not the votes, the support to be able to do those things.

Now it has changed. We have a different leader in the White House. We have different Members of the Senate who now agree with the majority of the economists in the country about what should be done to be able to move us forward; what should be done on jobs, and housing, and critical investments to be able to get the economy going again.

I am very proud of the fact that we have in front of us a plan that is part of a three-legged stool. We have Secretary Geithner, who was testifying yesterday in the Banking Committee. Today he is in the Budget Committee, which I am on, talking about two other critical pieces. Housing, how do we get housing going again? How do we stimulate the housing markets? How do we create a bottom in this economic freefall so we can get investments going again and people can stay in their home or buy a new home. Second, he is talking about how do we get credit flowing again, so we are not only giving money to banks but they are loaning the money so that small businesses can get the credit they need, so that the manufacturers, large and small, in my State can get the credit they need to be able to operate, to be able to make parts, to be able to do business. We also know it is critically important that people be able to buy a car.

The two biggest investments most people will make are their home and their automobile. We in Michigan would like them to buy a lot of automobiles, made in Michigan, by the way.

The reality is we have seen credit shrink and dry up in a way that has caused incredible damage to the economy. So there are three pieces—two of those Treasury is tackling through existing dollars—that is incredibly important—and the third one is what we are doing in terms of creating jobs. The bottom line is not about just creating jobs; it is about rebuilding the middle class of this country. Every other country looks at us with envy because of this great economic engine, this great quality of life engine called the middle class of America. That is what we are investing in for the future. The people of this country who have not seen any kind of assistance through trickledown economics over the last 8 years, people who said, hey, how about us? How about my job? What you are doing is just talking about a few people. How about the majority of people?

This economic recovery package is for the majority of Americans. I am very pleased to see that we basically have, in this American Recovery and Reinvestment Act, three goals. One is the focus on creating or saving up to 4 million jobs. Believe me, I know you share that we want that to be 4 and 5 and 6 million and we are not going to stop just because we pass this recovery package. But this is a critical investment in jobs.

We want to make sure there are tax cuts for families, middle-class families. Let's put money in the pockets of the middle class for a change, rather than only those at the top, in terms of wealth. And we want to invest in America's future. That is what we are all about.

I am very proud that there is an emphasis on the new green economy which does all of these things at once. We are here talking about investments in new technologies that can be built in America. I know colleagues probably get tired of me saying it, but it is not enough to invest in research and development or to be able to provide incentives for using alternative energy—wind or solar or buying electric vehicles. We want to build them in America. Mr. President, 70 percent of the jobs in the stimulus in wind energy are in manufacturing wind turbines. There are 8,000 different parts in a wind turbine. I can assure you we can make every single one of those in Michigan and the ones we can't, we will outsource to Pennsylvania.

The reality is we can build the wind turbine. We can build the solar panel. A third of all of the polysilicon materials used in solar panels are actually created in Michigan through Dow-Corning. Unfortunately, too much of that is shipped out to other countries. They build the solar panel, it comes back and it is used. We have incentives in this package that will help make sure they are built here—a new 30-percent manufactured tax credit for alternative energy.

We are not competing with low-wage countries on these issues. We are competing with countries such as Germany. That is not exactly a low-wage or low-cost country but a country that has a specific manufacturing strategy and tax incentives. This proposal does that. It invests in a number of different alternative energies and focuses not only on research and development, on producing the energy, but also on making sure that we are putting an emphasis on manufacturing.

We also here have a strategy for moving to plug-in electric vehicles that are so important for our future—first, by investing in advanced battery technology, research, and again manufacturing; investments for those to be done here.

I was very excited when we saw Ford developed the first Ford Escape hybrid SUV, the first plug-in hybrid SUV. It was great, done in America, actually being built in Missouri. But the battery had to come from Japan. We don't make the battery here. Japan has invested hundreds of millions of dollars in creating the battery technology to get there first in the competition for the next generation of vehicles.

South Korea, Germany, China, and even India have put together a manufacturing strategy to focus on these things. This recovery plan does that for the first time. It puts America back on track with investments in battery technology development and manufacturing. Secondly, it does something critically important—and I wish to thank Senator CANTWELL for her leadership and I am proud to work with her in the effort to create expensing tax incentives for manufacturing of electric vehicles, manufacturing incentives not only for those currently making a profit and for startups and those not making a profit at this time. That is critically important for you to have the research in the battery development, incentives for manufacturing the vehicles, and then we also have consumer tax credits for purchasing vehicles.

We know that when you first create a new product, whether it is your BlackBerry or your iPhone, your computer, whatever it is, it is far more expensive in the beginning. If you sell a large volume, the price comes down. So at the beginning we know consumer credits are very important to help with that initial cost. There are credits of up to $7,500 for purchasing a vehicle, the kind of vehicle we want for the future. In this package, we raise the total on the number of vehicles that would qualify for that credit.

I wish to thank President Obama and his team for advocating for the Federal Government to be part of creating a market by making a commitment to purchase vehicles for the Federal Government. We purchase a lot of cars and trucks. We can help create that market not only for building the vehicles but to bring the price down to consumers by creating a larger market. That is in here as well.

There is also a major focus on what has been called the smart grid, to make sure we have the electric capacity. I am told today, if every one of us had a plug-in electric vehicle and plugged it in, the lights would go out. We would be in trouble. We do not have the capacity. So we are focusing on that as well.

Senator CANTWELL's amendment focuses on what is called smart meters in homes. Again, we are talking about a strategy that, frankly, I am very excited about because it is focused on jobs and developing those technologies and it is focusing on the future.

Frankly, it is focusing on the ability for us to get off foreign oil. The last thing we want, and the way we have been headed, is to exchange dependence on foreign oil for dependence on foreign technology. This recovery package says, you know what, that does not make any sense. Let's create jobs and, at the same time, be working toward getting us off foreign oil, making sure we can keep the vehicle production in this country because we certainly do not want to be asking other countries for their tanks or their trucks or other vehicles. So it is a national security issue.

But let's do this in a way that makes sense in terms of a total strategy. So in this recovery plan we do a number of things for green technology. But there is a strategy, a plan, job training being another critical part of the plan. That is in here as well.

We also know we can immediately create jobs rebuilding America. Some folks will criticize that somehow the spending on jobs for roads and bridges, water and sewer systems and other projects does not make sense. It makes a lot of sense. We have about 25 percent of the bridges in this country that are viewed as structurally unsafe. We need to be about the business of giving a facelift to America. For those who are in our middle years now, we understand that. The truth is we have not been investing in American infrastructure. We have not been investing in roads, bridges, water and sewer.

Guess what. There is a new kind of infrastructure. It is called the Internet. I want the small businesses in Michigan to have access to high-speed Internet so they can do business around the world and stay in Michigan. The capacity to do that is helped in this bill.

We also make sure hospitals can have access to technology so they not only make sure they are providing complete information in the care of someone but they are cutting costs. We are talking about not only traditional infrastructure and water and sewer and roads and bridges and public transportation, which is critically important, but we are also talking about looking to the future—as our President has said, not looking back but looking to the future.

Part of what is in the future, as well, is investing in key portions related to education, related to access to college. That is here as well, all of which keeps people working and creates opportunities. When you help a family afford to send their kids to college, they are not then trying to figure out, since home equity loans are hard to come by now, how in the world they are going to juggle and be able to make the house payment and be able to send the kids to college.

So this is all part of the picture in terms of stimulus. I would suggest this is critically important and long overdue.

We also have a focus in here on those who have been caught up in this economic tsunami, those who have been hurt. I can certainly speak for Michigan because it has been multiple years, not 1 year, not 2 years, that we have seen job loss.

In this package, we also make sure individuals and businesses that are hit the hardest receive assistance. We make sure we extend unemployment compensation—in the hardest hit States, up to 33 weeks for an individual. We provided extra help in putting food on the table, to be able to keep health care.

It is great to have COBRA. If you have health insurance through your employer, then you go on unemployment and the COBRA payment can cost almost your entire unemployment check to be able to keep health care for your family. So we provide help for families, while they are going through a transition to get new employment.

We also—this is very important to Michigan and I know to the Presiding Officer's State as well—make sure we have in place support for workers who have lost their jobs because of unfair trade practices and make sure job training, health care, and other assistance is available as well.

We also know many people who, through no fault of their own, are finding themselves with no health care and needing to go to Medicaid. For individuals without health care, States are being hit very hard. There were 25,000 new individuals in December in Michigan who signed up to get health care assistance. This will help with that as well.

Families in America are hurting. This package recognizes that and supports them and, frankly, according to every economist, creates a huge stimulus to the economy as we are doing that. It makes sense that when someone is out of work and they receive a little bit more money in their pocket, they are going to spend it. They do not have the opportunity to save it. They are going to have to spend it to be able to pay the mortgage, the rent, to be able to pay for food. We have heard this from economists, we have heard it actually for several years now. We have been hearing from economists that the quickest way to stimulate the economy, to get money in the economy, is to extend unemployment benefits, to help with food assistance because the people are going to go to the grocery store, they are going to buy the food. The grocers are going to be able to turn around and purchase food supply from vendors and then the ripple is very large. So we did that because it is both a stimulus and it is also the moral thing to do, the right thing to do, when people in America are hurting.

We know, again, there are more people out of work than there are jobs available. We have, I believe, a moral obligation to pay attention and do what we can to help while families get back on their feet.

There are many parts of this bill, but another important part for families is in the ability to put money in their pockets, in terms of middle-class tax cuts, child tax cuts for families, and to be able to make sure any tax relief is targeted to those first who have not received much of a tax cut in a long time. But, secondly, there are those in the middle class who most need to have money in their pockets and those working hard to get into the middle class who most need money in their pockets as well. We make sure we also focus on helping our veterans and seniors put money into their pockets. Again, we know this will help stimulate the economy.

Overall, I am here to say this package needs to get done. It needs to get done as quickly as possible. It needs to get done by tomorrow or by Friday. I hope we will not see more filibustering going on and more delays.

I hope we will come together. No one says anything we pass is perfect. We do the best we can. In this case, I have to say this is something economists have said will work. We know we need the jobs. We know families need help. We know what we need to do for investments in the future. We know what we need to do to support small businesses, what we need to do to be able to support manufacturing, to keep jobs in America.

This is not rocket science. We know what needs to be done. This package addresses that. This is about creating jobs in America. That is fundamentally what this is about. We have gone for too long, we have lost over 4 million manufacturing jobs, good-paying, middle-class jobs in America in the last 8 years. We have over 11 million people out of work today. Now is the time. Now is the time for us to help the people of America get back to work.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. HAGAN.) The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LAS VEGAS TOURISM

Mr. REID. Madam President, during the Presidential campaign, candidate Barack Obama came to Nevada 20 times. Most of those visits were to Las Vegas. It is a place he and I have spoken about lots of times. His staff who came with him loved Las Vegas. I want everyone to understand that when President Obama, at his press conference Monday night, said there was a need for an economic recovery plan, he was very serious about that, and he meant it.

During the question-and-answer period, the President made remarks concerning trips to Las Vegas by financial services companies and their employees. I have spoken at length with President Obama's Chief of Staff Rahm Emanuel. I will speak to the President when I have that opportunity. Mr. Emanuel made it clear to me—and I know this is the case—that President Obama's criticism was aimed at the potential use of taxpayer funds for junkets.

Now, we gave a lot of money to these banks, and they shouldn't be taking junkets with any of that money, whether they go to Las Vegas, Los Angeles, Salt Lake City, New York City, or anyplace else. That was the point President Obama was making.

We all know Las Vegas is a premier destination source of the world, and people look upon it as a good place to go for a little timeout. I repeat, during the campaign President Obama was in Nevada 20 times. In fact, he just accepted my invitation to visit again this spring, early summer for the first time as our President.

Nevada has lots of hotel rooms, but Las Vegas has more than 140,000—far more than any other place in the world. We have millions of feet of visiting space. The largest convention center in the world is in Las Vegas.

As all Americans spend less as a result of our economic crisis, it is important to note that Las Vegas, with an average daily hotel rate of only $119, is one of America's most affordable cities to visit. It is one reason nearly 6 million people came to Las Vegas to attend more than 20,000 meetings and conventions last year.

President Obama and I agree that every penny of taxpayer funds should be protected. We also agree Las Vegas is one of America's greatest destinations for tourists, families, and businesses.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

STIMULUS PACKAGE

Mr. GRASSLEY. Madam President, earlier today the junior Senator from California was discussing President Clinton's 1993 tax hike bill that broke his campaign promise to cut taxes on those making $200,000 or less and instead raised taxes on those making more than $20,000 a year. The junior Senator from California said this morning:

> Charles Grassley: I do not think it takes a rocket scientist to know that this bill will cost jobs. That is what he said of the Clinton plan that created 23 million jobs.

That is the end of the quote of what this Senator said. It is an accurate quote, but I want to make sure there is a context.

I made that statement about the 1993 Clinton tax hike bill on seniors and the vast majority of other Americans. The junior Senator from California is saying that one tax hike bill in 1993 is solely responsible for the creation of 23 million jobs between 1993 and the year 2000 and, in a sense, we should ignore all other economic events, including the work of the Republican Congress, free-trade legislation, and many other factors that actually caused the job creation during that period. Other than being simply wrong, it revises fiscal history. I felt the need to respond to those remarks because the junior Senator from California called me out by name on the Senate floor.

I gave a speech on the Senate floor just yesterday that clearly rebuts her mistaken assertion that the Clinton 1993 tax hike bill was the cause of 23 million jobs. Perhaps she was involved in partisan negotiations on the stimulus bill instead of watching my speech at that time.

I will note that as one of five Senate conferees on the stimulus bill, I have been excluded from participating in conference negotiations and instead will only be invited to a photo op today scheduled at 3 p.m. which the Democrats are referring to as the one conference meeting that is required under the rules. DAVE CAMP, the only other Republican tax writer who is a conferee, has also been excluded from conference negotiations.

There will not be any negotiations, give or take, or compromise at that meeting; it will simply be to ratify a deal that Democrats and three Republicans out of 219 Republicans in the entire Congress have agreed to. In fact, there were more Democrats—11 in the House of Representatives—who voted against the stimulus package than there were the three Republicans who voted for it. This bill was handed over to the House Democratic leadership to write, and they wrote a bill that was loaded down with a lot of unnecessary—well, I shouldn't say unnecessary spending; I should say spending that goes way beyond the 2-year window of stimulus; a window that Dr. Summers, the President's economic adviser, said ought to be timely, temporary, and targeted. That is 2 years, that is not forever.

So this bill is not stimulative, then, or goes way beyond being stimulative, and it tended to include items that reward Democratic supporters such as unions and environmental groups. It has an enormous bailout of States that overspent their budgets and a lot of spending that belongs in an appropriations bill but which has no place in a stimulus bill. Less than 34 percent of the Senate bill was tax relief, according to the Congressional Budget Office, which is the official scorekeeper on that matter. Less than 1 percent of the Senate bill was tax relief for small business, and small businesses are the engine for job growth in our economy, creating three-fourths of new jobs in our economy.

Since the junior Senator from California clearly did not hear my speech from yesterday, I wish to go over some of the key items she has overlooked. Two days ago, and again this morning, there was a lot of revision or perhaps editing of recent budget history. Our President alluded to it. I agree with the President there is a lot of revisionism in the debate. The revisionist history basically boils down to two conclusions: that all of the so-called good fiscal history of the 1990s was derived from a partisan tax increase of 1993; and No. 2, that all of the bad fiscal history of this decade to date is attributable to bipartisan tax relief plans earlier this decade.

Now, not surprisingly, nearly all of the revisionists who spoke generally oppose tax relief and support tax increases. The same crew generally support spending increases and oppose spending cuts. In the debate so far, 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. All of this occurs—all of it occurs—in an environment where the automatic economic stabilizers are kicking in to help the most unfortunate in America with unemployment insurance, food stamps, and other benefits—things that are part of the social fabric of America that are meant to take care of people in need, and particularly right now when we are in a recession, they automatically trigger in to higher levels of spending. That antirecessionary spending, together with lower tax receipts and 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, not a pretty fiscal picture. 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.

If a Member votes for this bill, that Member puts us on the path to a bigger role for the Government, but supporters of this bill need to own up to

the fiscal course they are charting. That is where the revisionist history comes from. It is a strategy to divert, through a twisted blame game, from the facts before us. One can ask: How is this history revisionist? So I would take each conclusion one by one.

The first conclusion is that all of the good fiscal history was derived from the 1993 tax increase. To knock down this assertion, all you have to do is take a look at this chart—not a chart produced by the Senator from Iowa but a chart produced from data from the Clinton administration, and it is right here. It is the same chart I had up a couple of days ago. The much ballyhooed partisan 1993 tax increase accounts for 13 percent—you can say 13 percent or you can say just 13 percent, and I prefer the latter—just 13 percent of the deficit reduction through the decade of the 1990s.

The biggest source of deficit reduction, 35 percent, came from, as you can see, cuts in defense spending. Of course, that fiscal benefit originated from President Reagan's stare-down of the Communist regime in Russia before 1989, and we didn't have to spend as much on defense because the Cold War was—well, there wasn't a Cold War, I suppose you could say. The same folks on that side who opposed President Reagan's defense buildup take credit for the fiscal benefit of a peace dividend.

The next biggest source of deficit reduction, 32 percent, is other revenue. It came from various sources. Basically, this was the fiscal benefit from progrowth policies, such as the bipartisan capital gains tax cut of 1997, and the free-trade agreements President Clinton, with Republican votes, established.

The savings from the policies I have pointed out translated into interest savings. So you get the 15 percent that is from interest savings.

Now, for all the chest-thumping about the 1990s, these chest thumpers who push for big social spending didn't bring much to the deficit reduction table of the 1990s. That contribution was the 5 percent you see up there.

What is more, the 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 the Republicans controlled the Congress for that period, where the deficit came down and turned to surplus. They tend to forget they fought the principle of a balanced budget that was the centerpiece of our policy at that time, the Republican Party's policy.

Remember the Government shutdown in late 1995?

They ought to remember that. Remember what it was 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 year-end battles were all 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 the real fiscal history of the 1990s.

Let's turn to the other conclusion of the revisionist fiscal historians. That conclusion is that, in this decade, all fiscal problems are attributable to the widespread tax relief enacted in 2001—which was a bipartisan bill—2003, 2004, and 2006.

In 2001, President Bush came into office and inherited an economy that was careening downhill. Investment started to go flat in 2000—you know, the NASDAQ bubble that lost 50 percent of its value. In February 2000, we started down the road of more than 40 months of downturn in the manufacturing index. Then we had the economic shocks that related from the 9/11 terrorist attacks and then you can add in the corporate scandals to that economic environment.

It is true, as fiscal year 2001 came to a close, the projected surplus turned to a deficit, and we have a chart that shows the start of this decade's fiscal history.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GRASSLEY. Is it possible to get 3 more minutes?

Mr. BROWN. Madam President, if the Senator would like an additional 5 minutes, that is OK with me.

Mr. GRASSLEY. I appreciate that. I have to get out of here at that time anyway. I have a radio program I have to do.

The PRESIDING OFFICER. The Senator is recognized for 5 additional minutes.

Mr. GRASSLEY. Madam President, we have the chart that you have seen before, and nobody has disputed the chart. Maybe you can dispute the interpretations of it, but these are figures you can rely upon.

If my comments were meant to be partisan shots, I could say this favorable fiscal path from 2003 to 2007 was the only period, aside from 6 months in 2001, where Republicans controlled the White House and the Congress. But unlike the fiscal history revisionists, I am not trying to make any partisan points; I am trying to give you the fiscal facts.

We have another chart that compares tax receipts for the 4 years after the much ballyhooed 1993 tax increase and the 4-year period after the 2003 tax cut.

On a year-by-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. That trend, though, reversed as both policies moved along in years. You can see from the chart how the extra revenue went up over time relative to the flat line of the 1993 tax increase, which ought to make it very clear that you don't necessarily bring in more revenue because you increase taxes, and you can decrease taxes, stimulate the economy, encourage business activity, encourage investment, and bring in more revenue.

The progrowth tax and trade policies of the 1990s, along with the ''peace dividend'' had a lot more to do with deficit reduction in the 1990s than the 1993 tax increase, which was only 13 percent of deficit reduction. In this decade, deficits went down after tax relief plans were put in full effect.

That is the past. We need to make sure we understand it. But what is most important is the future. In fact, the last election, based upon President Obama's very own statements, was about the future, not about the past. So we should not be talking about the past. People in our States sent us here to deal with future policy. They don't send us here to flog one another similar to partisan cartoon cutout characters over past policies. They don't send us here to endlessly point fingers of blame. Now let's focus on the fiscal consequences on the bill in front of us. That is what this vote, before we end this week, is all about.

President Obama rightly focused us on the future with his eloquence during the campaign. I would like to take a—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.

President Obama was right.

We need a President, and I would add Congressmen and Senators, who can face 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.

It is not too late to do a clean stimulus bill, which is what the American people want and need. There is a way to reach a real bipartisan compromise, not just picking off a few Senators that frequently vote with the Democrats. We can have a significant amount of infrastructure spending for roads and bridges. Even though some on our side of the aisle have issues with the making work pay credit, we could take that and expand it to cover all those making up to $250,000—which is the level that President Obama and his surrogates said during the campaign that he wants to cut taxes for people. Instead, the making work pay credit phases out starting at $70,000 for individual workers. So we are saying a large part of the middle class by President Obama's definition won't get the tax cut. In fact, the ''we give a tax cut to 95 percent of working families'' number that has been bandied about is wrong. According to the Joint Committee on

Taxation, 87 percent of workers qualify for some or all of the credit, and even less get all of the credit. So there is a way forward. It is a clean stimulus bill. All the Democratic agenda items and spending items that should go in the appropriations bill can get done in regular order. The Democrats have the votes. They don't need to push that agenda on the American people and dig a deficit ditch an additional $1.2 trillion deeper with this bill, when interest on the bill is considered. They have the votes to push their agenda later in the year. For now, let's give the American people what they want, a clean stimulus bill, and not scare them into thinking that the Democratic agenda needs to be pushed in the stimulus bill. It is reminiscent of that famous chicken—Chicken Little, who said ''The Sky is Falling.'' Let's do a clean stimulus bill instead.

I think this clears up the record. I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. BROWN. Madam President, I was glad to yield the additional 5 minutes to my friend from Iowa. Senator GRASSLEY has always been, as far as I could see, bipartisan in my 2 years in the Senate. I thank him for that. I often don't agree with his reasoning, but I always agree with his motive. I wish to make a couple comments—and I know he has to leave and that is fine. I wish to make some comments on his comments, and then I will talk more precisely and directly about this stimulus package that we are convinced will create millions of jobs for our economy and our country.

I was joined in a press conference today by the President of the National Association of Manufacturers, a group that rarely supports me in my campaign and rarely supports the Presiding Officer in hers, as it is a group that simply doesn't agree with us. The National Association of Manufacturers thinks this stimulus package is just right. They like the spending part, the tax cuts part; they think it is the right mix. They were resounding in their support today. Also joining Senator JACK REED and me was the president of the National Association of Realtors.

There are a lot of very important economic organizations and business groups that are supportive of this legislation. I am sorry it has become so partisan to the Republicans and that only three of them could see their way to support a bill that has gotten huge bipartisan and business support and labor support around the country and not even three people in the House of Representatives. So I have a couple comments on Senator GRASSLEY's comments.

I am incredulous when you see people stand and try to make the 1990s economy out to have not been very good and the economy of the last decade to have been better. Yet anything good that happened in the 1990s had to do with Republican policies, and anything bad that happened in this decade had to do with Democratic policies. It goes back to something I am even more incredulous about, and that is this cottage industry that has been created in this country in the last year that Franklin Roosevelt's Presidency was a failure and that it caused the Depression and then caused the second depression and recession in 1937. It is remarkable. I am not an economic expert. I took economics courses in high school and in college, but I am a prolific reader. I don't ever recall reading—from conservative or liberal economists and people in between, such as academics or business people—that Franklin Roosevelt's economic policies were a failure, until 6 months ago when it was clear that Barack Obama was going to be President and was going to follow some of Roosevelt's ideas of direct spending to put people to work, for infrastructure, for health care, education, and a lot of things Franklin Roosevelt did, such as regulation of Wall Street, of the minimum wage and worker's compensation and unemployment compensation—all the things that Roosevelt began.

On a personal note, I add that this desk at which I stand is desk No. 88. They each have numbers on them. This desk was occupied, back in the 1930s, by future Supreme Court Justice Hugo Black, then a Senator from Alabama. Hugo Black supposedly sat at this desk when he wrote the minimum wage bill; he wrote it on the Senate floor, apparently, and it later became law.

What intrigues me is that there are Wall Street Journal columnists—no surprise—and Washington Times, Republican ideologues, and conservative think tanks funded by some of the wealthiest outsourcing kinds of corporations in America, who are trying to discredit Franklin Roosevelt's policies in order to discredit President Obama's policies. It is historical revisionism that sounds almost like, I daresay, the Soviet Union—this kind of revisionist history that I don't even get.

There is no question in any fair-minded historian's mind that what Franklin Roosevelt did mattered in a very positive way. He built a banking structure that kept us safe for 75 years, until the Republicans deregulated it in the last 8 years. He built a wage structure that created a middle class. He got us out of the Depression, along with others he worked with.

Enough of that. When I heard my friend from Iowa talk about the 1990s, that the Clinton policies didn't work and that, in 2001, the Bush policies did—where I come from, in Ohio, we say that doesn't pass the straight-face test. I don't think anybody believes them. These columnists and pundits and rightwing ideologues and think-tank academics keep saying it, so I guess they are talking to each other but not to the American public.

Let me talk about the stimulus. The Senate, yesterday, took a major step toward revitalizing this stumbling economy.

We passed legislation that would create jobs in construction, engineering, green energy, social work, health care, the retail sector, the service sector, and the manufacturing sector—preserving those jobs now and building jobs in the future.

These are jobs that stimulate consumer spending, which stimulates economic activity, economic activity that fuels growth and gets us out of recession. When you build a bridge, you put money in the pockets of sheet metal workers and operating engineers and laborers and carpenters and electricians.

When you build an infrastructure project, that money does two things: It goes directly into the economy because these are good-paying jobs that create a middle class, and they will spend that money on homes, cars, and consumer items. It also, as I have learned in doing roundtables around Ohio—I have done 125 roundtables in all of Ohio; I have been in all the 88 counties listening to people talk. I invite 20 or 25 people in a community, a good cross-section of people. It is not just the mayors and county engineers who say we need more sewers, broadband, water systems, bridges, highways, and roads. It is also economic development directors of the communities' chambers of commerce, the plant managers, and other business people who understand that to do economic development, you need clean water for manufacturing, you need a good transportation system, bridges, water, sewer systems, broadband, and all these things. That is what this stimulus package is about—infrastructure. It creates 4 million jobs, some directly and immediately, as we set the table and build a foundation for economic development.

The bill, I also add, invests in alternative energy. That means good-paying jobs, energy innovation, and energy independence. It means fighting for global independence and fighting global warming, a force that is threatening animal species and could only jeopardize the human species as well. An overwhelming number of scientists say that.

This bill will not only stimulate our economy, it will make sure our Nation can regain its economic footing and does not do it just to lose it again in the future.

We cannot be dependent on foreign oil and hope to thrive in the global economy. We cannot let our transportation infrastructure erode. That is what has happened in the last 10 years.

At the beginning of this decade that some of my Republican friends brag about, the economic policy of the early Bush years, we had a budget surplus when he stood on the Capitol steps and took the oath of office. We had a budget surplus in this country. Then the President went to war with Iraq, spending $3 billion a week. The President did tax cuts for the wealthiest Americans.

And all of a sudden, we have this huge budget deficit that my Republican friends rail against we are adding to.

When President Obama took office, the budget deficit was at $1 trillion for that fiscal year. It went from zero to $1 trillion. Madam President, $1 trillion is a thousand billion; a billion is a thousand million. If you spent $1,000 every second of every minute of every hour of every day, it would take you 33 years to spend $1 trillion. The pages sitting in front of me average in age about half that; am I correct? Sixteen years or so? They have lived about half a billion seconds. For them to spend $1 trillion, they would have had to spend $2,000 every second of every minute of every hour of every day in their young lives to get to $1 trillion. You, Madam President, would have to spend a little less, being very young but a bit older than they are.

Let me talk for a moment about what is happening with the States.

Every State in this country—unless they are energy States, unless they make money in their State treasuries from oil production, coal production, natural gas production—is faced with a huge budget deficit. My State of Ohio, for instance, as so many States, is forced to cut services. Cutting services means cutting jobs, it means laying off people, and it means hurting communities. It means all of that.

We cannot dismiss this situation. We must confront it. We must do something about it. It means as people lose their jobs, as a plant in Jackson, OH, the Meridian plant, closes or a plant somewhere else in Gallipolis or Mansfield or Toledo, OH, closes—when a plant shuts down, it is not just those workers who lose, as tragic as it is; it also puts more demands on the mental health system, more demands on the food pantry, more demands on communities that simply cannot afford it. As their tax base shrivels, they cannot afford it.

Economic recovery will not happen at the national level unless it happens at the State level. With dramatically reduced revenues, States are left with no options. They are cutting basic jobs, and they are cutting basic services. They are cutting social workers, teachers, mental health counselors, and public safety personnel. We cannot function that way. If what we do in the recovery bill adds jobs but the States take them away, we will be left treading water.

The House-passed economic recovery bill includes dollars the States can use to weather this economic storm. And if they don't weather it, none of us will.

So I hope Senators and Representatives negotiating the final bill will agree upon the House-passed State stabilization fund. It just makes sense.

This bill, as I said earlier, is endorsed by the National Chamber of Commerce, the National Association of Manufacturers, the Realtors, and businesses all over the Presiding Officer's State of North Carolina and my State of Ohio. It is endorsed by small businesses, by manufacturing businesses—all those companies that create so much wealth and jobs in our society.

In my State, from Toledo to Columbus, our universities are engaging in groundbreaking research. From Cleveland to Cincinnati, regional partnerships are being formed to advance solar and wind technology. My State is well on the way to becoming the Silicon Valley of alternative energy. We are about to put wind turbines in Lake Erie—the only place in the world where wind turbines will actually be located in freshwater. We are building hydropower on the Ohio River. We have the largest solar manufacturer of any State in the country in northwest Ohio. The University of Toledo is doing all kinds of wind turbine research, fuel cells in Stark State and Canton and Rolls Royce and Mount Vernon. Fuel cell development and research is far ahead of most places in the country, with biomass, Battelle in Columbus, all kinds of coal research. We are doing things that, with this bill, we can do better.

There is $33 billion in green energy tax incentives in this bill to grow jobs by encouraging green energy production. What value is it if we wean ourselves from foreign oil by using solar but we are not producing solar in our country?

Oberlin College, which is 15 minutes from my house, has the largest single building on any college campus in America powered fully by solar energy built 3, 4 years ago. We got those solar panels from Germany and Japan. Why do we do that? We do it because in the early part of this decade President Bush pushed through this Senate and the House—I was a Member of the House—an energy bill that dumped all of its tax incentives, subsidies and incentives, to oil and gas, not to solar, not to wind, not to fuel cells, not to biomass, not to where we should have been looking. It was the same old game, same old politics, same old "help your friends in the oil and gas industry, cash your campaign checks, and do the country wrong." That is why this bill is so important to do something else.

Lastly, I wish to talk about another provision of the bill which probably is the strongest provision of the bill; that is, the "Buy American" provision Senator DORGAN and I worked on in the last couple of years.

In a recent survey of Americans, 84 percent support the "Buy American" provision—perhaps the strongest statement of the public on any provision in the stimulus bill. The fact is, we are asking people in North Carolina, Ohio, and around this country to reach into their pockets and come up with hundreds of billions of dollars to spend on the stimulus package. They ask three things: first, that we be accountable in doing this right; second, they ask that the jobs be in the United States; third, they ask that the materials used for this infrastructure also be made in the United States. That is the compact we have come to, and I believe that is so very important.

I have had discussions with people at the highest levels of the Obama administration about the importance of "Buy American" and about enforcement. We have had some of these "Buy American" laws on the books since the Roosevelt years. It is part of the reason he was successful. The Bush administration simply turned its back on this law. They simply did not enforce it. They granted waivers, waivers that were not even public. For instance, the 800-mile fence along the Mexico-United States border was made with Chinese steel, probably illegally. But the Bush administration just said: OK, buy the steel wherever you want, instead of putting Americans to work.

I close with, as all of us in this body—most of us—understand, we need to get this economy back on track, we need to set the stage for a prosperous future. Partisanship at this stage is a slap in the face of unemployed Americans, families facing foreclosures, communities sinking into poverty, and, frankly, to middle-class America, who just wants an even break and wants us to get our economy back on track. Action is our only option. Let's move.

I yield the floor. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF WILLIAM J. LYNN, III, TO BE DEPUTY SECRETARY OF DEFENSE

Mr. LEVIN. Mr. President, I ask unanimous consent now that the Senate proceed to executive session to consider Calendar No. 14, the nomination of William Lynn to be Deputy Secretary of Defense; that there be 3 hours of debate with respect to the nomination, with 1 hour each under the control of Senator GRASSLEY and Senator MCCAIN or his designee, 1 hour under my control or my designee's, and that upon the use or yielding back of time, the Senate proceed to vote on confirmation of the nomination; that upon confirmation, the motion to reconsider be laid upon the table, no further motions be in order, that the President then be immediately notified of the Senate's action and the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The bill clerk read the nomination of William J. Lynn, III, of Virginia, to be Deputy Secretary of Defense.

The PRESIDING OFFICER. Who yields time?

The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I yield myself as much time as I utilize.

Mr. President, I urge my colleagues to join me in supporting the nomination of Bill Lynn to be Deputy Secretary of Defense. This nomination was reported to the Senate by the Armed Services Committee by voice vote on February 5, without objection or dissenting vote.

Since the time that he received his law degree from Cornell Law School and his master's degree in public affairs from the Woodrow Wilson School more than 25 years ago, Mr. Lynn has devoted his life to public service and the national defense. For 6 years, Mr. Lynn worked as the military legislative assistant and legislative counsel to Senator TED KENNEDY. In 1993, he moved to the Department of Defense, where he served first as director of program analysis and evaluation, and then as comptroller until 2001. Over the years, he has also served as a senior fellow at the National Defense University, on the professional staff at the Institute for Defense Analyses, and as an executive director of the Defense Organization Project at the Center for Strategic and International Studies.

At the end of the Clinton administration, Mr. Lynn went to the private sector for the first time, working first for DFI international and then for Raytheon Corporation, where he has served as senior vice president of government operations and strategy, overseeing the company's strategic planning and government relations. As a result of the senior positions he has held with Raytheon, Mr. Lynn has vested and unvested stock in the company, as well as salary, bonus, and retirement payments that are due now and in the future

Mr. Lynn's situation is of course not unique. Numerous nominees to senior positions in prior administrations—including nominees to serve as Secretary of Defense, Deputy Secretary of Defense, Under Secretary of Defense for Acquisition, Technology and Logistics, Secretaries of the Military Departments, and Service Acquisition Executives—have served in similar industry positions and held similar financial interests at the time of their nominations.

Over the years, the Senate Armed Services Committee has developed a strict set of ethics guidelines to address potential conflicts of interest, and the appearance of conflicts of interest, arising out of such nominations. These guidelines are tougher and more comprehensive than the rules historically imposed by the executive branch or by other congressional committees. When I say ''These guidelines'' are tougher and more comprehensive, I am referring here to the guidelines that the Senate Armed Services Committee has developed.

For example, under generally applicable executive branch ethics rules, a nominee could address actual or potential conflicts without divesting stock or other financial interests by recusing himself from matters involving his former employer—subject to a waiver by DOD ethics officials. However, the Armed Services Committee of the Senate takes a stricter approach. We require that nominees to Senate-confirmed positions divest themselves of stock, stock options, and other financial interests in companies that do business with the Department of Defense. In the case of stock options that have not yet vested, and will not vest within 90 days after confirmation, the committee insists that the nominee renounce the options—in other words, forfeiting the entire value of the stock options.

The committee's strict divestiture requirements are added to the requirements of statutory and regulatory ethics rules applicable to all executive branch officials. Our rules require senior executive branch officials to recuse themselves from decisions impacting their former employers for a period of 1 year, even if they have already divested all financial interest. When I said ''our rules'' I was referring here to the executive branch rules. As a result, nominees to senior DOD positions are subject to both divestiture and recusal requirements.

These ethics requirements have been effective. Over the 12 years that I have served as chairman or ranking member of the Armed Services Committee, I am not aware of a single instance in which a Senate-confirmed defense official who previously served in industry has even been alleged to have taken an action favoring his former employer. We may agree or disagree with some of the decisions that these senior officials have made, but conflict of interest does not appear to have been alleged in any of those disagreements.

Mr. Lynn has complied with all of the committee's requirements. In accordance with our ethics guidelines, Mr. Lynn has agreed to divest his financial interest in his former employer within 90 days of his confirmation. In order to accomplish this purpose, he has agreed to forfeit restricted stock. By the way, this stock has a value between $250,000 and $500,000. But that stock does not vest until late in 2009 or 2010. In short, Mr. Lynn has agreed to forfeit that restricted stock and thereby make a significant financial sacrifice in order to return to Government service.

In addition, Mr. Lynn will be subject to the statutory and regulatory recusal requirements that I have already discussed. These recusal requirements are subject to waiver by the senior ethics official in the Department of Defense. However, Mr. Lynn has taken an additional step by agreeing not to seek any waiver of the recusal requirements during his first year in office with regard to any matter on which he personally lobbied either Congress or the executive branch. This commitment on Mr. Lynn's part goes beyond the steps taken by previous nominees to senior positions at the Department of Defense.

The bottom line is this. Mr. Lynn, if confirmed, will be subject to ethics restrictions that are stricter than those historically imposed by the executive branch, stricter than those applied by other congressional committees, and stricter even than those applied by the Armed Services Committee to previous nominees with similar backgrounds.

On January 21, 2009, President Obama issued an Executive order on ethics commitments by executive branch personnel. This Executive order includes a provision that would, for the first time, preclude registered lobbyists from seeking or accepting employment with an agency that they had lobbied within the previous 2 years. Because Mr. Lynn was a registered lobbyist for Raytheon, he could not have been appointed Deputy Secretary of Defense without a waiver of this prohibition.

On January 23, 2009, the Director of the Office of Management and Budget approved a waiver to two paragraphs of the executive order, clearing the way for Mr. Lynn to serve.

Mr. Lynn will still be subject to the tough new postemployment restrictions in the executive order. Those would preclude him from lobbying any DOD official for 2 years after leaving office, and from lobbying any political appointee in the Obama administration for the duration of the administration, should he leave his position before the end of the administration.

This waiver was appropriate: Mr. Lynn is a career public servant whose recent history in the private sector was more of an exile than a calling. He didn't leave the Department of Defense 8 years ago because he wanted to cash in on inside connections or information, but because the Clinton administration came to an end. When Mr. Lynn hopefully passes through the doors of the Pentagon as Deputy Secretary of Defense, he will return to his roots as a public servant, put his relationships in industry behind him, and recognize that his sole duty and obligation is to his country and the national defense.

Today, the Department of Defense faces huge management challenges. The Government Accountability Office reported last year that the cost overruns on the Department's 95 largest acquisition programs alone now total almost $300 billion over the original program estimate, even though the Department has cut unit quantities and reduced performance expectations on many programs in an effort to hold down costs.

The Department's financial system remains incapable of producing timely, accurate information on which sound business decisions can be based. The Department's civilian workforce has been decimated by decades of freezes and cuts, leaving us dependent on contractors who perform many functions

that should be performed by Government personnel.

Mr. Lynn's background in senior management positions in the Department of Defense and in industry over the last two decades gives him the kind of knowledge and experience that will be useful to address these challenges. In the course of the committee's consideration of Mr. Lynn's nomination, I have spoken to him about the challenges facing the Department of Defense. I have been impressed by his grasp of the problems the Department faces and his ideas for addressing them.

Under these circumstances, and those are the circumstances I have outlined about cost overruns, we cannot afford a Deputy Secretary who is either disengaged or ineffectual. We need someone with the kind of experience and background Mr. Lynn will bring to the job. His nomination, again, was approved by the Senate Armed Services Committee without a single dissenting vote. I hope our colleagues will support this nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I intend to vote in favor of the nomination of Mr. Lynn to be the Deputy Secretary of Defense. Mr. Lynn has an extensive record of public service. He has served as the Director of Program Analysis and Evaluation in the Pentagon during the Clinton administration, and following that he was the Under Secretary of Defense, Comptroller, from 1997 to 2001. He served as, obviously, the chief financial officer for the Department of Defense.

After his DOD service, Mr. Lynn, as we know, became a registered lobbyist and the Raytheon Company's senior vice president of government operations. In that position he led Raytheon's strategic planning and oversaw all of their Government relations activities.

Mr. Lynn has served as I mentioned, but nowhere, I might point out, does he have in his resume any extensive managerial experience. One of the major functions of the Deputy Secretary of Defense is to make the Pentagon run. Mr. Lynn does not have that executive managerial experience.

Having said that, elections have consequences, as we all know, and this is the selection that the President of the United States made, and the Secretary of Defense also supports his nomination.

I do not view the fact that Mr. Lynn became a lobbyist for Raytheon as, per se, disqualifying. Mr. Lynn has indicated his willingness to comply with the ethical requirements of the executive branch aimed at preventing conflicts of interest, and he has agreed to the additional stock divestment obligations that the Committee on Armed Services has consistently required of nominees.

I have been concerned, however, about the practical problems that would arise from Mr. Lynn's past lobbying activities and the legitimate concerns the American people would have if Mr. Lynn made decisions related to the programs for which he lobbied.

I sent a letter to Mr. Lynn on January 26, with a follow-up letter on January 29, asking him to articulate in detail what specific matters would be affected. Mr. Lynn responded on January 30 indicating that he had worked on the DDG–100 surface combatant, the AMRAAM air-to-air missile, the F–15 airborne radar, the Patriot Pure Fleet Program, the Future Imagery Architecture, and the Multiple Kill Vehicle. He provided me with written assurances that he would refrain from participating in any decisions regarding those programs for 1 year if he is confirmed.

I believe these assurances and with ongoing reviews within DOD that encompass rigorous screening Mr. Lynn will endeavor to perform effectively as the Deputy Secretary of Defense.

I am aware, as I mentioned, that he has the support of Secretary Gates, and I obviously consider that to be an endorsement in Mr. Lynn's favor. President Obama, as we all know, signed an Executive order on January 21, 2009, that established a praiseworthy ''revolving door ban'' that would bar any lobbyist from working for an agency they lobbied within 2 years of an appointment. The Executive order included a provision for granting a public interest waiver, and Mr. Lynn was given a waiver.

It is disappointing that President Obama, who pledged continuously throughout the campaign to change the culture of Washington and the influence of lobbyists, then almost immediately chose to nominate several individuals, including Mr. Lynn, who required a waiver.

So after proudly trumpeting a new change and the new rules and regulations, several individuals—and a couple have had to withdraw their nominations—that Mr. Lynn required a waiver or exemption to that policy. Obviously, the American people were promised one thing but delivered another.

My colleague, Senator GRASSLEY, who will be speaking later, sent a letter on January 29 to OMB Director Peter Orszag asking for a justification for the granting of the waiver. I ask unanimous consent that Mr. Orszag's response on February 3 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, DC, February 3, 2009.

Hon. CHARLES E. GRASSLEY,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRASSLEY: Thank you for giving the Administration the chance to address the questions you raise in your letter of January 29, 2009 regarding the granting of a waiver that exempts Mr. William J. Lynn from certain provisions in President Obama's Executive Order on Ethics Commitments by Executive Branch Personnel (the ''Order''). We appreciate your concerns and are glad to have the opportunity to fully explain the decision to grant this waiver, which we strongly believe to be the correct one.

I. BACKGROUND

The President signed the Executive Order on Ethics Commitments by Executive Branch Personnel on January 21, 2009. The Order includes some of the strictest ethics rules ever imposed on executive branch personnel. In addition to barring appointees from accepting gifts from registered lobbyists, the Order places sharp limitations on individuals traveling back and forth between government service and the private sector, using their government service for personal enrichment at the expense of the public interest.

The Order takes an especially strong stand against lobbyists moving into and out of the executive branch. The Order restricts registered lobbyists who are appointed to an executive agency from participating in any particular matter on which they lobbied within the past two years and from participating in the specific issue area in which that particular matter falls, subject to the waiver provision discussed below. Registered lobbyists are also restricted from seeking or accepting any employment within an executive agency that they lobbied within the past two years.

The Order has been roundly praised by commentators and leading good government advocates as the toughest ever of its kind. To cite just a few, Democracy 21 said that ''the new Executive Order contains the toughest and most far reaching revolving door provisions ever adopted,'' and went on to say that the Order ''goes further than any previous action taken by a President to restrict the ability of presidential appointees who serve in the Executive Branch from coming back to lobby the Administration, and also to limit the role of lobbyists coming in to serve in the Administration.'' The Washington Post reported that experts viewed the Order as ''considerably broader than those other presidents imposed,'' and Meredith McGehee, policy director of the Campaign Legal Center, said in a statement that ''[no] two ways about it, the revolving-door provisions in the new executive order issued by President Obama are very tough.''

Even the toughest rules, however, need reasonable exceptions. That is why the Order provides that a waiver of these restrictions may be granted in limited circumstances. The waiver may be granted when it is determined ''(i) that the literal application of the restriction is inconsistent with the purposes of the restriction, or (ii) that it is in the public interest to grant the waiver.'' Sec. 3(a). The Order goes on to explain that the ''public interest'' may include, but is not limited to, exigent circumstances relating to national security or to the economy. Sec. 3(b). The Order also instructs the Director of the Office of Management and Budget to consult with the White House Counsel when determining whether a waiver is necessary and appropriate.

Experts have praised the inclusion of a waiver provision in the Order. For example, Norman Ornstein, a Resident Scholar at the American Enterprise Institute stated that: ''This tough and commendable new set of ethics provisions goes a long way toward breaking the worst effects of the revolving door. There are many qualified people for the vast majority of government posts. But a tough ethics provision cannot be so tough and rigid that it hurts the country unintentionally. Kudos to President Obama for adding a waiver provision, to be used sparingly

for special cases in the national interest. This is all about appropriate balance, and this new executive order strikes just the right balance.''

Similarly, Thomas Mann, Senior Fellow of Governance Studies and the Brookings Institution notes: ''The new Obama ethics code is strict and should advance the objective of reducing the purely financial incentives in public service. I applaud another provision of the EO, namely the waiver provision that allows the government to secure the essential services of individuals who might formally be constrained from doing so by the letter of the code. The safeguards built into the waiver provision strike the right balance.''

II. RESPONSES TO YOUR QUESTIONS

In considering the waiver for Mr. Lynn so that he might serve as Deputy Secretary of Defense, we believe the right balance has been struck by granting a waiver at the request of the Secretary of Defense to a qualified candidate whose service to the country is critical to our national security. With that in mind, we want to address your specific questions.

First, you asked what criteria were used in determining that Mr. Lynn's waiver was necessary to further ''the public interest.'' As noted above, the Order specifically states that the public interest includes ''exigent circumstances relating to national security.'' These circumstances include the urgent need to have the best-qualified individuals serving at the highest levels of the President's national security team. As Secretary Gates stated with regard to asking the President to nominate Mr. Lynn to be the Deputy Secretary: ''I interviewed Bill Lynn; I was very impressed with his credentials; he came with the highest recommendations of a number of people that I respect a lot. And I asked that an exception be made, because I felt that he could play the role of the deputy in a better manner than anybody else that I saw.''

Mr. Lynn's qualifications for the Deputy position are well known. Mr. Lynn served as Under Secretary of Defense (Comptroller) under President Clinton, before which he had served as the Director for Program Analysis and Evaluation in the office of the Secretary of Defense. Prior to that, he served as an Assistant to the Secretary of Defense for Budget. High-level experience in managing Pentagon budgetary, finance and procurement functions is extremely rare, and it was particularly important to Mr. Lynn's selection here.

As you are aware, the Department of Defense faces enormous management challenges. During Mr. Lynn's previous tenure at DoD, there were significant efforts to improve financial reporting, including two major initiatives. First, in 1998, DoD adopted for the first time a Financial Management Improvement Plan, which was a strategic framework for improving critical financial systems and feeder systems in the future. Second, the DoD Senior Financial Management Council was reconstituted during 2000 and adopted a comprehensive program management plan in January 2001.

Mr. Lynn was generally credited with putting appropriate managerial emphasis on improving financial reporting. For example, on February 17, 2000, the Deputy Inspector General testified to Congress that ''the DoD has seldom, if ever, been so committed to across the board management improvement . . . . with continuous management emphasis, th[e] initiatives should dramatically improve the efficiency of DoD support operations over the next several years.'' DOD IG Report No. D–2000–077 at 4.

Similarly, on May 9, 2000, Jeffrey Steinhoff from the General Accounting Office (now the Government Accountability Office) testified that ''DOD has made genuine progress in many areas throughout the department. . . . We have seen a strong commitment by the DOD Controller and his counterparts in the military services to addressing long-standing, deeply rooted problems.'' GAO/T–AIMD/NSIAD–00–163 at 2.

This progress could be seen in several areas. For example, when Mr. Lynn took over as Comptroller, DoD could not even generate a list of its finance and accounting systems. GAO/AIMD–97–29 (Jan. 31, 1997). By the time he had left, DoD had identified 167 critical systems, had achieved compliance with federal financial management standards in 19 of those systems, and had a plan to achieve compliance for the balance of its systems by FY 2003. To take another example, under Mr. Lynn's watch, DoD continued its progress in significantly consolidating and streamlining its financial centers and financial systems. Between 1991 and 2000, DoD consolidated 330 accounting and finance locations into 26, and reduced the number of finance and accounting systems from 648 to 190. Accomplishments like these led John Hamre, who was Mr. Lynn's predecessor as Comptroller and who also served as Deputy Secretary, to state that ''I don't know anybody who did the job better than Bill Lynn.''

Mr. Lynn's experience is not limited to the Pentagon. From 1987 until 1993, Mr. Lynn served on the staff of Senator Edward Kennedy as the legislative counsel for defense and arms control matters and as the Senator's staff representative on the Senate Armed Services Committee. Prior to 1987, he was a senior fellow in the Strategic Concepts Development Center at National Defense University, where he specialized in strategic nuclear forces and arms control issues. He was also on the professional staff of the Institute of Defense Analyses. From 1982 to 1985, he served as the executive director of the Defense Organization Project at the Center for Strategic and International Studies.

In short, Mr. Lynn's executive branch experience, combined with his legislative, think-tank and private sector experience, gives him the precise set of skills that are not only necessary to the job, but are rare in their breadth and depth. That is why former Secretary of Defense William Cohen, who served as Mr. Lynn's supervisor during the Clinton Administration, commented that he has ''precisely the kinds of skills required'' to serve as the Deputy Secretary. We share both the current and former Secretaries' views that Mr. Lynn's experience and skill set would make him an exceptional Deputy Secretary of Defense.

Second, you asked about the potential for conflicts of interest given Mr. Lynn's past position at Raytheon Company (''Raytheon''). These issues were carefully reviewed as part of the consideration of Mr. Lynn, and we believe that strong safeguards have been erected that address these concerns and allow Mr. Lynn to serve. We note that these arrangements were structured in conformance with the Armed Services Committee's longstanding requirements and practices. These arrangements have also been approved by the Defense Department's ethics official as eliminating potential conflicts and providing for appropriate protective measures.

Specifically, Mr. Lynn will divest his Raytheon stock within 90 days of his appointment, including his shares in the Raytheon Savings and Investment Plan. He also will forfeit all of his restricted stock units that he holds under the 2007–2009 Raytheon Long-Term Performance Plan (LTPP) and the 2008–2010 LTPP, and will divest those shares he holds under the 2006–2008 LTPP within 90 days of their vesting in February. To ensure there are no conflicts regarding the stock, he will not participate personally and substantially in any particular matter that has a direct and predictable effect on the financial interests of Raytheon until he has divested the stock, unless he first obtains a written waiver, pursuant to 18 U.S.C. §208(b)(1), or qualifies for a regulatory exemption, pursuant to 18 U.S.C. §208(b)(2).

Further, for a period of one year after his resignation from Raytheon, he will not participate personally and substantially in any particular matter involving specific parties in which Raytheon is a party, unless first authorized to participate, pursuant to 5 C.F.R. δ2635.502(d). As an additional precaution, Mr. Lynn has promised not to seek authorization to participate in decisions on any of the six specific programs where he personally lobbied: the DDG–1000 surface combatant, the AMRAAM air-to-air missile, the F–15 airborne radar, the Patriot Pure Fleet program, the Future Imagery Architecture, and the Multiple Kill Vehicle.

Finally, consistent with the customary practice for departing executives of Raytheon, Mr. Lynn will continue to participate in the Raytheon Defined Benefit Plan, which would pay him about $4,300 monthly beginning on January 1, 2019. In accord with the letter signed by the Chairman and Ranking Member of the Senate Committee on Armed Services dated September 23, 2005, Mr. Lynn has agreed that prior to acting in any particular matter that is likely to have a direct, predictable, and substantial effect on the financial interest of Raytheon, he will consult with his Designated Agency Ethics Official, and will not act in the matter unless that official determines that the interest of the Government in his participation outweighs any appearance of impropriety, and issues a written determination authorizing his participation. Mr. Lynn understands that such an authorization does not constitute a waiver of 18 U.S.C. §208 and does not affect the applicability of that section.

Under the circumstances, we believe this arrangement accomplishes the twin goals of enforcing tough ethical standards that protect the public interest, while also assuring that the nation is not deprived of a talented and badly-needed public servant to assist with the defense of our nation.

Third, you ask about the process for selecting Mr. Lynn. We can assure you that the selection of Mr. Lynn came at the end of an extensive process that resulted in a consensus opinion that Mr. Lynn was the best-qualified candidate for this job. Multiple candidates were considered and interviewed over the course of what was a long and rigorous review. Ultimately, though, this is a position for which there is a short list of truly qualified applicants who have the kind of experience we detailed earlier in response to your first question. Taking into account all of the factors, including the concerns raised in your letter, the President and Secretary Gates felt that Mr. Lynn was the best person for the job.

Fourth and finally, you have asked whether Mr. Lynn's ability to perform his job will be impaired by any necessary recusals. We do not believe the ethics compliance process described above will hinder Mr. Lynn from doing his job. The process strikes a reasonable balance under the circumstances. It waives the need for Mr. Lynn to recuse himself from issues that would otherwise be implicated by paragraphs 2 and 3 of the ethics pledge, but still requires him to follow the remainder of the Order, including the revolving door exit provisions and the gift ban, as well as the other restrictions detailed in this letter.

Again, thank you for this opportunity to address these issues. As the Ethics Executive

Order and the other Orders and Presidential Memoranda signed on the same day reflect, President Obama and all of us in the Executive Office of the President are committed to running a highly transparent and accountable administration. We look forward to working with you on these issues and on government reform issues more broadly.

Sincerely,

PETER R. ORSZAG,
Director, Office of Management and Budget.

GREGORY B. CRAIG,
Counsel to the President.

Mr. MCCAIN. With respect to the waiver, Mr. Orszag stated:

The selection of Mr. Lynn came at the end of an extensive process that resulted in a consensus opinion that Mr. Lynn was the best qualified candidate for the job.

He went on to say:

Mr. Lynn's executive branch experience, combined with his legislative, think tank and private sector experience—

As you note, he did not mention a managerial role that he might have had in his career—

gives him the precise set of skills that are not only necessary to do the job, but are rare in their breadth and depth.

I hope Mr. Lynn will be a rare exception to the new rule—you know, one of the things I had hoped would happen because of the deep disapproval the American people have in the way we do business is this kind of cycle of lobbyists to executive branch, to legislative branch, to lobbyists. It goes on in this town with enormous frequency and has led to scandals, indictments, and convictions of former staff members, former Members of Congress, and former members of the executive branch. I had hoped that somewhere in America there would be someone who had the experience and knowledge and background in running what probably, I believe, is the largest organization in the world, the Department of Defense, rather than again having to go inside the beltway.

But as I mentioned, elections have consequences. The President has designated Mr. Lynn and others to positions which are in violation of the much heralded Executive order he made concerning not having lobbyists serve in Government.

So I will give him at least, in my opinion, my vote, the benefit of the doubt, and will vote in favor of Mr. Lynn's nomination.

He responded to, albeit belatedly, the questions I submitted to him. I wish him well. We face enormous challenges both in the way the Department of Defense operates, the acquisition programs—and many of them are completely out of control, with cost overruns that are staggering—to a lack of efficiency in a number of areas.

I not only wish Mr. Lynn well, but I look forward to working with him as we do whatever we can to defend this Nation's vital national security interests as well as manage the functions of a bureaucracy which, in all candor, has defied sound management under both Republican and Democratic administrations.

I know Senator COBURN and Senator GRASSLEY will be over later on. I am confident that Mr. Lynn's nomination will be voted out overwhelmingly by the Senate. I hope Mr. Lynn will do well in his new position of responsibility. I pledge to work with him as much as possible, as I have done with Secretaries of Defense and Deputy Secretaries of Defense in Republican and Democratic administrations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. I wanted to thank Senator MCCAIN for his support. It is exceedingly important, and his very thoughtful statement makes a real contribution to the debate.

I yield the floor, and 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. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MERKLEY). Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I come to the floor to raise questions about whether Mr. Lynn ought to be Deputy Secretary of Defense. I do it with the normal courtesy, that a President ought to be able to name people to his team, and I do it based upon two questions: One, the use of the waiver for him to be in this position contrary to the Executive order of President Obama; and, secondly, to raise questions about his activity as chief financial officer in the second Clinton administration, and now coming to be Deputy Secretary of Defense. I will try to lay this out as best I can with documentation.

I will not be able nor do I need to document the first consideration on the waiver. I wanted to express views on it.

I thought I had seen the last of Mr. Lynn when President George W. Bush first took office. I was dead wrong. So I had to send my staff out to where the Senate buries old skeletons. It is the Records Center out in Maryland, the scenic countryside about 20 miles from the Capitol. There I had my staff dig up the remains of what came to be known, and what I came to know about Mr. Lynn's activities as chief financial officer about 10 years ago.

I would give a little bit of word of advice to my colleagues, archival of your materials. I found that political nominees, good and bad, come back like Australian boomerangs. Some take longer than others to return, but eventually you will see them again.

Mr. Lynn is currently employed as senior vice president, government operations, of a major defense contractor, Raytheon. Until June 2008, Mr. Lynn was registered as Raytheon's principal lobbyist to the Department of Defense.

I have serious questions about the nomination. My first area of concern is that Mr. Lynn does not appear to meet President Obama's strict new ethical standards for executive branch appointees. Those standards were laid down in an Executive order of January 21, 2009.

It is important for me to say what ethics means to me. Everyone has a different idea as to what ethics represents. This is a complicated issue, and I don't want there to be any confusion about this word or principle. The Merriam Webster dictionary defines the word ''ethics,'' one, as the discipline dealing with what is good and bad, with moral duty and obligation. This definition is very clear, but I want to go a step further to say that, to me, ethics are very uncomplicated principles of life. Simply put, when faced with tough choices or decisions, we must always do what is true and correct.

Throughout the Presidential campaign, candidate Barack Obama repeatedly promised to close the revolving door and change the political culture in Washington. This was one of his top priorities. Consistent with those promises, within 24 hours of being sworn in, he signed the Executive order that set new ethical standards in stone. Under the ''revolving door ban'' section of those rules, Mr. Lynn should have been barred from serving as Deputy Secretary of Defense until July 2011. I understand Mr. Lynn has been given a special order by the administration to further the public interest.

According to a letter I have received from OMB Director Peter Orszag of February 3, 2009—and I have it here if anybody is interested in reading it. Senator LEVIN has already had this letter printed in the RECORD.

According to this letter from OMB Director Peter Orszag of February 3, 2009, Mr. Lynn's waiver was based on ''exigent circumstances relating to national security.''

Director Orszag stated:

Mr. Lynn is uniquely qualified for this position and is urgently needed to serve on the President's national security team.

Mr. Orszag was responding to my letter of January 29, 2009, asking for the justification of the waiver.

I ask unanimous consent to have that letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON FINANCE,
Washington, DC, January 29, 2009.

Hon. PETER ORSZAG,
Director, Office of Management and Budget, Washington, DC.

DEAR DIRECTOR ORSZAG: I write today to express my concerns with the recent decision to grant a waiver for Mr. William J. Lynn, exempting him from the strict new ethics rules outlined in President Obama's Executive Order titled ''Ethics Commitments by Executive Branch Personnel,'' signed on January 21, 2009.

Mr. Lynn has been nominated by the President to serve as the Deputy Secretary of Defense. He is currently employed as a senior vice president at a major Department of Defense (DOD) contractor—Raytheon Company. Until very recently, he was also registered as Raytheon's principal lobbyist to the DOD.

Throughout the presidential campaign, President Obama repeatedly promised the American voters that he would ''close the revolving door'' in order to greatly limit the role of lobbyists in his administration. He warned lobbyists, they ''won't find a job in my White House'' and [lobbyists] ''will not run my White House, and they will not drown out the voices of the American people.'' He also stated: ''*If you are a lobbyist entering my administration, you will not be able to work on matters you lobbied on or in the agencies you lobbied during the previous two years* [emphasis added].'' Further, President Obama explained why it was important to close the revolving door: ''Lobbyists spend millions of dollars to get their way. The status quo sets in. . . . They use their money and influence to stop us from reforming [government policies]''. He added, ''. . . together, we will tell the Washington lobbyists that their days of setting the agenda are over.''

President Obama's message was crystal clear: allowing lobbyists to pass freely through the revolving door was simply not in the public interest. He espoused that lobbyists in government ''are a problem'' because they block needed reforms—reforms that Mr. Obama promised to the American people.

President Obama's promises to ''close the revolving door'' seemed to be a top priority. He meant what he said. He kept his promise. In fact, within 24 hours of being sworn in, President Obama signed a new Executive Order titled, ''Ethics Commitments by Executive Branch Personnel'' to cement his campaign pledge into an official order. Paragraphs two and three of Section One—entitled ''Revolving Door Ban''—appeared to solidify President Obama's pledge to ''close the revolving door.''

However, exactly two days after signing the Executive Order, you exercised authority delegated to you under Section 3 of the Executive Order and issued a waiver to Mr. Lynn, which effectively gutted the ethical heart of the President's ''Revolving Door Ban.'' I find it difficult to reconcile Mr. Lynn's nomination to be the Deputy Secretary of Defense with the purpose and intent of the Executive Order.

Mr. Lynn was a registered Raytheon lobbyist for six years. His lobbying reports clearly indicate that he lobbied extensively on a very broad range of DOD programs and issues in both the House and Senate and at the Department of Defense. If confirmed, Mr. Lynn would become the top operations manager in the Pentagon. He would be the final approval authority on most—if not all—contract, program and budget decisions. Surely, a number of Raytheon issues would come across his desk. Mr. Lynn's conflict of interest has been characterized by some as an ''impossible conflict.'' The Chairman of the Armed Services Committee, Senator LEVIN, has stated that Mr. Lynn will have to recuse himself from those decisions for one year. Since Raytheon is a big defense contractor, those recusal requirements could limit Mr. Lynn's effectiveness as Deputy Secretary of Defense.

Based upon President Obama's statements made during the presidential campaign and leading up to and following the signing of the Executive Order, I simply cannot comprehend how this particular lobbyist could be nominated to fill such a key position at DOD overseeing procurement matters, much less be granted a waiver from the ethical limitations listed in the Executive Order.

Additionally, I have serious questions about the message that this waiver sends to other lobbyists seeking employment in President Obama's administration. Despite strong language limiting the role of lobbyists in the Executive Order, it appears to me that Mr. Lynn's nomination and the waiver granted to him leaves ''the barn door wide open'' for other potential nominees with lobbying backgrounds to circumvent the Executive Order. This is a giant loophole that places the burden of granting waivers strictly with the Director of the Office of Management and Budget (OMB). As such, I believe a detailed explanation of the reason for granting the waiver is warranted in order to ensure that the granting of future waivers is done in a fully transparent manner and given the sunshine such an important decision deserves.

The waiver provision in the Executive Order provides that the OMB Director may grant a waiver for two reasons, (1) ''that the literal application of the restriction is inconsistent with the purposes of the restriction'' or (2) ''that it is in the public interest to grant the waiver''. These provisions are general and provide wide latitude in determining when a waiver is applicable. For instance, in Mr. Lynn's case, the waiver simply states: ''After consultation with Counsel to the President, I hereby waive the requirements of Paragraphs 2 and 3 of the Ethics Pledge of Mr. William Lynn. I have determined that it is *in the public interest* [emphasis added] to grant the waiver given Mr. Lynn's qualifications for his position and the current national security situation. I understand that Mr. Lynn will otherwise comply with the remainder of the pledge and with all preexisting government ethics rules.''

While I am glad to see that the waiver does not appear to fully circumvent the Executive Order or other existing government ethics rules, the broad language used in determining that the waiver is in the ''public interest'' is a concern. Little detail is provided as to why the waiver is necessary. Only general criteria used in the analysis and justification for the waiver are given. Accordingly, I strongly urge OMB to publicly set forth a list of criteria utilized to examine whether a waiver would be in ''the public interest.'' Further, OMB should also publicly set forth criteria examined to determine when ''literal application of the restriction is inconsistent with the purposes of the restriction.'' By making these criteria public, it will go a long way toward making OMB decisions transparent and providing the American people with a full accounting of why waivers to the Executive Order are necessary. I strongly encourage OMB to do this as soon as possible to ensure those decisions do not merely become an arbitrary basis to circumvent the Executive Order.

Additionally, I respectfully request that OMB provide responses to the following questions:

(1) What criteria did OMB use to determine that Mr. Lynn's waiver was necessary to further ''the public interest''?

(2) Does OMB believe there are no inherent conflicts of interest to have Mr. Lynn serve as the Deputy Secretary of Defense overseeing procurement from a company he formerly lobbied for? If not, why not?

(3) Given President Obama's position on lobbyists serving in government positions, did anyone in OMB ask the President or his Counsel to consider whether other candidates for the position would be better qualified before granting the Lynn waiver?

(4) Does OMB believe Mr. Lynn's requirement that he recuse himself in certain instances under provisions of the Executive Order not impacted by the waiver will hinder him from doing the job? Why or why not?

The idea behind President Obama's promise to close the revolving door and ban lobbyists from his administration had one purpose: to protect the public interest. The new rules are designed to protect the taxpayers against wasteful and unnecessary expenditures and policies that might be advocated by ''special interests'' inside the government. By granting Mr. Lynn's waiver, it appears that OMB has undermined the principal purpose of the new ethics rules—to protect the public interest. It seems like the OMB waiver embraces the lobbyist culture that President Obama promised to change. As Director of OMB, your decisions set the tone for the entire federal bureaucracy. By making the waiver process more public, OMB would send a clear and unambiguous message: transparency is first and foremost when it comes to dealing with ethics rules.

Please bring transparency and accountability to Mr. Lynn's waiver and all future waivers of the Executive Order by providing details about why waivers have been granted and the criteria used to determine them.

I would very much appreciate a prompt answer to my questions.

Sincerely,

CHARLES GRASSLEY,
Ranking Member.

Mr. GRASSLEY. I also understand that President Obama's picks for these key positions should be respected. I said that about President Bush. I have to say it about President Obama. They were elected. They have a certain respect of the people, and that respect should not be questioned by the Senate except under extraordinary circumstances. I think these are extraordinary circumstances, and I am bringing it up.

Mr. Lynn has informed me that he would be divesting his financial stakes in Raytheon in the next 90 days. He also said he would not engage in any Raytheon-related decisions for 1 year at DOD unless he receives a special waiver.

Regrettably, for Mr. Lynn and for American taxpayers, getting rid of conflicts of interest is not as easy as it might sound. The Raytheon Corporation has hundreds of potential contracts and programs with the Department of Defense. As such, the Office of Government Ethics will have to set up a full-time department just to handle Mr. Lynn's conflict-of-interest Raytheon waivers.

On the one hand, I believe the best leaders lead by example. So mean what you say. For that reason, I challenge Mr. Lynn to take control of this ethical debate and demonstrate true leadership on this issue by sticking to the principles set forth by President Obama's Executive order on ethics commitments by executive branch personnel. Special waivers and exemptions undermine the basic principle of good government.

Changing the rules as you go along tends to foster a basic sense of distrust of the Government of all Americans. We all know that is a problem. We have to be cautious to make sure we don't make the situation worse. Why make rules if you know you are going to break them? How can gutting the ethical heart of the new ethics rule be in

the public interest when those very same rules were created in the first place in the public interest?

Even the best qualified nominees with the highest recommendation should recognize when serving in his or her post would not be in the public interest. I believe the American people expect nominees to be true and honest. Given his chosen career path, Mr. Lynn should know he does not comply with the spirit or intent of the Executive order on ethics.

If he is seriously devoted to serving his country and this President, Mr. Lynn should consider withdrawing his nomination and ask to be reconsidered when he is within the ethics ''revolving door'' principles laid down by my President, Mr. Obama. Then he would come back in 2 years to seek such appointment. This country will always need good leaders who lead by example. By doing this, he would set the standard of excellence for all other nominees to follow. It would restore integrity and credibility to President Obama's new ethics rules. As it stands now, unfortunately, the Lynn nomination is rolling down a very low road at high speed. By setting the new rules aside for the first top-level appointee to come down the pike, President Obama and his administration appear to embrace the very same culture President Obama promised to change.

None of us knows for sure whether Mr. Lynn's nomination is truly in the public interest. We can only hope it is. In time, we will find out.

What is going to take me longest to explain is documentation of some activity of Mr. Lynn when he was Chief Financial Officer and how that fits into some questions I have about the position to which he was nominated.

My second area of concern pertains to Mr. Lynn's financial management record at the Pentagon. Mr. Lynn served as Chief Financial Officer at the Department of Defense from November 1997 through 2000. I first came to know Mr. Lynn in 1998, after he was appointed to the position. Between June 1997 and July 1998—1 month, approximately—I conducted an in-depth investigation of internal financial controls at the Department of Defense. I was testing basically internal controls within the Department. I reviewed about 200 financial transactions from Pentagon offices where the fraud had occurred. We examined purchase orders, contracts, invoices, delivery verifications or receipts, and, finally, we examined final payments. We even checked to see if remit addresses were correct. In short, we looked at the whole ball of wax.

The results of this investigation were presented in a report in September 1998. This is a report my staff and other people put together. The report concluded, in September 1998, involving the Chief Financial Officer and/or things under his command or jurisdiction:

Internal controls at the Department of Defense were weak or nonexistent.

The Government Accountability Office, then called the General Accounting Office, concurred with my assessment.

Our investigations found that not one of the accounts payable files examined was 100 percent up to snuff. I was alarmed to find they all had either minor or major accounting deficiencies. If the Department of Defense had followed standard accounting practices, none of the bills should have been paid. Unfortunately, all went out the payment door.

The most glaring and persistent shortcoming observed was the near total absence of valid receiving reports in the accounts examined at the Defense Finance and Accounting Service Center in Denver, CO. A receiving report is one of the most important internal control devices. They provide written verification that the goods and services billed on an invoice were received and matched with what was ordered. In all the files examined, we found only 6 out of 200 genuine receiving reports, or what they call DD–250 forms. The rest of the files contained none. Of the six receiving reports found, all were either invalid or incorrect.

We also noticed gaping holes in another key control mechanism, remit addresses. A remit address is important because it is at the end of the money trail, where the money goes. The review found zero control over remit addresses. A total of 286 technicians in the Dallas center had authority to alter remit addresses. This was a violation of another basic internal control principle—separation of duties. A person responsible for paying bills should never be allowed to change a remit address.

On September 23, 1998, I met with Mr. Lynn to discuss the findings of my investigation. I provided him with a draft of the report. I asked him to review it and provide comment. In his response, dated 5 days later, September 28, 1998, Mr. Lynn did not challenge the findings in this report. So we have this report I have been referring to, and I asked Mr. Lynn for comment on that report. I have his letter here not challenging the findings.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNDER SECRETARY OF DEFENSE,
Washington, DC, September 28, 1998.

Hon. CHARLES E. GRASSLEY,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRASSLEY: At our meeting of September 23, 1998, you requested that I review and comment on the ''Joint Review of Internal Controls at Department of Defense'' draft report dated September 21, 1998.

I am very troubled by the problems cited in this report, as well as the related General Accounting Office (GAO) report. Effective internal controls are essential to the detection and prevention of fraudulent activity in our vendor payment operations. Without question, the Krenick and Miller fraud cases, which are at the core of both reports, indicate that there are unacceptable weaknesses in our internal control programs. Although both individuals were caught and convicted, and funds were recovered, we must ensure that the appropriate actions are taken to prevent further abuses. Let me briefly describe for you the measures that the Defense Finance and Accounting Service (DFAS) is taking to improve internal management controls.

First, we are taking steps to ensure that the vendor pay process establishes positive control over payment-related information. An important step in this regard is to tighten controls over remittance addresses through use of a Central Contractor Registration database maintained by the acquisition community. Eliminating the ability of personnel in the paying offices to change the addresses to which payments are sent will correct a critical weakness that was exploited in the fraud cases cited.

Second, to reinforce the principle that there must be a strong separation of responsibilities for providing and verifying payment information, we are strengthening the processes that preclude a single individual from controlling multiple critical portions of the payment process. In particular, pursuant to a GAO recommendation, DFAS is reducing by at least half the number of employees who have the highest level of access to the Integrated Accounts Payment System.

Third, a critical internal control is the positive check of payment information with accounting data prior to disbursement. To ensure the effectiveness of this control, we will make systems changes to eliminate the ability of a single individual to have concurrent access to both the vendor payment system and the accounting system.

No internal control system will work if it is not rigorously adhered to throughout the organization. During August of this year, a top to bottom review of the various vendor pay operations was accomplished at each DFAS center and operating location. This review concentrated on identifying weaknesses in the application of these controls and business practices. At the same time, DFAS has conducted a stand down of all vendor pay operations to provide formal training in internal controls and fraud awareness. Finally, earlier this month, I met personally with all of the directors of the DFAS centers and operating locations to stress the need to strengthen our management controls.

To ensure a more permanent senior level oversight of internal controls, DFAS has established a separate organization which reports directly to the Director's office. The mission of this organization will be internal review, fraud prevention, fraud detection, and audit follow-up. One of the primary functions of this office is to track and ensure that accepted recommendations from existing fraud oases, GAO audits, along with other internal and external reviews and reports are implemented. This unit will be operational within the next 30 days.

In closing, Senator, I want you to know that I place the highest priority on ensuring that we have the best possible protections against fraud and wrongful payments. We have more to do, but I believe that we have made a strong start in responding to the lessons of the Miller and Krenick cases. I have conveyed these thoughts to Senator Durbin as well.

Sincerely,

WILLIAM J. LYNN.

Mr. GRASSLEY. In this letter, Mr. Lynn appeared to agree with all of my findings and recommendations 100 percent. That is a conclusion I make. The letter will be in the RECORD, so Members can read it for themselves. He said

that he was ''very troubled'' by every one of the control weaknesses cited in the report.

Mr. Lynn further stated:

There are unacceptable weaknesses in our internal control programs.

He promised me he would be taking aggressive corrective action to improve and tighten controls. He concluded by saying:

I want you to know that I place the highest priority on ensuring that we have the best possible protections against fraud and wrongful payments.

I also shared my concerns with Secretary of Defense Bill Cohen in a letter dated October 5, 1998. In his response on November 16, 1998—and I have that response from Secretary Cohen here—he offered identical assurances.

I ask unanimous consent to have that letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, October 5, 1998.

Hon. WILLIAM S. COHEN,
Secretary of Defense, Pentagon, Washington, DC.

DEAR BILL, I am writing to follow up on my recent Subcommittee hearing that examined the results of the Joint Review of Internal controls at the Department of Defense.

First, I would like to extend my sincere appreciation to the Department of Defense (DOD) for excellent cooperation and support throughout the Joint Review of Internal Controls. The person who is most responsible for energizing this project is Mr. Bob Hale, Assistant Secretary of the Air Force for Financial Management and Comptroller. We first met on June 27, 1997 to lay the ground work for the project. At that meeting, Mr. Hale agreed—with the full backing of the Secretary of the Air Force—that this would be a joint review between his office and my Subcommittee on Administrative Oversight and the Courts. As part of this arrangement, Mr. A. Ernest Fitzgerald, Management Systems Deputy of the Air Force, was authorized to participate. Mr. Fitzgerald was a key asset, since internal controls are one of his primary areas of responsibility. The ''jointness'' of this project contributed greatly to its success. Despite some rough spots, this approach could serve as a model for future cooperative efforts. Due largely to Mr. Fitzgerald's active participation, the department directed some corrective action as problems were being discovered and documented.

Second, I have the distinct impression that no one in the department takes much exception to the findings and recommendations contained in either the Joint Staff Report or the accompanying reports issued by the General Accounting Office. The attached letter from the Under Secretary of Defense, Mr. Bill Lynn, is testimony to that fact. He admits that he is ''very troubled'' by the control weaknesses that were uncovered by the Joint Review and is taking aggressive corrective action. Those efforts appear to be focused in one critical area—tightening controls over the process for placing ''remittance addresses'' on checks and electronic fund transfers. I am encouraged by Mr. Lynn's positive attitude and his determination to address these problems in meaningful ways. However, my long experience with the department causes me to feel some skepticism. In the past, I have found wide disconnects between what is promised by senior DOD officials and what is really done. I hope you will personally make sure that Mr. Lynn and other responsible officials fix this terrible problem.

I intend to follow up until I feel that the taxpayers' money is adequately protected.

Third, as Mr. Lynn said, he was ''very troubled'' by the problems cited in the reports. The Joint Staff Report, for example, states that the control environment within the Defense Finance and Accounting Service (DFAS) is characterized by ''fraud and deceit''—to use the exact words of a senior DFAS official. Between late 1995 and early 1997, there were repeated reports and allegations of fraudulent activity in DFAS—particularly at the OPLOC at Dayton, Ohio. In at least three instances, the Director of the Denver center, Mr. John Nabil, ordered the Director of Internal Review, LTC Boyle, to investigate. In each case, LTC Boyle confirmed the existence of fraudulent activity within DFAS. Mr. Nabil even signed a memorandum (attached) on September 30, 1996 that substantiates the existence of criminal activity within his organization. Yet every one of these ''red warning flags'' was ignored, and DFAS management failed to report suspected violations of 18 U.S.C. 1001 and other laws to the proper authorities—as required by law. The end result of this mismanagement was costly to the taxpayers. Embezzlers like SSGT Miller—and certainly others—were allowed to tap into the DOD money pipe—unrestricted—and steal huge sums of money—undetected. Eventually, an employee at Dayton blew the whistle and called the law directly. Maybe those persons who raised red flags at Dayton deserve awards?

In conclusion, I don't believe that the problems at the Dayton OPLOC are an isolated case. I think they are part of a general pattern of fraud and abuse within DFAS. The Joint Staff Report uncovered evidence of similar kinds of fraudulent activities at the Denver center in 1997 and 1998. I intend to refer this matter and other related matters to investigative and audit agencies for further investigation.

Bill, someone needs to be held accountable for what happened at the Dayton OPLOC and for what appears to be happening at the Denver center today. Who is responsible? Without some accountability, Mr. Lynn's promises will, in fact, come to nothing. Please let me know what you decide to do.

Sincerely,

CHARLES E. GRASSLEY, *Chairman, Subcommittee on Administrative Oversight and the Courts.*

Attachment.

THE SECRETARY OF DEFENSE,
Washington, DC, November 16, 1998.

Hon. CHARLES GRASSLEY,
Chairman, Subcommittee on Administrative Oversight and the Courts, U.S. Senate, Washington, DC.

DEAR CHUCK: This is in response to your recent letter following your Subcommittee hearing regarding internal controls at the Department of Defense (DoD). Be assured we take this matter very seriously. I know my Comptroller, Mr. Bill Lynn, has discussed with you measures the Defense Finance and Accounting Service (DFAS) is taking to improve internal management controls.

Your letter made specific mention of the DFAS Denver Center in Colorado, and the fraud case at its subsidiary office in Dayton, Ohio. Even though the perpetrator at Dayton was caught and convicted, the case indicates weaknesses in internal management controls that must be remedied. Toward that end, DFAS has implemented a number of very specific, system-oriented improvements to strengthen existing controls, establish new controls, and ensure that published procedures are followed. In addition, we have instituted an extensive, in-depth internal review of the entire Denver Center network. DFAS also established a separate office to strengthen internal controls and ensure compliance at all levels.

DFAS, as an organization, is 7 years old and is composed of approximately 20,000 personnel located in 17 states. We should acknowledge the dedicated public servants who go out of their way every day to ensure that the taxpayers' money is protected. Bill Lynn and I will help them in every way we can to make sure that the suggestions for improvement, which have been presented in the various reports, hearings, and meetings, are evaluated and implemented where necessary.

Chuck, you and I share a common interest in protecting scarce financial resources, while supporting the great men and women of our armed forces. The hard work by you and your staff has assisted significantly in the progress we have made. We will continue to work to improve our financial management.

Sincerely,

BILL.

Mr. GRASSLEY. While Secretary Cohen and Chief Financial Officer Lynn, the nominee now under consideration, both assured me over and over that they were taking steps to tighten internal controls—I am shocked to say this—they were already quietly moving in the opposite direction. They were busy pushing other policies to weaken and undermine internal financial controls.

So I want to get into that. In 1998, when Mr. Lynn was chief financial officer, something we call pay-and-chase was the Pentagon lingo used to describe the Department of Defense vendor paying process. With pay-and-chase, the Pentagon paid bills under $2,500 first, and then worried about chasing down receipts later. You get it—pay-and-chase: pay without worrying about what you are buying or the invoice and then, after you pay, go out and find some justification for the payment.

Ever wonder why there is waste in the Defense Department? Sometimes receipts were found under pay-and-chase, sometimes not. Nobody seems to care either way. This is how the Department of Defense ended up with not $2,500 here and there but with billions of dollars in what they refer to as unmatched disbursements—another big control problem with which chief financial officer Bill Lynn was thoroughly familiar.

Pay-and-chase accurately characterized the core DFAS problem I witnessed during my review of internal controls from 1997 through 1998. I saw pay-and-chase up close and personal. Pay-and-chase was not an official policy; it was an unofficial policy. It was actively practiced but not authorized by any Government regulation or laws.

As I understand it, pay-and-chase was supposed to end in October 1997

when the Department of Defense general counsel determined it was illegal. But it did not stop. Secretary Cohen wanted to, instead, legalize pay-and-chase and make it the law of the land.

On February 2, 1998, when Mr. Lynn was chief financial officer, Secretary Cohen asked the Senate for legal authority to pay bills without receipt with no dollar limit. Now, that is pretty high up in the Department that you are deciding that we ought to have a policy to pay bills without receipts, and to do it not with a $2,500 limit but with no dollar limit. This proposal was embodied in section 401 of the Defense Reform Initiative. It was touted—can you believe it—as a measure to ''streamline'' the DOD payment process.

Fortunately, the Congress rejected this absurd and misguided legislative proposal. But you know what the thinking was at the highest levels of the Defense Department. So I discussed Secretary Cohen's pay-and-chase proposal in great detail in a speech on the floor of this body on May 5, 1998. You will find that on pages S4247 through S4250. I placed, at that time, Secretary Cohen's request in the RECORD.

So what was Mr. Lynn's position on section 401 of Secretary Cohen's Defense Reform Initiative? I asked him this question on February 5, 2009. This is what he said: He could not ''recall'' taking a position on it but agreed it was wrong ''to pay bills without a receipt.''

This seems like a real cop-out. I responded this way:

> In February 1998, you had been [chief financial officer] for several months. This issue fell directly under your purview. How could you possibly avoid taking a position on an issue the Secretary of Defense was urging the Senate to adopt? As the Chief DOD Lobbyist for Raytheon, you say it was wrong. As the DOD [chief financial officer] back in 1998, why didn't you know it was wrong and speak up about it [at that time]?

My records appear to indicate that pay-and-chase continued as the unofficial policy through 1998 and eventually evolved into another more troublesome policy known as ''straight pay.'' This policy was even more dangerous for the taxpayers. The straight pay policy had much higher dollar thresholds than the old pay-and-chase plan. Believe it or not, it was a whopping half million dollars.

Straight pay was Mr. Bill Lynn's baby. This policy was personally approved by Mr. Lynn in a memorandum on December 17, 1998, and reauthorized in another memo on March 9, 1999, and possibly again later. This is that document:

> Memorandum for Director, Defense Finance and Accounting Service
> Subject: Prevalidation Threshold
>
> In a memorandum dated December 17, 1998, I authorized a temporary $500,000 threshold on new contracts paid by the Mechanization of Contract Administration Services (MOCAS) system. This temporary authorization is scheduled to expire on March 22, 1999. However, while the Defense Finance and Accounting Service Columbus Center has made significant improvements in the backlog of payments, we are not at the point where we can lower the threshold to $2,500. Therefore, the temporary threshold of $500,000 is extended for another 90 days for Columbus MOCAS payments only.
>
> I request you continue to provide me with a monthly report showing progress in resolving the current prevalidation process delays. The monthly report should include your plan to lower the threshold at the appropriate pace to reach the goal of total prevalidation by July 2000. As we improve our systems capabilities, we will continue to aggressively reduce the threshold until all payments are prevalidated.
>
> WILLIAM J. LYNN.

On January 19, 1999, I addressed a letter to Mr. Lynn expressing grave concern about straight pay and requesting verification of certain facts surrounding this policy. The facts in question were provided to me anonymously by a DFAS employee. I wanted Mr. Lynn to check out all of this for me.

Prior to the implementation of straight pay, the DFAS center in Colombia, OH, had a prevalidation policy that required that all disbursements over $2,500 be matched with obligations or contracts prior to payment, which is the way it ought to be—well, no; it ought to be for every dollar, but at least over $2,500 it had to be matched. When an invoice was submitted to the center for payment, a DFAS technician searched the database for supporting obligations and receipts.

If supporting documentation could not be found, a red warning flag was supposedly run up the pole. Accounting due diligence was needed to confirm if this particular invoice was valid, a duplicate, or fraudulent payment. In theory, these red flags had to be resolved. As you would expect, in practice, that did not always happen.

Mr. Lynn's straight pay policy raised the prevalidation threshold by $497,500, up to finally a half million dollars. This allowed the DFAS technicians to make payments up to a half million dollars without a valid obligation. To cover these payments, technicians were ordered to create a bogus account known as negative unliquidated obligations. Now, that is a Harvard word, isn't it. But they called it NULO for short, the acronym. So we have these negative unobligated obligations. Bills were then paid from these bogus NULO accounts which carried negative balances.

Mr. Lynn's policy gave DFAS accountants up to 6 months to link the payments to valid supporting obligations in the accounting records. If valid supporting documentations could not be found in that timeframe, then the center was authorized to cover the payments with other available funds with no further investigation. This is how the unmatched disbursements of the Department of Defense were born and eventually built into the billions of dollars.

In my January 19, 1999, letter to Mr. Lynn, I drew some comparisons between straight pay and the case of Air Force SSgt Robert L. Miller. Now, Robert L. Miller may not be a very famous name to most people around here, and he would not be to me if I had not run into him through this investigation. So I wanted to draw a comparison between the straight pay policy and the case of this Air Force staff sergeant.

I think Mr. Lynn and others in the Pentagon at the time remember the Miller case, and remember it all too well, or at least they did at that time. I examined that case and several others just like it in great detail at a hearing before my Judiciary Subcommittee on Oversight on September 28, 1998.

As chief of vendor pay at a DFAS center, then-Staff Sergeant Miller had pursued his own unlawful versions of straight pay. Miller had full access to the Integrated Accounts Payable System. As such, Miller was able to manipulate Department of Defense systems to create obligations and invoices where none existed and generate nearly $1 million in allegedly fraudulent payments to his mother and his girlfriend. Miller was not apprehended because internal controls at DFAS were effective, the things that were under the control of Mr. Lynn; he was caught because a coworker blew the whistle on him. She was one of Miller's subordinates who had allegedly been sexually harassed by him.

At that time, I told Mr. Lynn—the same Mr. Lynn whose confirmation we are considering now—that his straight pay policy appeared to authorize DFAS accountants to do essentially what Staff Sergeant Miller did: create false bookkeeping entries to cover large payments in the absence of valid obligations. DFAS and Miller obviously had different goals, but there was a common denominator, and that common denominator was manipulation of the accounting system.

DFAS payment policies practiced on Mr. Lynn's watch left the barn door wide open to fraud and outright theft of the taxpayers' dollars.

The Government Accountability Office, which provided excellent support all the way through my investigation, fully agreed with this assessment.

There was another disturbing facet of the Miller case that I took up with Mr. Lynn. On October 19, 1995, the date that Staff Sergeant Miller became chief of vendor pay at the Dayton center—a position considered far above his rank—he was already under investigation in connection with, one, the alleged disappearance of Government checks at Castle Air Force Base and, two, allegedly directing at least eight fraudulent checks valued at $50,769 to his mother.

On October 26, 1995, just 1 week after Staff Sergeant Miller became chief of vendor pay at Dayton, an investigating officer at Castle Air Force Base made this recommendation about Miller:

> Management should not place SSgt Miller in a position where he is entrusted with funds again . . .

After this report was issued, Miller should have been removed from his position at the Dayton center immediately. But it took 2 years, until June 1997, when Miller was arrested for allegedly stealing the million dollars.

The whole Miller story, of course, is unbelievable.

In view of his problems at Castle Air Force Base, why did the DFAS center place him in charge of vendor pay? Why did DFAS keep him there after an official report indicated he could not be trusted with the money? That makes as much sense as hiring a bank robber to be the bank teller.

On September 18, 1998, I wrote another letter that I have. This is letter No. 9, which I ask unanimous consent be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, September 18, 1998.

Hon. WILLIAM J. LYNN III,
Comptroller and Chief Financial Officer,
Pentagon, Washington, DC.

DEAR BILL: I am writing to thank you for providing the ''Investigation of Major Loss of Funds'' at Castle AFB involving Staff Sergeant (SSGT) Robert L. Miller, Jr. and to raise several additional questions.

I am very disturbed by what I found in the investigative report on the disappearance of U.S. Treasury checks at Castle AFB. The very obvious red warning flag raised by this report was totally ignored by management at the Defense Finance and Accounting Service (DFAS).

The report states that ''SSGT Miller was negligent in the loss of the two treasury checks entrusted to him.'' It says: ''He breached his duty,'' and it says ''he failed to safeguard his funds.'' For a military pay agent, that would normally be a death sentence. And if those words didn't ruin SSGT Miller's career in money matters forever, the report's recommendation number one should have done it. The investigating officer recommended that: ''Management should not place SSGT Miller in a position where he is entrusted with funds again. . . .'' Those are strong words.

The recommendation that SSGT Miller not be trusted with money again was made on October 26, 1995. That recommendation came exactly one week after SSGT Miller was ''forced'' into a position at the DFAS/Dayton finance center that was far above his rank. A much more senior civilian—Mr. Chuck Tyler—who occupied that position, was summarily removed to make room for SSGT Miller. Although official organizational charts indicate that SSGT Miller was just Chief of the Data Entry Branch, officials familiar with SSGT Miller's operation contend that he was, in fact, Chief of the entire Vendor Pay Department. In that position, he had direct control over billions of dollars in payments. In addition, for unknown reasons, SSGT Miller was given unrestricted access to the check generating system known as the Integrated Accounts Payable System or IAPS. This was a clear violation of internal control procedures. His predecessor—Mr. Tyler—had much more limited access.

On October 19, 1995—the date on which SSGT Miller was ''forced'' into Mr. Tyler's position, SSGT Miller was under active investigation for the disappearance of a large sum of money at Castle AFB. Unfortunately, his suspicious and improper conduct at Castle was not limited to the two missing Treasury checks. He had also generated at least 8 fraudulent checks worth $50,769.00, which were addressed to his mother, Ruby J. Miller. Only these facts were apparently not known at the time. Furthermore, on October 19, 1995, he was just a few days away from generating his first fraudulent check at Dayton. This one was for $12,934.67 and was also addressed to his mother.

All the new information that surfaced in connection with SSGT Miller's court-martial clearly shows that the investigating officer's concerns about SSGT Miller and money were based on sound judgement. SSGT Miller could not be trusted with money again. If the investigating officer's advice had been followed, SSGT Miller's criminal activities could have been brought to a screeching halt in October 1995 instead of June 1997. In November 1995, a trusted employee at the Dayton center, Mr. Otas Horn, even warned Colonel Berger about the dangers of placing SSGT Miller in Mr. Tyler's position with unrestricted access to IAPS. This early warning was followed by repeated reports of criminal conduct at Dayton throughout 1996, including an internal DFAS memo signed by Mr. Nabil, Director of the Denver Center, on September 30, 1996. Most involved fraudulent documents created in SSGT Miller's section. All involved criminal conduct—violations of 18 U.S.C. 1001—as noted in Mr. Nabil's memo. Why didn't DFAS management report this criminal activity to the law as required by every rule in the book?

Bill, I would like to return to the investigating officer's recommendations: ''Management should not place SSGT Miller in a position where he is entrusted with funds again. . . .'' When this report was issued, SSGT Miller should have been removed from his new position at Dayton—on the spot. Who in SSGT Miller's chain of command at Dayton was responsible for acting on the findings and recommendations in the investigative report? Was it Mr. Nabil? Was it the Commander at Dayton, Colonel Berger? Or was it Captain Brown, SSGT Miller's immediate supervisor? Who at Dayton had knowledge of this report? Who in DFAS management was responsible for totally ignoring this very dangerous red warning flag?

Bill, the responsible person or persons in your organization need to be held accountable for ignoring obvious and repeated warning signals about SSGT Miller's trustworthiness and giving him unrestricted access to your department's money vault.

I respectfully request a response to my questions by September 23, 1998.

Sincerely,
CHARLES E. GRASSLEY, *Chairman,*
Subcommittee on Administrative Oversight and the Courts.

Mr. GRASSLEY. I wrote this letter to Mr. Lynn and asked him two questions: Who at Dayton—that means the financial center at Dayton—had knowledge of the Castle Air Force Base report on Miller? Who in the finance center management was responsible for totally ignoring this very dangerous red warning flag? I ended my letter to Mr. Lynn this way:

Bill, the responsible person or persons in your organization need to be held accountable for ignoring obvious and repeated warning signals about SSGT Miller's trustworthiness and giving him unrestricted access to your department's money vault.

I asked for answers to these two questions by September 23, 1998. That would have been 5 days after I wrote the letter. None ever arrived, as far as I know.

When I did not get a prompt response to my January 19 letter to Mr. Lynn on straight pay, I raised those same issues with Secretary Cohen. I did that at a hearing before the Budget Committee on March 2, 1999. This is what Secretary Cohen said at the time:

There is no authorized procedure called Straight Pay.

Now, get that. You have straight pay that people talk about, and you have a Secretary of Defense saying there is no authorized procedure called straight pay.

The process described is not correct and is not authorized.

These answers do not square with the evidence I have tried to lay out.

Then, on March 9, came further explanation from Chief Financial Officer Lynn. He said essentially the same thing but with a slightly different twist:

The Straight Pay policy you refer to in your letter is not used at our Columbus Center. . . .

There are some words left out. It goes on to say:

''Straight Pay,'' as reported to you, does not exist at the Columbus Center.

This letter No. 10 explains that in great detail, and I ask unanimous consent to have printed in the RECORD letter No. 10.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNDER SECRETARY OF DEFENSE,
Washington, DC, March 9, 1999.

Hon. CHARLES B. GRASSLEY,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRASSLEY: This is in reply to your recent letter on my decision to raise the prevalidation dollar threshold for payments of contracts paid using the Mechanization of Contract Administration System (MOCAS) at the Defense Finance and Accounting Service (DFAS) Columbus Center.

In the prevalidation plan that we submitted to Congress, we stated we would gradually lower the threshold until all payments were prevalidated by July 2000. We took an aggressive approach in our attempt to reach the goal of 100 percent prevalidation before July 2000. Contracts awarded before FY 1997 are now prevalidated at the current statutory level of $1,000,000. Since March 1997, we have attempted to prevalidate all contracts above $2,500 that were issued in FY 1997 and later.

Unfortunately, we could not sustain the new prevalidation level in MOCAS and meet our obligations under the Prompt Payment Act. The imposition of the $2,500 prevalidation threshold, together with other factors, caused critical delays in our connector payments. In December 1998, after carefully considering the need to reduce our payment backlogs while complying with the Prompt Payment Act, I temporarily raised the prevalidation dollar threshold to $500,000 for centrally administered contracts paid through MOCAS. I also recently extended this threshold increase until June 1999. However, we still plan to meet our July 2000 goal to prevalidate all payments. We will continue to lower the prevalidation threshold, but at a deliberate pace to achieve our goal

of prevalidating all payments by July 2000 and ensuring compliance with the Prompt Payment Act.

The ''Straight Pay'' policy you refer to in your letter is not used at our Columbus Center. Before a payment is made in Columbus using MOCAS, the system must have entries that validate a contract exists, an invoice has been presented, and goods or services have been received or accepted. Increasing the prevalidation threshold does not waive the requirement to have these items before a payment is made. In addition, MOCAS does not allow one person to enter all three data elements into the system. I have enclosed a description of the MOCAS payment process. I believe that after you review our contract payment process, you will agree that some critical elements of the process were not provided to you and that ''Straight Pay,'' as reported to you, does not exist at the Columbus Center.

You also expressed concern that with the threshold raised to $500,000, DFAS experience the same type of fraud in MOCAS that SSgt Miller perpetuated using the Integrated Accounts Payable System (IAPS) in Dayton. The MOCAS payment environment is significantly different from the IAPS environment. The MOCAS system architecture does not permit multiple levels of access. The internal controls built into MOCAS that force separations of functions all but eliminate the possibility of one person creating fraudulent payments.

I am still committed to reaching the goal of total prevalidation by July 2000. As we improve our systems capability, we will combine to aggressively reduce the threshold until all payments are prevalidated. I appreciate your interest and look forward to working with you to improve our operations.

Sincerely,

WILLIAM J. LYNN.

Mr. GRASSLEY. I felt as though then-Secretary Cohen on the one hand and Chief Financial Officer Lynn were trying to convince me that straight pay did not exist. Their statements appear to be, even today, misleading and inaccurate.

Just because I didn't explain the policy exactly right did not mean the policy did not exist. Everything that was coming over the transom at night to me was telling me that I was on the right track.

I responded to the denials this way—and they are in this letter, my letter No. 11. I wish to quote a couple of sentences:

> If this statement is indeed accurate—and ''Straight Pay'' doesn't exist, then why do I have official DFAS documents establishing ''Straight Pay Procedures?'' Are these documents a fake?

Are these documents I am getting a fake if they come directly from the financial center?

I later discovered another DFAS document, dated March 8, 1999, which states:

> Due to concerns over the use of the term ''straight pay'' and its connotation, we must delete all references to ''straight pay'' the from the policy. . . .

Now, how does that square with what the Secretary of Defense Cohen told me? How does that square with the exchange I had with Bill Lynn, Chief Financial Officer at that time? Those things are in this document No. 12.

I ask unanimous consent to have document No. 12 printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE FINANCE AND ACCOUNTING SERVICE,
March 8, 1999.

MEMORANDUM FOR SEE DISTRIBUTION

Subject: Policy for Processing Unmatched Disbursements

Effective November 1, 1999, you were authorized to post unmatched disbursements (UMDs) without posting a negative unliquidated obligation (NULO) offset for transactions meeting criteria described in the attached policy. Due to concerns over the use of the term ''straight pay'' and its connotation, we must delete all references to ''straight pay'' from the policy, and clarify that the policy does not create an environment for fraudulent payments. Terms such as unmatched disbursements or direct disbursements were substituted.

Operating location (OPLOC) recommendations to add other categories under paragraph F, ''Unmatched Disbursements Which May Be Recorded Without Research, Approval, and NULO Offset,'' were incorporated. For example, Fund Type K transactions for Deposit/Suspense Accounts and disbursements posted under processing center ''Y,'' etc., were added. The inclusion of these categories did not change the intent or scope of the policy. We also clarified that for disbursements made against obligations recorded as Miscellaneous Obligation Reimbursement Documents (MORD) where the difference exceeds $3,000, Financial Service Office/Accounting Liaison office (FSO/ALO) approval is not required, but the FSO/ALO should be notified within 4 work days.

The revised policy is attached for your action. OPLOCs will continue to maintain a log on unmatched disbursements requiring FSO/ALO review. Copies of attached Missing Commitment/Obligation form (Atch 1) may be kept in lieu of a log.

We are requesting you to submit another report from the log statistics you gather for UMDs processed between February 1—May 31, 1999. The UMD Report, in Excel 5.0 format, is due to DFAS-DE/ASP on June 11, 1999. Please submit report via cc:mail to address indicated on attached report format. At that time we will decide whether another reporting cycle is necessary.

These procedures were coordinated with the Office of the Assistant Secretary of the Air Force for Financial Management-Air Force Accounting and Finance Office (AFAFO/FMF). If you have any questions, my project officer is Ms. Mirta Valdez, DFAS-DE/ASP, (303) 676–7708 or DSN 926–7708.

SALLY A. SMITH,
Dierctor for Accounting.

Mr. GRASSLEY. I say to my colleagues, is the March 8, 1999, date on this document a coincidence or was this a bureaucratic tactic to suppress, to bury or to rename the policy to conform with the highest level of rhetoric that I heard in March of that year?

Not getting the straight story from the Pentagon, I brought the issue of straight pay to the attention of one of our colleagues now and a colleague back then, Senator INHOFE, who was chairman of the Readiness Subcommittee on Armed Services. My letter to Senator INHOFE is dated April 8, 1999, and I have that letter here as No. 13 document.

I ask unanimous consent to have document No. 13 printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, April 8, 1999.

Hon. JAMES M. INHOFE,
Chairman, Subcommittee on Readiness and Management Support, Committee on Armed Services, U.S. Senate, Washington, DC.

DEAR JIM: In view of your upcoming hearing on financial management at the Department of Defense (DOD) along with my continuing interest in these matters, I am submitting several questions bearing on internal control issues for your consideration.

Back on January 19, 1999, I wrote a letter to DOD's Chief Financial Officer (CFO), Mr. Bill Lynn, to verify certain facts pertaining to a policy known as ''straight pay.'' The facts in question were provided anonymously by an employee at the Defense Finance and Accounting Service (DFAS). In a nutshell, this policy authorizes DFAS to make payments up to $500,000.00 when no corresponding obligation or contract could be located in the database or otherwise identified. When bills are paid in the absence of contracts, how does DFAS know how much money, if any, is owed? As I understand it, this policy was personally approved by Mr. Lynn.

In my mind, this is a very dangerous policy. But it is not only dangerous. It is also misguided, and it may violate the law. It is certainly helping to erode one of the last visible traces of internal controls at DOD, and its continued use will undermine any hope of a ''clean'' audit opinion on the department's annual financial statements—as required by the Chief Financial Officers Act.

Last year, during my investigation of the breakdown of internal controls at DOD, I learned that Air Force Staff Sergeant (SSGT) Robert L. Miller, Jr. had pursued his own version of ''straight pay'' while Chief of Vendor Pay at DFAS' Dayton center during 1995–1997. With full access to the Integrated Accounts Payable System, SSGT Miller was able to create obligations, where none existed, and generate nearly a $1,000,000.00 in fraudulent payments to his mother and girlfriend. Now, Mr. Lynn's ''straight pay'' policy authorizes DFAS technicians to do exactly what SSGT Miller did—create false bookkeeping entries to cover large payments in the absence of supporting contracts. This policy leaves the door wide open to fraud and mismanagement.

I am attaching a copy of my letter to Mr. Lynn on ''straight pay'' dated January 19, 1999. Since Mr. Lynn never answered this letter, I had to verify the facts on my own in consultation with the General Accounting Office. According to a March 8, 1999 DFAS memorandum, Mr. Lynn's ''straight pay'' policy is still in place today, though its name has been changed to avoid any negative connotations. DFAS is concerned that the term ''straight pay'' may suggest a permissive ''environment for fraudulent payments.''

I would very much appreciate it if you would place a copy of my letter in the hearing record and raise my enclosed questions on DOD's ''straight pay'' policy. My questions should be directed to Mr. Lynn.

Again, thank you very much for giving me the opportunity to submit questions for your upcoming hearing on DOD Financial Management problems.

In addition, in the very near future, I expect to be submitting ''a legislative reform package'' to you and other colleagues for consideration. The rationale for this draft legislation is outlined under the heading ''The Need for DOD Financial Reforms'' on pages 25 to 29 of the Budget Committee's report on the Concurrent Resolution on the

Budget for FY 2000 (Senate Report No. 106–27).

I look forward to having Mr. Lynn's responses to my questions on ''straight pay'' and working with you in the future on these matters.

Sincerely,

CHARLES E. GRASSLEY,
U.S. Senator.

Mr. GRASSLEY. I told my friend from Oklahoma that I considered straight pay to be ''a very dangerous and misguided policy that might violate the law.'' I also told him about the Miller case heretofore referenced. I urged Senator INHOFE to ask Secretary Cohen and Chief Financial Officer Lynn five questions on straight pay at an upcoming hearing.

Mr. Lynn attempted to clarify the Department of Defense position on straight pay in a letter dated June 18, 1999. That is document No. 14.

I ask unanimous consent to have document No. 14 printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNDER SECRETARY OF DEFENSE,
Washington, DC, June 18, 1999.

Hon. CHARLES E. GRASSLEY,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRASSLEY: This is in reply to your recent letter to the Honorable William S. Cohen, Secretary of Defense, concerning the Department of Defense responses to your questions submitted for the record following a March 2, 1999, hearing before the Senate Budget Committee. Enclosed is the Department's response to your questions.

Sincerely,

WILLIAM J. LYNN.

Enclosure.

RESPONSES TO THE QUESTIONS OF SENATOR CHARLES E. GRASSLEY

Question. The General Accounting Office (GAO)—in report No. AIMD–99–19—states that Mr. Hamre's policy authorizes the Navy to delay recording obligations in excess of available budget authority for up to five years. The GAO further indicates that the purpose of the policy allowing such delays in recording obligations in the books of account is to avoid a potential over obligation and violation of the Antideficiency Act. Are these two statements accurate and correct?

Answer. The policy referenced in GAO report No. AIMD–99–19 is not intended to and, in fact, in no way does, shield any DoD Component from a violation of the Antideficiency Act. Similarly, in no instance is the policy intended to allow any DoD Component to willingly defer the recording of a known valid obligation in excess of available budget authority.

The Department's policies require that an obligation be established at the time a contract is entered into or a good or service is ordered, and to be recorded within 10 days of the date on which the obligation is incurred. Additionally, prior to making a disbursement, the applicable technician is required to verify that an appropriate contract or other ordering instrument exists, that a government official has verified that the goods or services have been received and that a proper invoice requesting payment has been received. Also, depending on the amount of the payment, the technician may be required to prevalidate an obligation. (Prevalidation is the process of checking to ensure that a matching obligation has been recorded in the accounting records prior to making a disbursement.) Additionally, the technician also is required to identify the proper appropriation to be charged and the accounting office responsible for the related obligation. Further, the disbursement should be matched to the applicable obligation at the time the disbursement is made, if feasible, or as soon thereafter as is feasible.

The GAO report referred to above addresses in-transit disbursements. In-transit disbursements occur when the paying office (the office making the disbursement) is different than the accounting office (the office accounting for the obligation). In such instances, in addition to determining the existence of a contract or ordering document and verifying the receipt of the goods or services before making the payment, and deducting the amount of the payment from the cash balance of the appropriation involved, the paying office also must forward the disbursement information to the accounting office to enable the disbursement to be recorded against the related obligation. (Only the applicable accounting office, and not the paying office, can record a disbursement against its related obligation. Thus, this latter action is required irrespective of whether the disbursement was prevalidated prior to payment.)

Since the amount of in-transit disbursements is deducted from the cash balance of the applicable appropriation at the time of disbursement, the Department can determine if the cash balance of the appropriation involved is positive or negative. Since a negative cash balance is an indication of a potential Antideficiency Act violation, if an appropriation has a negative cash balance, the Defense Finance and Accounting Service is required to stop making any further payments chargeable to the appropriation. Additionally, the DoD Component involved is required to initiate an investigation of a potential Antideficiency Act violation. Except in very rare instances, in-transit disbursements do not result in a negative cash balance in the applicable appropriation. Since the appropriations charged have a positive cash balance that means that amounts disbursed from those appropriations are not in excess of available budget authority.

As stated above, when the paying office is different than the accounting office, the paying office must forward the disbursement information to the accounting office to enable the disbursement to be recorded against the related obligation. During the time that the information is being transmitted from the paying office to the accounting office the information is said to be in-transit, and the disbursement is said to be an in-transit disbursement. Once the information is received by the accounting office, the accounting office attempts to match the disbursement to an obligation, and the disbursement no longer is considered to be an in-transit disbursement. At that point, the disbursement becomes a matched disbursement, an unmatched disbursement or a negative unliquidated obligation.

Over 90 percent of in-transit disbursements are matched to an obligation within 60 days of arriving at the applicable accounting station. However, in some instances the information does not arrive at the applicable accounting office or the information that does arrive is not sufficient to allow the applicable accounting office to attempt to match the disbursement to an obligation. In such circumstances, the accounting office must take additional steps to research and obtain the information required to allow it to attempt to match the disbursement to an obligation.

Until the 1990s, the Department had no policy regarding such research efforts and did not require that obligations be recorded for unresolved in-transit disbursements. The policy addressed in the referenced GAO report recognized that, consistent with DoD policy, in most instances, obligations are established at the time an applicable contract is entered into or goods or services are ordered. However, in those instances where an accounting office does not receive detailed information on an in-transit disbursement, this lack of detailed information often precludes the accounting office from being able to attempt to identify the disbursement to an obligation. Establishment of a new obligation for such disbursements, in many instances, could result in a duplicate obligation. In order to avoid such duplicate obligations, the Department allows the DoD Components time to conduct additional research. Often, this requires a considerable period of time and involves significant manual research. This is especially so for those in-transit disbursements made by one of the over 300 former paying offices that now have been closed.

Question. If a bill for $499,999.99 is submitted to the Defense Finance and Accounting Service (DFAS) Columbus Center for payment and the responsible technician is unable to identify a matching obligation, and Mr. Lynn's waiver is used to authorize the payment, exactly how is the payment posted in the books of account? Without a valid, matching obligation, there are just three options: (a) post it to a bogus account; (b) post it to the wrong account; or (c) don't post it. How does DFAS do it?

Answer. In the example described above, the technician at the DFAS Columbus Center would not be required to validate that an obligation was recorded in the official accounting records prior to making the payment because the dollar amount would be below the prevalidation threshold amount in effect at the DFAS Columbus Center. (However, at any DFAS location other than the Columbus Center, this amount would be above the prevalidation threshold amount and the technician would be required to match the proposed disbursement to the applicable obligation prior to making the disbursement.) Although in the above example, the technician at the DFAS Columbus Center would not be required to match the payment to an obligation prior to payment, the technician would be required to determine that the payment otherwise is valid. This would require that the technician verify that an appropriate contract or other ordering instrument exists and that a government official verified that the goods or services were received. Also, the technician would be required to identify the proper appropriation to be charged and the accounting station where the related obligation is recorded. Generally, this information would reside, and could be found, in the payment system at the DFAS Columbus Center.

Irrespective of whether a disbursement is matched to an obligation prior to payment, once a payment is made by the DFAS Columbus Center, the amount of the disbursement would be deducted from the cash balance of the applicable appropriation charged and information concerning the disbursement would be forwarded to the applicable accounting station. When that information arrived at the applicable accounting station, the accounting station would: match the disbursement to the applicable obligation recorded in the accounting system; or if the amount of the disbursement exceeded the amount of the applicable obligation, match the disbursement to the applicable obligation but record a negative unliquidated obligation against the same account for the amount of the difference between the disbursement and the obligation; or if no corresponding obligation record can be found in

the accounting system, treat the disbursement as an unmatched disbursement.

Question. While the DFAS attempts to identify the matching obligation, is the payment placed in the ''in-transit'' status?

Answer. The Columbus Center, using the Department's existing finance network, would forward information on the disbursement to the applicable accounting station. That information would be considered to be ''in-transit'' for the period of time necessary for the information to be forwarded from the Columbus Center to the applicable accounting station. Once the information arrived at the accounting station, the accounting station would match the disbursement to the applicable obligation and the transaction no longer would be considered to be in an in-transit disbursement.

Question. If a valid, matching obligation cannot be found, how is the problem resolved?

Answer. If a valid, matching obligation cannot be found, the disbursement is treated as an unmatched disbursement. In the case of an unmatched disbursement, the applicable accounting station and DoD Component involved are given 180 days to conduct research to identify the matching obligation. If, after the 180-day period, a valid matching obligation cannot be found, the DoD Component involved is required to establish a new obligation for the disbursement.

Mr. GRASSLEY. In his followup letter, Mr. Lynn backed away from his assertion that straight pay did not exist. So they said it didn't exist, and now you see an assertion backing away from that. While he never used the term ''straight pay,'' he did not try to disassociate himself from the policy. His description of the policy was generally accurate, though somewhat incomplete.

I raised essentially the same question with Mr. Lynn in a recent letter, dated January 29, 2009, because of his appointment to this position of Deputy Secretary of Defense. Regrettably, he provided essentially the same answers in a letter dated February 3, 2009.

I ask unanimous consent to have printed in the RECORD those two letters, documents 15 and 16.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON FINANCE,
Washington, DC, January 29, 2009.

Mr. WILLIAM J. LYNN,
Senior Vice President, Raytheon Company, Arlington, VA.

DEAR MR. LYNN: I am writing to follow-up on six questions I submitted for the record at your nomination hearing before the Senate Armed Services Committee earlier this month.

Two of my questions pertain to a potential conflict of interest flowing from your status as a registered lobbyist with the Raytheon Company. Four of the questions pertain to your efforts as the Department of Defense (DOD) Chief Financial Officer (CFO) to bring the department into compliance with the CFO Act. I am eagerly waiting for your answers to my six questions.

Since submitting those questions for the record, I have had an opportunity to retrieve and examine certain archived files on DOD financial management issues that I investigated in the late 1990's while you were the DOD CFO and Comptroller. I came across two files of particular interest as follows: 1) ''Straight Pay;'' and 2) ''Pay and Chase.'' These are DOD payment policies that were either attributed to you and/or adopted while you were the department's Chief Financial Officer in charge of such matters. My follow-up questions pertain to these matters.

In 1998, when you were CFO, ''Pay and Chase'' was a term used to describe DOD vendor payment policy. With ''Pay and Chase,'' the Pentagon paid bills first and worried about tracking down the receipts later. Sometimes receipts were found; sometimes not; And sometimes no effort was made to look. This is how DOD ended up with billions of dollars in unmatched disbursements. As I understand it, this was SOP when you were CFO. It was unofficial policy. It was practiced but not authorized in government regulations or law.

Secretary of Defense Cohen attempted to legalize ''Pay and Chase.'' He wanted to make it the law of the land. He forwarded his proposal to the Senate on February 2, 1998 as part of a larger package of so-called defense reforms. At that point in time, you were CFO, and this matter fell directly under your area of responsibility. ''Pay and Chase'' was just one small piece of the Defense Reform Act of 1988—also known as the Defense Reform Initiative (DRI). ''Pay and Chase'' was embodied in Section 401 of that bill. It was touted as a measure to ''streamline'' DOD payment practices.

Section 401 would have authorized DOD to pay bills without receipts with no dollar limit. It would have required only random after-the-fact verification of some receipts. And it would have relieved disbursing officers of all responsibility for fraudulent payments that might have resulted from the policy.

There is nothing in my files to indicate Section 401 of Secretary Cohen's DRI became law. I believe ''Pay and Chase'' continued as an unofficial policy and evolved into another troublesome one known as ''Straight Pay.'' This policy was initially approved by you in a signed memorandum on December 17, 1988.

On January 19, 1999, I wrote to you, expressing grave concern about ''Straight Pay.''

Prior to the implementation of ''Straight Pay,'' the Defense Finance and Accounting Center (DFAS), Columbus, Ohio had a pre-validation policy that required all disbursements over $2,500.00 be matched with obligations prior to payment. When a bill was submitted to the center for payment, a technician searched the database for the supporting obligation or contract. If one could not be found, a red warning flag was allegedly run up the pole. Was it a duplicate or fraudulent payment? Your ''Straight Pay'' policy raised the pre-validation threshold to $500,000.00. ''Straight Pay'' allowed the technician to ignore the warning signals and make payments up to $500,000.00 without checking documentation. Then the accountants at the center were directed to create bogus accounts for negative unliquidated obligations or ''NULO'' to cover the payment. The bill was then paid from the bogus account with a negative balance. The center had six months to locate valid supporting obligation. If a valid, matching obligation could not be found within that time frame, then the center would cover the payment with other available funds with no further investigation.

In my letter to you, I drew some comparisons between ''Straight Pay'' and the scenario in the case of Air Force Staff Sergeant (SSGT) Robert L. Miller, Jr. You may remember the Miller case. I examined that case—and others like it—in great detail at a hearing before my Judiciary Oversight Subcommittee on September 28, 1998. As Chief of Vendor Pay at another DFAS Center, SSGT Miller had pursued his own version of ''Straight Pay.'' With full access to the Integrated Accounts Payable System, SSGT Miller was able to create obligations, where none existed, and to generate nearly a $1,000,000.00 in allegedly fraudulent payments to his mother and girlfriend. He was not caught until a co-worker blew the whistle.

Mr. Lynn, on the surface at least, your ''Straight Pay'' policy appeared to authorize DFAS technicians to do essentially what SSGT Miller allegedly did—create false bookkeeping entries to cover large payments in the absence of supporting documentation. Your policy left the barn door wide open to fraud and mismanagement. At the time, the General Accounting Office agreed with that assessment.

Also, at the time, I told you and other senior officials—and spoke extensively about this problem on the floor—that ''Straight Pay'' was a dangerous, misguided, irresponsible, and unbusinesslike policy. Furthermore, it was totally inconsistent with various provisions of Title 31 of the U.S. Code, Money and Finance.

American taxpayers deserved to know that their hard earned money was being protected and properly accounted for under your leadership at DOD. So please help me understand your position on ''Straight Pay.'' It seemed to be completely inconsistent with your responsibilities under the CFO Act. As CFO, how could you endorse such a policy?

Your prompt response to my questions would be appreciated,

Sincerely,

CHARLES E. GRASSLEY,
Ranking Member.

FEBRUARY 3, 2009.

Hon. CHARLES E. GRASSLEY,
Ranking Member, Committee on Finance, U.S. Senate, Washington, DC.

DEAR SENATOR GRASSLEY: Thank you for your letter of January 29, 2009 concerning my tenure as Under Secretary of Defense (Comptroller) and Chief Financial Officer from November 1997 to January 2001. You asked specifically about two payment practices: ''Pay and Chase'' and ''Straight Pay''.

The Denver Center of the Defense Finance and Accounting Service (DFAS) initiated the ''Pay and Chase'' pilot 'in early 1997 in order to achieve more timely payments. It was a limited test that allowed certain payments under $2,500 to be made based on matching a proper invoice to the corresponding contract. Receipt and acceptance was followed up after the payment was made. The pilot was discontinued by October 1997 when the DoD General Counsel and DFAS General Counsel found that matching a proper invoice and contract alone was not legally sufficient to make a payment. The Department proposed legislation to Congress in 1998 called Verification After Payment that would have authorized making payments from the invoice/contract match, but that request was later dropped without Congressional action.

''Straight Pay'' is an informal term used to describe the practice of making payment based on a three way match of a proper invoice, receiving report and contract when an obligation has not yet been recorded in the accounting records. ''Straight Pay'' recognizes the government's legal obligation to make payment and was used to ensure contractors were paid on time and to reduce payment backlogs and associated interest penalties due to late payments. Under ''Straight Pay'' policies, payments could not be made on an invoice alone. But if DFAS had a proper invoice together with a valid contract for the goods/services and a valid receiving report that the goods/services had been delivered, payment could be made without a matching obligation. DFAS then contacted the Military Services to update the

accounting records, ensuring that the expenditure was recorded and valid.

The Defense Department has two important obligations: to ensure that those who provide goods and services to the Department are paid on time pursuant to the Prompt Payment Act and to make certain there are proper controls that ensure the Department has received the goods and services pursuant to a valid contract. At a time when the Department faced a backlog of unpaid invoices and mounting interest costs due to late payments, ''Straight Pay'' was an attempt to draw the right balance between those objectives by reducing late payments while still ensuring that the Department had received what it paid for and that the accounting records were accurate.

Best practices require that all proper invoices be matched with a receiving report and contract, and that the obligation be prevalidated in the accounting records prior to payment. The Department made progress toward this pre-validation objective while I was Under Secretary. And I understand that further progress has been made since I left. If confirmed, I will work with the Chief Financial Officer and the Military Departments to achieve this important goal.

Finally, you raised the case of Air Force Staff Sergeant Robert L. Miller, who defrauded the Department in a series of activities between October 1994 and June 1997. The Miller case did not actually involve ''Straight Pay''. It did, however, expose significant internal control weaknesses within both DFAS and the Air Force. As a consequence of the Miller case, I directed DFAS to take a series of corrective actions, including revising internal control guidance to ensure better segregation of duties, reviewing and adjusting vendor payment access to the minimum number of personnel needed to properly conduct business, ensuring proper documentation existed to pay invoices, and correcting deficiencies in computer system security. In addition, DFAS in November 1999 established an Internal Review office to examine its systems and operations for weaknesses and potential cases of fraud.

As you requested, I have also included answers to the six questions you submitted for the record after my nomination hearing on January 15, 2009. Looking ahead, if confirmed as Deputy Secretary of Defense, I will do my utmost to strengthen the Department's financial management and internal controls designed to prevent fraud. I will also work to accelerate the modernization and integration of the Department's management information systems. From my earlier DoD tenure, I know the obstacles to achieving this, but I also know its vital importance. In this era of increasing fiscal strain, financial stewardship at the Department of Defense is essential, and I look forward to making that happen.

Sincerely,

WILLIAM J. LYNN, III.

SENATE ARMED SERVICES COMMITTEE

QUESTIONS FOR THE RECORD

(To consider the following nominations: William J. Lynn III to be Deputy Secretary of Defense; Robert F. Hale to be Under Secretary of Defense (Comptroller) and Chief Financial Officer; Michèle Flournoy to be Under Secretary of Defense for Policy; and Jeh Charles Johnson to be General Counsel, Department of Defense. Witnesses: Lynn, Hale, Flournoy, Johnson)

Senator Chuck Grassley

FINANCIAL MANAGEMENT

93. Mr. Lynn, as the Under Secretary of Defense (Comptroller), you were the Department's Chief Financial Officer (CFO). That position was established by the CFO Act of 1990. Section 902 of the CFO Act states: ''The CFO shall develop and maintain an integrated agency accounting and financial management system, including financial reporting and internal controls.'' This requirement existed for at least 5 years before you became the DOD CFO. While you were CFO, did DOD operate a fully integrated accounting and financial management system that produced accurate and complete information? If not, why?

Answer: The DoD financial and business management systems were designed and created before the CFO Act of 1990 to meet the prior requirements to track obligation and expenditure of congressional appropriations accurately. The CFO Act required the Department to shift from its long-time focus on an obligation-based system designed to support budgetary actions to a broader, more commercial style, accrual-based system. To accomplish this transformation, several things needed to be done. First, the Department created the Defense Finance and Accounting Service (DFAS) to consolidate financial operations, which was accomplished in 1991 before my tenure as Under Secretary. Second, the Department had too numerous and incompatible finance and accounting systems. From a peak of over 600 finance and accounting systems, I led an effort to reduce that number by over two thirds. This consolidation effort also strove to eliminate outdated financial management systems and replace them with systems that provided more accurate, more timely and more meaningful data to decision makers. The third and most difficult step in developing an integrated accounting and financial management system has been to integrate data from outside the financial systems. More than 80 percent of the data on the Defense Department's financial statement comes from outside the financial systems themselves. It comes from the logistics systems, the personnel systems, the acquisition systems, the medical systems and so on. On this effort, we made progress while I was Under Secretary but much more needs to be done. If confirmed, I will take this task on as a high priority.

94. Mr. Lynn, under section 3515 of the CFO Act, all agencies, including DOD, are supposed to prepare and submit financial statements that are then subjected to audit by the Inspectors General. While you were the CFO, did DOD ever prepare a financial statement in which all DOD components earned a ''clean'' audit opinion from the DOD IG? If not, why?

Answer: In the 1997, the Department of Defense had twenty-three reporting entities, only one of which, the Military Retirement Fund, had achieved a clean audit. Over the next four years, the Department under my leadership as Under Secretary earned a ''clean'' opinion on three other entities: most importantly, the Defense Finance and Accounting Service in 2000, followed by the Defense Commissary Agency and the Defense Contract Audit Agency in 2001. We were unable to obtain clean opinions on the other reporting entities. The primary reason for not earning clean opinions on the remaining entities was the difficulty of capturing data from non-financial systems and integrating that data into the financial systems in an auditable manner. It is my understanding that the Department still faces the challenge of integrating financial and non-financial systems to support the auditability of the DOD financial statements.

95. Mr. Lynn, as CFO, what specific steps did you take to correct this problem?

Answer: Under my leadership, the DOD instituted several important efforts to achieve a ''clean'' audit opinion. The primary effort was described in the Biennial Financial Management Improvement Plan (FMIP) which was submitted to Congress in 1998. That plan merged previous initiatives with new ones into a single comprehensive effort to achieve both financial management improvement and auditability. To directly address auditability, the FMIP included an effort in collaboration with the Office of Management and Budget, the General Accounting Office, and the Office of the Inspector General to address ten major issues identified by the audit community: 1) internal controls and accounting systems related to general property plant and equipment; 2) inventory; 3) environmental liabilities; 4) military retirement health benefits liability; 5) material lines within the Statement of Budgetary Resources; 6) unsupported adjustments to financial data; 7) financial management systems not integrated; 8) systems not maintaining adequate audit trails; 9) systems not valuing and depreciating property, plant and equipment; and 10) systems not using the Standard General Ledger at the transaction level. Due to this effort, substantial progress was made on most of these issues and several were resolved, including valuation of the military retirement health benefits liability, the reduction of unsupported adjustments to financial data, and the identification of environmental liabilities.

96. Mr. Lynn, 18 years after the CFO Act was signed into law, DOD is still unable to produce a comprehensive financial statement that has been certified as a ''clean'' audit. It may be years before that goal is met. If DOD's books cannot be audited, then the defense finance and accounting system is disjointed and broken. Financial transactions are not recorded in the books of account in a timely manner and sometimes not at all. Without accurate and complete financial information, which is fed into a central management system, DOD managers do not know how the money is being spent or what anything costs. That also leaves DOD financial resources vulnerable to fraud, waste and abuse, and even outright theft. The last time I looked at this problem billions—and maybe hundreds of billions—of tax dollars could not be properly linked to supporting documentation. As Deputy Secretary of Defense, what will you do to address this problem? Please give me a realistic timeline for fixing this problem.

Answer: The Department needs stronger management information systems. I can assure you that, if confirmed, I will be committed to improving financial information and business intelligence needed for sound decision making. I have not yet completed my review of all the information needed to provide a specific timeline; however, I will continue to examine this issue, including consideration of this and other Committees' views as well as the resources needed for the audit, before forming my assessment of how close DoD is to a clean audit.

POTENTIAL CONFLICT OF INTEREST

97. Mr. Lynn, as a Senior Vice President of Government Operations at the Raytheon Company, you were a registered lobbyist until July 2008. Correct? How long were you a registered lobbyist?

Answer: I was a registered lobbyist for Raytheon from July 2002 to March 2008.

98. Mr. Lynn, in his ''Blueprint for Change,'' President-elect Obama promises to ''Shine Light on Washington Lobbying.'' He promises to ''Enforce Executive Branch Ethics'' and ''Close the Revolving Door.'' He promises: ''no political appointees in an Obama-Biden administration will be permitted to work on regulation or contracts directly and substantially related to their prior employer for 2 years.'' Raytheon is one of the big defense contractors. As Deputy Secretary, Raytheon issues will surely come

across your desk. If you have to recuse yourself from important decisions, you would limit your effectiveness as Deputy Secretary of Defense. How will you avoid this problem for 2 years?

Answer: I have received a waiver of the ''Entering Government'' restrictions under the procedures of the Executive Order implementing the ethics pledge requirements. The waiver, however, does not affect my obligations under current ethics laws and regulations. Until I have divested my Raytheon stock, which will be within 90 days of appointment, I will take no action on any particular matter that has a direct and predictable effect on the financial interests of Raytheon. Thereafter, for a period of one year after my resignation from Raytheon, I also will not participate personally and substantially in any particular matter involving Raytheon, unless I am first authorized to do so under 5 C.F.R. § 1A2635.502(d). In addition, for the one year period covered by Section 502, I have agreed not to seek a written authorization for the handful of issues on which I personally lobbied over the past two years. If confirmed, I pledge to abide by the foregoing provisions. I would add that I have not been exempted from the other Executive Order pledge requirements, including the ones that restrict appointees leaving government from communicating with their former executive agency for two years and bar them from lobbying covered executive branch officials for the remainder of the Administration.

Mr. GRASSLEY. Mr. Lynn continues to defend straight pay, a policy that Secretary Cohen said didn't exist back then. He said it was necessary ''to ensure that contractors were paid on time.''

Well, can't you pay contractors on time by having invoices and all the proper documentation to write even a $1 check? That is the streamlining effect that former Secretary Cohen argued for in his failed June 2, 1998 DRI legislative initiative.

I exchanged followup Q and A on these matters with Mr. Lynn on February 5 and 6 this year, and I will include those letters in the record as well. As Chief Financial Officer at one of our biggest departments, Mr. Lynn signed the memo authorizing straight pay policy. It was his policy.

I ask unanimous consent that the followup documents be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON FINANCE,
Washington, DC February 5, 2009.

Mr. WILLIAM J. LYNN,
Senior Vice President, Raytheon Company, Arlington, VA

DEAR MR. LYNN: I am writing to follow-up on our recent exchange of correspondence regarding your record as the Chief Financial Officer (CFO) at the Department of Defense (DOD).

I respectfully request that you respond to the following questions in writing:

(1) On February 2, 1998, when you were CFO, Secretary of Defense Cohen asked the Senate for legal authority to pay bills without receipts with no dollar limit. This proposal was embodied in Section 401 of the Defense Reform Initiative (DRI). What was your position on this legislative proposal?

(2) In a letter to you dated January 19, 1999, I expressed grave concern about a DOD payment policy known as ''Straight Pay.'' This policy was authorized by you in documents that bear your signature. The purpose of my letter was to verify the facts pertaining to this policy that was brought to my attention by a Defense Finance and Accounting Service (DFAS) employee, Your response to this letter is dated March 9, 1999. In your letter, you report that ''Straight Pay'' does not exist. This is what you said: ''Straight Pay'' is not used at our Columbus Center . . . 'Straight Pay,' as it was reported to you, does not exist at the Columbus Center.'' Secretary Cohen made essentially the same statement in response to questions I raised at a Budget Committee hearing on March 2, 1999. He stated: ''there is no authorized procedure called straight pay.'' In your February 3, 2009 letter, by comparison, you provided a description of the ''Straight Pay'' policy. Did ''Straight Pay'' exist at the Columbus Center in 1998–99?

(3) How do you explain a DFAS Memo dated March 8, 1999 that contains the following instructions: ''Due to concerns over the use of the term 'Straight Pay' and its connotation, we must delete all references, to 'straight pay' from the policy and clarify that policy does not create an environment for fraudulent payments. Terms such as unmatched disbursements or direct disbursements were substituted.'' Did you instruct DFAS to get rid of the term ''Straight Pay.''

(4) Do you believe unmatched disbursements were a satisfactory outcome?

(5) One day after DFAS gave ''Straight Pay'' policy a new name, you issued orders to keep the policy alive. Your memo of March 9, 1999 actually re-authorized the policy for another 90 days beyond the March 22, 1999 expiration date. Is that true?

(6) When you were CFO, were you knowledgeable or aware of the arbitrary allocation scheme used by DFAS at the Columbus Center for making progress payments? That policy also had an informal name. It was called ''bucket billing.'' Both the GAO. and IG had conducted numerous audits and reviews of these procedures and declared them to be illegal. If you knew about these bill paying practices, what specific steps did you take to correct the problem?

(7) I note that the waiver granted to you in connection with President Obama's new ethics rules was co-signed by OMB Director Orszag and Mr. Gregory B. Craig, Counsel to the President. I understand that you have past associations with Mr. Craig. Please characterize your relationship with Mr. Craig?

(8) According to the Project on Government Oversight (POGO), Raytheon is ''ranked #4 in a top 50 corrupt list'' of government contractors. POGO reports numerous instances of double billing on aircraft maintenance contracts, contractor kickbacks, defective pricing, False Claims Act violations, substitution/nonconforming products, violations of SEC rules, etc. involving Raytheon. As the top Raytheon lobbyist, to what extent did you know about or become involved with any of these issues? Did you ever discuss any of these issues with DOD officials or Members of Congress or congressional staff?

(9) In view of the fact that your nomination appears to be inconsistent with President Obama's rules pertaining to the ''Revolving Door Ban,'' do you belief you have compromised any of your personal and/or professional values by accepting it?

Your continuing cooperation in this matter would be greatly appreciated.

Sincerely,

CHARLES E. GRASSLEY,
Ranking Member.

FEBRUARY 5, 2009.

Hon. CHARLES E. GRASSLEY,
Ranking Member, Committee on Finance, U.S. Senate, Washington, DC.

DEAR SENATOR GRASSLEY: I am writing to respond to your letter of February 5, 2009. Following my February 3, 2009 letter, you asked nine additional questions.

(1) Although I took office as Under Secretary just before the Defense Reform Initiative was submitted to Congress, I did not participate in the development of Section 401. I do not recall having taken a position on it. At this time, I would not support a proposal that with no dollar limit would allow the Defense Department to pay bills without a receipt.

(2) In your letter of January 19, 1999, you equated an obligation to a contract, implying that ''Straight Pay'' allowed payment without a valid contract. As I explained in both my recent February 3, 2009 letter and the earlier March 9, 1999 letter, ''Straight Pay'' required that the Department be in possession of a valid contract as well as a valid invoice and a valid receiving report prior to payment being authorized. If this three way match existed, the policy allowed payment without a matching obligation in the accounting records, with the proviso that the Military Services update the accounting records to ensure that a valid payment had been made. In short, ''Straight Pay'' did exist at the Columbus Center in 1998–99, but the process was different than the one you described in your January 19, 1999 letter.

(3) I am not aware of the March 8, 1999 DFAS memo that you referenced. To my knowledge, I did not sign or authorize it.

(4) Unmatched disbursements are not a satisfactory outcome. They reflect the age and inadequacy of some of our finance and accounting systems. This is one of the primary reasons that I supported the modernization of our finance and accounting infrastructure when I was Under Secretary in the late 1990s and why I will continue to support that modernization should I be confirmed as Deputy Secretary.

(5) As I stated in my February 3, 2009 letter, ''Straight Pay'' was an attempt to strike the right balance between meeting our obligations to pay on time and ensuring the Department only paid vendors for what was actually received under a valid contract. The 90-day extension of that policy on March 9, 1999 was done because the backlog of unpaid invoices remained at an unacceptable level.

(6) With regard to progress payments, I took steps to ensure that payment procedures were tightened. In 1998, I directed that on all new contracts, other than firm fixed price contracts, the practice of prorating payments proportionately to all accounting classification reference numbers be discontinued. Effective August 31, 1998, the Department began distributing progress payments on the basis of the best available estimates of the specific work being performed under the contract. Both the Office of the Inspector General and the Office of the General Counsel of the Department of Defense reviewed and approved the new policy.

(7) I served on the staff of Senator Edward Kennedy in the late 1980s with Gregory B. Craig, who is now Counsel to the President.

(8) While at Raytheon, I did not participate in any of the of the issues that you cite. Nor did I lobby on those issues with either Defense Department officials or any Members or staff in Congress.

(9) I am honored that President Obama nominated me to serve as Deputy Secretary of Defense. If confirmed, I will serve the Department and the nation to the best of my

ability. It is fully consistent with my personal and professional values to return to public service at this time.

Sincerely,

WILLIAM J. LYNN III

U.S. SENATE,
COMMITTEE ON FINANCE,
Washington, DC, February 6, 2009.

Mr. WILLIAM J. LYNN,
Senior Vice President,
Raytheon Company, Arlington, VA

DEAR MR. LYNN: I have reviewed your letter of February 5, 2009, in which you attempt to address the questions I raised in a letter to you also dated February 5th.

I am baffled by some of your answers. You have answered questions I did not ask; you have not answered questions I did ask; and some of your answers appear to be incomplete as follows:

First, in question #1, I asked you about your position on Section 401 of Secretary Cohen's Defense Reform Initiative presented to the Senate in February 1998. You responded as follows: ''I did not participate in the development of Section 401. I do not recall having taken a position on it. At this time, I would not support a proposal that with no dollar limit would allow the DOD to pay bills without a receipt.'' In February 1998, you had been CFO for several months. This issue fell directly under your purview. How could you possibly avoid taking a position on an issue the Secretary of Defense was urging the Senate to adopt? As the Chief DOD lobbyist for Raytheon today, you say it was wrong. My question is: As the DOD CFO back in 1998, why didn't you know it was wrong and speak up?

Second, in question #2, I asked: ''Did 'Straight Pay' exist at the Columbus Center in 1998–99?'' You responded this way: ''Straight Pay' did exist at the Columbus Center in 1998–99, but the process was different than the one you described.'' Your response today is a bit different from the one you provided me in 1999. In early March 1999, both you and Secretary Cohen reported to me that ''Straight Pay'' did not exist. Period. This is what Secretary Cohen said in response to my questions at a Budget Committee hearing on March 2, 1999: ''there is no authorized procedure called straight pay.'' And he attributed that statement to you. You are saying it existed but not exactly as I described it. I find these explanations somewhat confusing. Even if I did not describe it exactly right, it still existed. And this is why I raised question #3.

Third, The Defense Finance and Accounting Service (DFAS) employees were providing me with documents that clearly indicated that the ''Straight Pay'' did, in fact, exist.

DFAS employees even provided me with an elaborate set of rules on how this policy was to be implemented. Then I received a high-level DFAS memo that appeared to constitute a direct order to suppress the policy, bury it, if necessary, or re-name it. This memo, dated March 8, 1999, contained the following instructions: ''Due to concerns over the use of the term 'Straight Pay' and its connotation, we must delete all references to 'straight pay' from the policy and clarify that policy does not create an environment for fraudulent payments. Terms such as unmatched disbursements or direct disbursements were substituted.'' As you know, unmatched disbursements—like ''Straight Pay''—leave the door wide open to fraud and theft. But that is a separate issue. In question #3, I asked: ''Did you instruct DFAS to get rid of the term ''Straight Pay?'' You did not answer this question. You responded by saying you are not aware of that memo and did not sign it or authorize it. I will re-phrase the question, because some high official was probably creating pressure for this change. While CFO, did you ever issue any instructions to DFAS or anyone else regarding use of the term or words ''Straight Pay''?

Fourth, in question #5, I asked you if you approved and signed documents authorizing ''Straight Pay.'' In your response, you tell me why the policy was necessary but do not accept direct responsibility for approving the policy. While CFO, did you ever approve and sign documents authorizing ''Straight Pay''?

Fifth, in question #6, I asked you about your knowledge of the arbitrary allocation scheme—also known as ''Bucket Billing''—used at the Columbus Center for making progress payments on contracts. At the time, both the GAO and DOD IG had declared that this policy was illegal. As you may remember, I addressed this matter in great detail with your predecessor, Mr. John Hamre. You now report that a new policy was put in place on August 31, 1998. You also reported that the IG reviewed and approved that policy. Having a new policy is an important first step, but my question is this: Is the new policy working as advertised? In 1999, did you follow-up and check to see if payments were being posted to the correct appropriation accounts?

Sixth, in question #7, I asked you about your association with Mr. Gregory B. Craig, who was directly involved in the review and approval of the waiver you were granted in connection with President Obama's new ethics rules. I asked this question: ''Please characterize your relationship with Mr, Craig?'' You answered: ''I served with him on the staff of Senator Kennedy in the late 1980s.'' Again, please characterize your relationship with Mr. Craig? What discussions took place between you and Mr. Craig regarding this matter?

Seventh, I will re-phrase question #9 as follows: Do you believe that your nomination is fully consistent with the spirit and intent of the ''Revolving Door Ban'' in paragraphs 2 & 3 of Section 1 of the new rules?

I very much appreciate your patience and cooperation with this matter.

Sincerely

CHARLES GRASSLEY,
Ranking Member.

FEBRUARY 9, 2009.

Hon. CHARLES E. GRASSLEY,
Ranking Member, Committee on Finance, U.S. Senate, Washington, DC.

DEAR SENATOR GRASSLEY: I am writing in response to your letter of February 6, 2009. You asked some additional follow up questions to your letters of February 3, 2009 and February 5, 2009.

(1) You asked about my position on Section 401 of the Defense Reform Initiative in 1998. As I indicated, the development of Section 401 took place before I took office as Under Secretary in late 1997, so I was not engaged in the process that led to the inclusion of Section 401 in the Defense Reform Initiative. Further, Section 401 was dropped before I ever had an opportunity to review or take a position on the provision.

(2) You asked for further clarification on the issue of ''Straight Pay'' at the Defense Finance and Accounting Service (DFAS) Columbus Center. To my knowledge, ''Straight Pay'' was an informal term used to describe a payment process in the Air Force network. Your March 1999 letter and your Budget Committee hearing question to Secretary Cohen used the term ''Straight Pay'' differently, that is to describe the pre-validation process used by the Mechanization of Contract Administration System (MOCAS) at the Columbus Center. The purpose of my response to your letter and Secretary Cohen's response to your hearing question in 1999 was not to argue over the term ''Straight Pay'', but rather to explain the pre-validation process used at Columbus accurately and fully. Specifically, we both described how the three-way match procedures worked. They required that no payments could be made without a valid invoice, a valid contract, and a valid receiving report. If this three-way match existed, the policy allowed payment without a matching obligation in the accounting records, with the proviso that the Military Services update the accounting records to ensure that a valid payment had been made.

(3) As I wrote previously, I was not aware of the March 8, 1999 DFAS memo that DFAS employees provided to you. Nor do I recall ever issuing instructions to DFAS or anyone else regarding the use of the term ''Straight Pay''.

(4) You asked about documents that I signed authorizing ''Straight Pay''. I am not aware of any official documents that I signed that included the term ''Straight Pay''. I did, however, approve and sign documents that authorized the three-way match process described in my answer in paragraph 2 above. These included the March 9, 1999 memo, to which you referred in your February 5, 2009 letter. This memo re-authorized a temporary increase in the threshold on new contracts paid by the MOCAS system due to the backlog of payments. The original authority for the temporary increase in the threshold was a December 1998 memo, which I also approved and signed.

(5) With regard to the new policy that I directed on progress payments in 1998, I did follow up and found DFAS was following the payment distribution instructions required by that policy. It is my understanding that the policy remains in practice today with some enhancements to further ensure payment distribution is made in accordance with the contract.

(6) As I stated in my previous letter, Mr. Gregory Craig and I were co-workers on Senator Kennedy's staff in the late 1980s. Over the ensuing decades, we have had only very few contacts. Additionally, my contacts with the review and approval of my waiver were not with Mr. Craig, but with his colleagues in the White House Counsel's office, who conducted the extensive analysis supporting the waiver. Ultimately, this analysis was then reported and approved by Mr. Craig.

(7) I believe that my nomination is consistent with the spirit and intent of President Obama's Executive Order. I, like every nominee, am bound by the Order's provisions. However, because of my previous work experience, I was granted a waiver to a portion of Section 1, which is allowed under Section 3 of the Order. The reasons for receiving the waiver were described in a February 3, 2009 letter to you from Mr. Peter Orszag, Director of OMB and Mr. Craig, White House Counsel. Notwithstanding, I remain bound by the Order's revolving door exit provisions as well as all other provisions contained in the Order.

Thank you for the opportunity to respond to your questions.

Sincerely,

WILLIAM J. LYNN III.

Mr. GRASSLEY. I believe this policy developed under Mr. Lynn's leadership was dangerous, misguided, and irresponsible. It demonstrated a lack of sound business judgment. It may have been inconsistent with various provisions of law. Because don't the taxpayers expect you write a check, you have a reason for writing it, you have an invoice or something that says you

owe X number of dollars? Straight pay left the taxpayers' hard-earned money vulnerable to fraud and theft, and we have had that.

I was not alone in this assessment. At my subcommittee hearing on September 28, 1998, the Government Accountability Office witness said essentially the same thing. DFAS payment policies in Mr. Lynn's watch left the door wide open to fraud.

For all these reasons, I have to say Mr. Lynn, as Chief Financial Officer, did not do everything humanly possible to protect the taxpayers' interests. When he pushed the straight pay policy and went silent on pay-and-chase, he did not act in the public interest.

As Chief Financial Officer, Mr. Lynn was also supposed to do his part to develop and integrate a finance and accounting system that would allow the Department of Defense to produce a financial statement that could earn a clean audit opinion. I know this is a massive and complex undertaking, but Mr. Lynn could have gotten the ball rolling in the right direction, even if he didn't get it under control.

I can guarantee one thing: The principle of straight pay was not conducive to the creation of an integrated accounting system. One of the first steps in that process is to link obligations to disbursements. Straight pay truncated that link and undermined integration.

Although he claimed to have launched several important reform initiatives, there appears to be little or no measurable progress toward the goal of integration on his watch. In fact, his payment policies probably took us in the wrong and opposite direction and had an opposite effect. The Department's books of account were a mess when Mr. Lynn became Chief Financial Officer, they were a mess when he left, and I have a feeling they remain a mess today, with no fix in sight.

Congress passed the Chief Financial Officers Act in 1990 in an attempt to fix the problems in accounting of Government finances in every department. Eighteen years after this legislation, the Department of Finance, as a whole, has yet to earn a clean audit.

Mr. Lynn should not be the only person held accountable for poor accounting at the Department of Defense. He was one of many individuals in a long line of Chief Financial Officers and Comptrollers who, for whatever reason, were unsuccessful in solving the financial misstep at the Defense Department. Mr. Hamre, his predecessor, used to say: ''Fixing this problem is like changing a tire on a car going at 100 miles per hour.''

I have shared some of my sentiments on Mr. Lynn's performance as Chief Financial Officer. I hope these insights are helpful to my colleagues before they vote yes or no on this nomination. If confirmed, we hope he will do everything possible to protect our national security. We hope he will protect the taxpayers' hard-earned money, and we hope he will make sure the taxpayers' money is wisely spent and, most importantly, spent according to law. We hope he will usher in a new era of financial accountability at the Department of Defense. At this point, we simply don't know what Mr. Lynn will do. I don't own that crystal ball that would be necessary to make that determination. It is all about the future, and that is relatively unknown. But we do know something about what he did in the past as the Department of Defense Chief Financial Officer.

As Chief Financial Officer, he advocated very questionable accounting practices that obviously were not in the public interest. Writing a check in any department without knowing what that check is paying for is not in the public's interest. It is not a wise expenditure of public money. We need accounting systems that account for every dollar going out, having a purpose of a service or a product that it bought. I urge my colleagues then to weigh those considerations in reaching a decision on how to vote on the Lynn nomination.

Lastly, I wish to take a moment to thank the Senate Armed Services Committee leadership, both Republican and Democratic, and their staff for their patience on this issue. I appreciate the time Chairman LEVIN has given me to discuss this nomination. I lay everything I have said before the Senate for consideration.

I have already sought permission to have some of these documents printed in the RECORD, so I don't think I have to do that.

I yield the floor.

Mr. LEVIN. Mr. President, I yield myself 10 minutes.

Let me, first, thank Senator GRASSLEY for his dedication to trying to change the climate around here. He has been on the forefront. I happen to disagree with him on the conclusion he has reached—or apparently reached—relative to Mr. Lynn for reasons I will go into. Nonetheless, he has been an advocate of reform and he continues to do that. I will explain why I think, in this instance, his concerns do not fit the situation.

In the first instance, when he suggested the President is changing the rules as we go along by providing a waiver to Mr. Lynn as part of the new Executive order, that is part of the Executive order.

Let's not change the rules during the game. That is part of the rule President Obama has adopted in the new Executive order. It has some very stringent requirements. Part of them are waived by the President's Office of Management and Budget—in this case, for reasons they gave. Part of the new rule is not waived, the critical postemployment prohibition that applies to Mr. Lynn. I think that for the reasons given by President Obama's Budget Director, the waiver is a legitimate one, central in this case for the reasons given.

By the way, when we talk about waivers, this is not at all unique. Mr. Lynn's situation is not in the least bit unique. Waivers have been given and provided in previous cases because senior officers have had experience in the private sector. Secretary Gates was subject to the same rule, subject to the same waiver requirement. Secretary Rumsfeld was subject to the same waiver and the same waiver requirement, as were Deputy Secretary England and Secretary Wolfowitz. This has been a common practice. I don't think anybody in those cases, or in any other case we know about, where either a waiver has been required or the waiver provision has been applicable—we know of no situation where there was a conflict of interest.

What President Obama has done is tighten the requirement. He also provided for the possibility of a waiver for part or all of the new requirement. Part of the new requirement has been waived by the new President, but to suggest that he simply has waived his new requirement is not accurate because part of it was not waived. The critical part not waived is that the new officeholder, if confirmed—Deputy Secretary Lynn—will be subject to the prohibition that he may not lobby anybody in the Government if he leaves before the administration finishes, nor may he lobby anybody in the Department of Defense for a year after he leaves. These are very strict, new requirements that are not waived in the case of Secretary Lynn. What has been waived by the administration is the other part of the Executive order. That is No. 1.

Senator GRASSLEY has gone into a lot of technical arguments relative to Mr. Lynn when he previously served. I want to deal with that the best we can.

These events took place 7 to 10 years ago, but they don't involve ethics issues at all. They involve what Mr. Lynn said in letters relative to certain accounting practices at the Department of Defense at that time. I have reviewed these answers, and the questions were very appropriate questions asked by Senator GRASSLEY. I commend him for asking the questions.

There were 4 separate letters to Mr. Lynn, with 30 detailed questions about practices for validating vendor payments in certain parts of the Department of Defense more than 10 years ago. Mr. Lynn has responded to every one of the letters Senator GRASSLEY very appropriately wrote, and to each of his questions. It is my view, after reading all of the questions and the answers, that while the vendor payments that were described by Senator GRASSLEY are real, No. 1, it is not fair to attribute those problems to Mr. Lynn. Secondly, the problems as described by Mr. Lynn and the responses he gave were accurate.

First, the description was of the pay-and-chase—the way of paying vendors. That system was illegal. You cannot pay a vendor without checking that invoice against the contract or against the receipt of the goods. That was the

problem with the pay-and-chase system. There was a failure to check the invoice that came in, the document that the goods were received and that they were proper under the contract. That system ended. It had to end; it was illegal. A new system was put into place where the vendor's bill was checked against the receipt of the goods and against the contract. That is a very different deal. It is a legal system. Unlike so-called pay-and-chase, which preceded it, which was illegal, what Senator GRASSLEY and others have described as a straight pay system was legal. The problem is that it was a confusing name because it implied that the previous system of not checking an invoice against the receipt of the goods or the contract continued, when it did not continue. It was dramatically changed from something that was illegal to something that was legal.

For instance, Senator GRASSLEY, when he wrote Mr. Lynn back on January 29, 2009, said:

> Straight pay allowed the technician to ignore the warning signals and make payments up to half a million dollars without checking documentation.

That is not accurate. They had to check documentation. There were some things they could not check because the systems are deficient at the Department of Defense, including what is the original source of the money in the Defense Department's budget. Does it come from R&D or does it come from acquisition? That part, they still cannot check. Those systems have been deficient, and continue to be, but with the help of this body and hopefully real energy in the DOD, that can be corrected. We all need that.

Senator GRASSLEY has been in the forefront of trying to get these kinds of controls in place. I commend him for that. But it is not accurate to say that straight pay, so-called, which was the followup system, allowed these payments without checking documentation. That is what Mr. Lynn disagrees with. When you look at his answers, that is the disagreement between Mr. Lynn's answers and what Senator GRASSLEY describes as being accurate.

Part of the problem here, by the way, that Senator GRASSLEY had is not with Mr. Lynn, it is with Secretary Cohen. Repeatedly and accurately, Senator GRASSLEY points to the action of then-Secretary of Defense Cohen, saying he didn't do this, and Mr. Lynn didn't change it, or Secretary Cohen didn't do something, and Mr. Lynn did not disagree. The problem was with the Secretary of Defense, which is outlined by Senator GRASSLEY, to the extent that it exists.

It is hard for me to believe Secretary Cohen would not be eligible to be Secretary of Defense again or would not be confirmed unanimously by this body. Yet the mistakes attributed to Mr. Lynn are also attributed to then-Secretary Cohen, for whom Mr. Lynn worked. But does anyone seriously suggest that if Secretary Cohen were reappointed as Secretary of Defense, we would not confirm Bill Cohen by a vote of 100 to 0?

So, Mr. President, without getting into a lot more detail—and these are incredibly complicated and detailed issues—let me summarize by saying that the difference here has been described—there is a difference over the description of a system of payment and the way in which Mr. Lynn describes it. When you look at his complete answers, it seems to me, there is a fair description of what the problem was.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I rise to express my support for William Lynn to be confirmed as Deputy Secretary of Defense. Bill has a combination of experience and sound judgment. He worked here on Capitol Hill as a significant policy aide to Senator KENNEDY on the Armed Services Committee. He has been the comptroller of the Department of Defense. He has detailed and specific knowledge of the vast programs that will be handed over to the DOD. He has also worked in industry. Frankly, the job of Deputy Secretary of Defense is a place in which all these roads come together—the relationship with Capitol Hill, the relationship with industry, and a detailed understanding and knowledge of the way the Pentagon really works from the inside, not from the outside.

He is uniquely situated to take on these daunting challenges that face us, at a time when we are engaged in two conflicts—Afghanistan and Iraq—and a continuing war against extremists across the globe and at a time when our budget is going to be challenged because of a declining economy in the United States and across the globe. The difficult judgments that have to be made require the expertise and experience Bill Lynn can bring and few can match.

One other thing that I think is particularly compelling about this nomination is the enthusiastic support of it by the Secretary of Defense, Bob Gates. There is no one in Government whom I admire more for their patriotism, their sacrifice to the Nation, and their service. The Secretary of Defense has made it very clear that he believes Bill Lynn is someone whom he not only can work with, but he will aid him immensely in his extraordinary challenges to face the threats I have already illustrated. For me, Bob Gates's testimony and endorsement is compelling evidence that this Senate should confirm Bill Lynn immediately this afternoon.

As I mentioned before, Bill worked in the Department of Defense. He has knowledge of the whole range of programs. That is absolutely critical because he will have to make judgments about these programs to advise the Secretary of Defense.

For his work at the Department of Defense—which has been talked about this afternoon, but this wasn't mentioned—he received the Joint Distinguished Civilian Service Award from the Chairman of the Joint Chiefs of Staff. Again, the military understands not only the important duty he is performing but also, in their own conduct and affairs, understands the values of integrity, character, and commitment to the national interest. He has won awards from the Army, Navy, and Air Force. He also received the 2000 Distinguished Federal Leadership Award from the Association of Government Accountants for his efforts to improve defense accounting practices.

He also gained valuable experience within private industry. Again, Bill is not unique in having an industry background. In fact, the current Deputy Secretary of Defense, Gordon England, came from an industry background. My observation of Secretary England is that his performance has been outstanding, aided by the insight he has had into the multibillion-dollar contracts that industry has with the Department of Defense, insight he has into the decisionmaking in corporate America, insight he has into the way business is done in the defense community. That has aided him, not disabled him, in doing an excellent job. Once again, Bill Lynn comes from a similar background. As Chairman LEVIN pointed out, the Secretary of the Navy, who I also believe has done an outstanding job, also came from a background in the defense industry.

This goes also to the other issue raised about the waiver. Essentially, Bill Lynn stands in the same shoes, I think, as Gordon England and others—ladies and gentlemen who worked in private industry but recognized when they took the oath to serve the people in this country, they had only one boss—the people of the United States. They are committed to that duty.

Also, I think, frankly, the rules have been followed scrupulously by his predecessors and will be followed by Bill Lynn regarding conflicts with his previous employer. I believe he is going to err on the side of caution when it comes to programs that may be under the purview of his previous employer, or anyone else, because having gotten to know Bill, I understand he is not only a man of intelligence but a man of character.

We have someone uniquely situated to begin to aid the Secretary of Defense in the important challenges before us: How do we create a strategy of redeploying forces successfully out of Iraq? How do we increase our presence in Afghanistan and help military and civilian agencies to deal with that troubling situation? How do we deal with issues of defense modernization? How do we prepare for longer term threats? How do we continue to be active across the globe to, we hope, preempt terrorist activities, whether it be in the Near East, Far East, or anyplace on this globe?

Again, Bill Lynn is superbly qualified to do this. He is a graduate of Dartmouth with a law degree from Cornell Law School, and a master's in Public Affairs from the Woodrow Wilson School at Princeton—again, superb academic preparation and superb life preparation. He is someone who has, again, the character and the insights to render remarkable service to the Department of Defense.

I hope my colleagues will join with me in supporting this nomination, rounding out a team of excellent patriots and professionals in the Department of Defense. I must commend President Obama. He made a very sound, I won't say unusual, but unexpected announcement early on by offering the position of Secretary of Defense to Bob Gates. Bob served with distinction under President Bush. President Obama recognized, first, the quality of this Secretary, Secretary Gates, and also the need for continuity in the operations of the Department of Defense. That was a strong not only signal of continuity but endorsement of the work and effort of thousands and thousands of uniformed military personnel and civilian employees in the Department of Defense. That choice was amplified in his selection of Bill Lynn. Again, the endorsement of Secretary Gates speaks volumes about the team President Obama has put together.

I hope at the conclusion of this debate, we could send a very strong vote of confirmation and confidence in the team that President Obama has assembled—Secretary Gates, hopefully Deputy Secretary Lynn, and the other members—because the tasks before them are, indeed, daunting and because their success will be our success.

Mr. GRASSLEY. Mr. President, I apologize to Chairman LEVIN. I had to leave the floor to attend a conference meeting on the stimulus bill before he finished his remarks.

I would like to rebut his remarks regarding Mr. Bill Lynn.

In regards to the Executive order on ethics, I agree President Obama is attempting to set high standards for executive branch appointees; however, giving special waivers to nominees such as Mr. Lynn water down the spirit and authority of his own Executive order. I would ask President Obama: How many more waivers will you grant in the next 4 years?

I say to Chairman LEVIN, you seemed to blame former Defense Secretary Cohen for the financial troubles at DOD, not Mr. Lynn. I could not disagree with you more on this issue. Chief Financial Officer Lynn was chiefly responsible for the policies and regulations governing accounting practices. His straight-pay policy went against all commonsense accounting practices. DFAS technicians should not have paid bills like they did without first confirming that the proper obligations were in the books of account.

Mr. President, 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. INHOFE. 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. INHOFE. Mr. President, I ask unanimous consent that I be recognized for 10 minutes.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. I thank the Chair.

(The remarks of Mr. INHOFE pertaining to the introduction of S. 412 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. INHOFE. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURRIS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ENSIGN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENSIGN. Mr. President, I ask to speak as if in morning business and have the time counted against our side.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. ENSIGN are printed to today's RECORD under ''Morning Business.'')

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, I thank my friend from Nevada. I wish to spend just a few minutes. I am not going to talk for a long period of time, and I will yield back my time.

I am extremely concerned with the nomination of Mr. Lynn. It has nothing to do with Mr. Lynn. Some can be critical of his time as Comptroller. Some can be critical of some of the lack of forthrightness in some of the answers about the accounting and controlling and auditing systems in the Pentagon, and I think that is rightly so. We had several hearings on IT improvements and waste in the contracting of IT through the Pentagon. We had several hearings in the last two Congresses about the waste in contracting. Mr. Lynn dealt with a large amount of that.

Let that be as it may. The reason I stand to speak against his nomination is this is a nomination that is going to be the person who runs the day-to-day operation of the Pentagon. If you look at management experience, what there has been in running an organization that has 2.9 million employees—it is the largest component, even including mandatory programs, that we have.

It also is the area where we have some of the greatest amount of waste. We had it during his tenure as Comptroller. We had it during the Bush administration years. Why would we put someone into that position who has not performed in a stellar fashion when given the authority to fix a lot of those problems before? Why would we put someone in charge who is going to be handicapped? There is no question, given the waiver he has received, he will be absolutely handicapped in all the contracting that goes before the Pentagon.

Let me explain. His former company is one of the five largest defense contractors in the country. It is not just the areas he has lobbied in the past few years, such as the Aegis Ballistic Missile, the DDG–1000 destroyer, the Excalibur precision-guided munitions, the Joint Land Attack Cruise Missile Defense Netted Sensor System and the Multiple Kill Vehicle System, which comes to $41 billion, 10 percent of the Pentagon's budget, but every other contract that has Raytheon as a subcontractor from which he is going to have to recuse himself.

What he is going to be limited to is personnel matters and accounting matters. He will not be able to make those decisions without first getting a waiver to make them and then, if you are granting a waiver to make the exception and make a decision, here is what is going to happen.

Let me give the history of the tanker program in the United States. We, first, had a contract let to Boeing, which was complicated by some very bad acting on the part of Boeing and some Defense Department officials, and it got thrown out.

We last had a contract for the tanker program that was awarded to EADS. There was a protest filed on it. It got thrown out.

Everything he is not involved with, Raytheon can file a protest that they were excluded because the management chain was not the same. We have created the basis for a new protest on everything Raytheon will not win in the future. If Raytheon does win a contract, we have created a protest for everyone who wasn't Raytheon to protest because there is a conflict of interest.

Ask yourself, in this dire economic time we are in, with the largest agency we have, why we would put somebody in that position who is going to be—for at least 1 year and probably for 2, if we wanted to ethically look at it—totally out of the realm of the most important, outside our military men and women, most important aspect of the Pentagon, which is purchasing, contracting defense weapons systems.

We are setting a man in a position. It is no reflection on him. He is very knowledgeable. He has been a good public servant. We are putting him in a position to fail. We have guaranteed that contracting will not go smoothly at the Pentagon because we have created two new bases for protests over contracts. We can go through all the contracting, and it is going to be raised—and rightly so. There is going to be a legitimate protest on both sides of these issues that is going to delay the ability of the American people to

contract for things we should be contracting for. More importantly, it is going to significantly raise the cost.

The third point I would make is, because he is going to have to exclude himself from the vast majority of decisions in contracting and purchasing, the very position he is meant to fill, to run the day-to-day operations, means Secretary Gates is going to have to run the operations. If he has to run the operations himself, why does he need a Deputy Secretary of Defense?

President Obama, I think rightly, has asked Secretary Gates to stay on. I think the continuity with that was great. I am sorry he didn't ask others to stay on until we got past this period of time. In spite of the good will of Mr. Lynn, a man of character, a man of integrity, we have set him up to fail.

I have no doubt he is going to be placed in that position today when we vote. But we ought to think. The biggest problem we have with our body, in terms of what we do, is we do not think long run. We think short term. What we have done is totally handicapped him, but we are also going to handicap our military.

This is not a time we should be doing that. We should be creating a streamlined procurement process that rebuilds the procurement offices, which need to be rebuilt—that has no question about the authority of the Deputy Secretary of Defense to make solid, fair, clear, and decisive actions and decisions. What we are going to do is ensure that does not happen.

I thought it was interesting that Senator MCCAIN's main point was he did not have the managerial experience to do this. Senator MCCAIN is going to vote for him because he has such high regard for Secretary Gates. But think about that statement. He does not have the managerial experience to run a 2.9 million individual organization, and he is handicapped. We are going to handicap him so he meets the ethical outlines President Obama so rightly has put in place.

I think it is a bad decision. I think it is a wrong decision. Once again, the consequences for that will be inefficiency, ineffectiveness, and a greater cost for this country. Anytime we have a greater cost on anything now, it goes directly to our kids and our grandkids.

I hope my associates in the Senate will give a rethought to whether we ought to handicap this man this way. Surely somebody can fill the bill and let Mr. Lynn wait a year and then come in and do what he wants to do and what President Obama wants him to do.

Again, we will make a serious mistake if we approve him, not only for us, not only for our kids but for him as he attempts to run the largest organization in the world.

Mr. HATCH. Mr. President, today I rise in support of the confirmation of William J. Lynn to be the next Deputy Secretary of Defense.

I recently had the opportunity to meet with Mr. Lynn and discuss many of the important defense challenges that face our Nation. I came away from that meeting duly impressed by his dedication to seek new and innovative solutions to many of these issues.

Throughout his career, he has demonstrated a singular devotion to our national defense. In the early 1980s he was the executive director of the Defense Organization Project at the Center for Strategic and International Studies. This organization was a major catalyst for the Goldwater-Nichols Act of 1986 which transformed and modernized the Department of Defense. Those reforms are still the foundation from which the Department operates today.

As a senior fellow at the National Defense University, Mr. Lynn continued his work collecting ideas and crafting solutions to solve a myriad of national defense issues. Then, prior to entering the Department of Defense, he worked for 6 years as the military legislative assistant to my good friend and colleague, Senator KENNEDY, a senior member of the Senate Armed Services Committee.

In 1993, Mr. Lynn joined the Defense Department and served 4 years as the director of program analysis and evaluation in the Office of the Secretary of Defense. There he oversaw the Department's ever-evolving strategic planning progress. He was then appointed as the Under Secretary of Defense Comptroller where he served 4 years providing candid advice to the Secretary of Defense on all budgetary and fiscal matters.

His most recent endeavor was as senior vice president at Raytheon Company where he focused his energy and expertise on strategic planning. In this role, he ensured that a major American corporation developed and produced technologies that met the conflicts of today and the dangers of tomorrow.

During these challenging times, it is essential we have leaders in our Defense Department with strength of purpose and a vision for innovation. William Lynn is such a leader. I am proud to pledge my support and look forward to working with him to create smart and effective solutions that support the brave men and women who defend our Nation.

Mr. FEINGOLD. Mr. President, consistent with my practice of deferring to Presidents on executive branch nominations, I will vote to confirm William Lynn to be Deputy Secretary of Defense. I do have some concerns, however, about Mr. Lynn's longtime service as a lobbyist for a major defense contractor. I hope that, if confirmed, Mr. Lynn will take seriously the need for serious reforms to address the Department's troubling record of financial mismanagement.

Mr. LEVIN. Mr. President, I ask unanimous consent that the vote on the confirmation of the nomination of William J. Lynn occur at 5 p.m. today, with the other provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I am pleased today to support the confirmation of Mr. William J. Lynn, III, for the important position of Deputy Secretary of Defense. He will be the chief deputy to the Secretary of Defense, the largest Department of Government, with great responsibilities for weapons systems and to our men and women who serve in harm's way.

If confirmed, Mr. Lynn would be the thirtieth deputy secretary. I firmly believe that he is uniquely qualified for the position and would serve well in that post. He served as Under Secretary of Defense-Comptroller during President Clinton's administration from 1997 to 2001. He was widely commended for providing strong managerial emphasis on improving the Department's financial management.

In addition to his service as comptroller, he has served as Director for Program Analysis and Evaluation and as Assistant Secretary of Defense for the Budget. He has broad experience with many of the core issues within the Department of Defense.

My meeting with him was positive and I have heard people comment on his strong character. Many of the issues that come before the Department of Defense are contentious. Rather than basing decisions on merit, people often try to infect those decisions with politics. I believe he will stand firm to ensure that our men and women in uniform get the best equipment and training for the best value. This type of judgement is a critical attribute for a deputy. If the deputy is weak; if he compromises or tries to play politics with a defense contractor, or allows a Member of Congress or the executive branch to have undue influence, he can damage the reputation of the Department of Defense. More importantly, such influence can prevent our servicemembers from getting the best equipment at the best value in a timely manner.

He also has 6 years of experience working in the defense industry. He well understands the challenges facing both the defense industry and the Department of Defense.

I am convinced his experience in DOD, coupled with his experience in the defense industry, makes him a nominee we can support for this very important position.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I thank the Senator from Alabama for his statement. It is a very important and

valuable statement. He is a highly valued member of the Armed Services Committee and comments coming from him will have an impact on this body. I am grateful.

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. WICKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NELSON of Florida). Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of William J. Lynn, III, of Virginia, to be Deputy Secretary of Defense?

Mr. LEVIN. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have not been ordered.

Mr. LEVIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of William J. Lynn, III, of Virginia, to be Deputy Secretary of Defense?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

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 93, nays 4, as follows:

[Rollcall Vote No. 62 Ex.]

YEAS—93

Akaka	Ensign	Merkley
Alexander	Enzi	Mikulski
Barrasso	Feingold	Murkowski
Baucus	Feinstein	Murray
Bayh	Gillibrand	Nelson (FL)
Begich	Graham	Nelson (NE)
Bennet	Hagan	Pryor
Bennett	Harkin	Reed
Bingaman	Hatch	Reid
Bond	Hutchison	Risch
Boxer	Inhofe	Roberts
Brown	Inouye	Rockefeller
Brownback	Isakson	Sanders
Bunning	Johanns	Schumer
Burr	Johnson	Sessions
Burris	Kaufman	Shaheen
Byrd	Kerry	Shelby
Cantwell	Klobuchar	Snowe
Cardin	Kohl	Specter
Carper	Kyl	Stabenow
Casey	Landrieu	Tester
Chambliss	Lautenberg	Thune
Cochran	Leahy	Udall (CO)
Collins	Levin	Udall (NM)
Conrad	Lieberman	Vitter
Corker	Lincoln	Voinovich
Crapo	Lugar	Warner
DeMint	Martinez	Webb
Dodd	McCain	Whitehouse
Dorgan	McConnell	Wicker
Durbin	Menendez	Wyden

NAYS—4

Coburn	Grassley
Cornyn	McCaskill

NOT VOTING—2

Gregg	Kennedy

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative action.

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate go into a period of morning business, with Senators permitted to speak therein up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE STIMULUS

Mr. ENSIGN. Mr. President, I wish to speak briefly. I know my friend from Oklahoma is going to come back and speak, but I wish to make a couple comments. I know there has been a deal reached on the stimulus bill. I wish to make a couple comments about that.

We have not received the bill. There are rumors going around about this, that, and the other. One of the details that seems to be coming out is that the housing portion of the stimulus bill has been cut down dramatically.

I had an alternative to the stimulus bill that focused on housing, to a great degree, and also targeted some tax cuts to families and small businesses to create jobs. The reason we focused a great deal of it on the housing problem was because the housing problem is the cancer that has dragged the rest of the economy down. It has spread throughout the rest of the economy.

As any person in the medical field understands that if you just treat the symptoms and not the underlying cause, the patient gets sicker and sicker. Unfortunately, the President is talking about fixing housing but certainly not at this point.

It is regrettable that we didn't take a big portion of the money that is being spent in this stimulus bill and actually fix housing. It is very disturbing because we are going to spend $800 billion and who knows how much more in order to fix the housing problem. We are running up debt after debt on our children. This is their credit card we are running up, and they are going to have to pay higher taxes into the future.

Once we get the bill, we are going to have to take a close look over the next day or two and go through it. It is very disappointing, it appears, that this stimulus bill is going to do very little, if anything, to fix the housing problem in the United States. My home State of Nevada leads the country in foreclosures. We understand what other States are starting to go through or just recently have been going through, and how severely it affects the economy. It is unfortunate that the stimulus bill that is supposed to fix the economy is not addressing the No. 1 problem we have in the United States.

LAS VEGAS TRAVEL

Mr. ENSIGN. Mr. President, it seems as though reason and common sense are once again being tossed aside. I am referring to the recent remarks by President Obama when he singled out one of the most premiere cities in the world, Las Vegas.

When it comes to convenience and affordability, very few, if any, places in the world can compare to Las Vegas. It is home to more than 140,000 hotel rooms, millions of feet of meeting space, and a central geographic location that makes it easy for employees from around the country to come to meet.

It is no wonder so many businesses decide to have their conventions in Las Vegas. It is more than convenience, though. Las Vegas offers a value that is unique. For instance, the average hotel room today in Las Vegas is $119 a night. That is why I find it disturbing that Las Vegas is being singled out.

It is more than that. Take Goldman Sachs as one example. First, it goes without saying that all companies that are receiving TARP funds must be responsible and not waste precious taxpayer dollars. Because of recent criticism, Goldman Sachs announced that it was moving a 3-day conference from Las Vegas to San Francisco. To do this though, they had to pay a $600,000 cancellation fee, re-route flights, and rebook the same trip in another city, which is even more expensive than Las Vegas.

I ask, is that common sense? Let me repeat this. They had to pay more than a half million dollars in cancellation fees, re-route flights, and re-book the same trip in another, more expensive city. For what? So that Goldman can promote a false sense that it was spending the taxpayers' money more wisely. This is ridiculous. This is what the American people are sick of.

Is San Francisco a more affordable city than Las Vegas? Actually, it is much more expensive. I will shoot this straight. What Goldman Sachs did was purely a phony public relations gimmick, but it is not fooling anyone. The conference they booked in Las Vegas is still taking place. Now it is just much more expensive. This makes no sense at all. So let's cut to the chase.

Wherever these meetings take place, business takes place. Let me give you an example. The Consumer Electronics Show, known as CES: This is an annual business meeting in Las Vegas. CES attendees come to Las Vegas from over 140 countries around the world. They can conduct a year's worth of business

in one location, minimizing travel and saving energy in the process.

During the Consumer Electrons Show, approximately 1.7 million meetings are conducted. Transactions are ordered, commerce is buzzing, and the entrepreneurial spirit of business flourishes. This is economic activity that extends beyond whichever city serves as the host.

It benefits all of us when an opportunity for business growth and productivity takes place. So let's not lose sight of this fact, especially now. Business meetings are an important tool. Let's make sure we do not leave common sense off the agenda.

RETIREMENT OF GUY ROCHA

Mr. REID. Mr. President, I rise today to recognize Guy Rocha, who retired from his post as Nevada State archivist on February 2 exactly 28 years to the day from the time he assumed this position. He began as the youngest State archivist in the Nation. At this time, only the New Hampshire and Maryland State archivists have served longer than him. His exceptional archival and research abilities have earned him an impressive reputation and have made him an invaluable asset to the State of Nevada.

Guy Louis Rocha was born on September 23, 1951. He grew up in Las Vegas and later moved to Reno. His first job with the State was with the Nevada Historical Society in Reno in 1976. He was appointed to be the State archivist in 1981. As the State archivist, Guy was responsible for managing Nevada's historically valuable records dating all the way back to 1851. For his longtime service, he received the Award of Merit for Leadership in History from the American Association for State and Local History.

Above all, Guy is known for his love of truth. He commonly corrects the inaccuracies of reporters and journalists. For 12 years he has written the ''Historical Myth a Month'' column for Sierra Sage, and since 2000 he has written a biweekly column in Reno Gazette-Journal. For his work in debunking popular Nevada myths he has come to be known as the ''myth-buster.''

His research expertise and impartiality have even been called upon to provide historical evidence in settling legal disputes. In addition to his archival duties, he has authored two books and many articles and book reviews and he has served as a rotating host for Reno's National Public Radio show ''High Desert Forum.'' Guy also owns a production company that produces historical documentaries.

Guy Rocha has been rightly called a ''State treasure.'' His contributions as the State archivist, as an historian, and as a writer form an impressive legacy to be honored by current and future generations. All Nevadans have reason to be proud of Guy Rocha, and I know I join them in congratulating him on a well-earned retirement from his duties as Nevada State archivist.

TRIBUTE TO GARY AND JONATHAN HARRIS

Mr. McCONNELL. Mr. President, I rise today to pay tribute to two heroic soldiers of the U.S. Army from my home Commonwealth of Kentucky, Gary and Jonathan Harris. Father and son, each was awarded the Silver Star for valorous acts in two separate wars.

The Silver Star is the Nation's third-highest award for gallantry in action against an enemy of the United States. Those rare few who receive it do so because of their display of selfless sacrifice and unparalleled courage under fire.

Jonathan Harris, a UH–60 Black Hawk helicopter pilot holding the rank of chief warrant officer 2, came under attack near Gardez, Afghanistan, on July 2, 2008, while attempting to transport soldiers. His Blackhawk was attacked by the enemy with rocket-propelled grenades and anti-aircraft gun systems. Jonathan was able to relocate and land the burning helicopter in a nearby field and safely evacuate the passengers. He then contacted another helicopter to extract his crew.

During the evacuation, while helping escort his wounded fellow soldiers to the new helicopter, Jonathan exposed himself to gunfire while protecting his wounded men and killing at least one attacker. Only after every member of the crew, ground forces, and extraction team were safely onboard did CW2 Jonathan Harris himself get into the helicopter. Because of these heroic deeds, Jonathan Harris is the first aviator to receive the Silver Star since the Vietnam war.

Gary Harris, Jonathan's father, was a staff sergeant serving in Vietnam when he performed the acts of gallantry that would earn him the same medal as his son's. Gary was a squad leader on August 15, 1969, when he and his fellow soldiers came under intense mortar and rocket fire while on combat patrol. He instructed his men to return fire and moved them into a more strategic position.

During the battle, Gary ran across the field of combat to assist medics while ignoring the risk to his own life from the enemy's gunfire. He helped transport the wounded to the medical-evacuation helicopter, saving the lives of many.

SSG Gary Harris received his original Silver Star in the mail, never having the benefit of a formal ceremony—until now. This past November, Gary Harris was honored at a ceremony in Fort Campbell, KY., while Jonathan Harris received his award at the Combined Joint Task Force-101 Headquarters in Bagram Air Base, Afghanistan. They were able to view each other's ceremonies via video teleconference. At his ceremony, Gary Harris also received the Bronze Star Medal for his meritorious service in Vietnam as well as the Silver Star.

As is typical of so many of the brave men and women in uniform I have had the honor to meet over the years, both the father and the son insist that their own actions are not particularly remarkable. Each was quick to point to the other as more worthy of admiration and respect.

''For me, I feel like my grandfathers and my dad, those are the true heroes,'' said Jonathan Harris. ''I would like to think that something was passed on to me.''

Gary, on the other hand, recognized the value of the strong bond his son had with his fellow soldiers. ''These guys really stick together,'' he said. ''We did the same thing, but I don't think we were near as cohesive a group as they are. They are really gung ho about taking care of each other. . . . I know what it is like, every day facing death. It just tears your nerves all to pieces for a while.''

Gary and Jonathan Harris are excellent examples of the brave and dedicated soldiers that make America's Armed Forces the best in the world. And clearly there is a strong sense of duty, honor and love of country that runs in the Harris family and has been passed on from father to son. Their spirit of service represents the very best of what Kentucky has to offer our great Nation.

Mr. President, I ask my colleagues to join me in recognizing SSG Gary Harris and CWO Jonathan Harris for the many sacrifices they have made to our country. Kentuckians everywhere are honored to know and love such brave heroes.

IRAQ

Mr. KYL. Mr. President, I call this body's attention to the recent developments in Iraq. Last month, Iraqis went to the polls to vote in the second provincial election since the hand-over of power in 2004. Elections were conducted peacefully under the watchful eyes of Iraqi security forces, and the results were quickly certified by the United Nations.

This peaceful expression of political will is yet another demonstration of political progress in Iraq. Less than 2 years after some were declaring the war lost and the surge a failure, violence has declined, and the world—most importantly the Arab world—saw Iraqis peacefully voting, their security ensured by an increasingly competent Iraqi army and police.

Not only was the election process successful, the results also merit attention. The Iraqi people voted in favor of secular parties competing with the Iranian-backed religious parties. These results in many ways represent a remarkable change from the 2005 provincial elections that strengthened many extremist and foreign-backed parties opposed to the central government. Sunnis, who largely boycotted the 2005 elections, participated broadly in January's election. Their involvement should enhance national reconciliation and bolster a more moderate and diverse government representative of the Iraqi people.

This progress is reversible. A lot rests on whether the President listens to his generals in the coming weeks and months or whether he bows to liberal interest groups and his campaign rhetoric and initiates a premature retreat. But this is an important sign of what our soldiers and the Iraqi people have worked so hard to achieve. Again, in 2 years since the surge began, and now that it has been over for 6 months, we have seen a constant decrease in violence, increased capabilities by the Iraqi government and military, and now an election where the Iraqi people largely chose moderate parties over extremist ones.

Unfortunately, the media devoted little attention to the success of these peaceful elections, just as they have neglected many of the noble efforts of our men and women in uniform. I recently received an email from a constituent whose brother-in-law is currently serving in the 10th Combat Support Hospital at Ibn Sina Hospital, Baghdad. In the building that used to provide health care to Saddam's family and the Baathist elite, these servicemen and women provide some of the best care in the country to all types of patients, from Iraqi children burned by household kerosene lamps to American soldiers with traumatic injuries. Their hard work and the self-sacrifice of all who serve in Iraq has contributed to the dramatic progress made in Iraq.

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

COMMUNITY ORIENTING POLICING SERVICES

Mr. LEAHY. Mr. President, I rise to join Senator MIKULSKI, the chairwoman of the Commerce, Justice, and Science, CJS, Appropriations Subcommittee, and Senator KLOBUCHAR in a colloquy about the importance of the Community Orienting Policing Services, COPS, grant program. I would first like to thank my friend from Maryland for her tireless work and leadership on this bill. I know Senator KLOBUCHAR and I and many others are very thankful that the Appropriations Committee included funding for the COPS Universal Hiring Program in this bill.

It is important now more than ever that we support our State and local law enforcement agencies that are on the front lines in combating crime. With unemployment on the rise and tax revenues plummeting, the conditions are ripe for crime rates to climb again. States and municipalities are being forced to slash their budgets, including critical funding for police, who will need to cut their already depleted ranks even further without help. As crime escalates, there will be fewer officers and resources to protect our families and communities, unless we act now.

Providing timely funding for the COPS Hiring Program will not only help to address vital crime prevention needs but will also have an immediate and positive impact on the economy by allowing State and local police forces to quickly fill vacancies and hire new officers and staff. In police hiring, nearly 100 percent of the money goes directly to job creation. These are good, middle-class jobs for middle-class people, and they can be filled immediately. These are often jobs for people who live in the hardest hit communities and will spend their money close to home.

Eliminating the 25-percent nonfederal match requirement, as the House bill does, will ensure that funds get to State and local law enforcement fast, meaning that law enforcement officers can be hired fast, without putting a new burden on states and localities that are already strapped during this time of financial distress. The match requirement could cause strained States and localities to decline COPS funding they would otherwise take, meaning fewer jobs would be created.

In its first hearing of the new Congress, the Senate Judiciary Committee received testimony from police chiefs and former Justice Department officials who explained that helping our local police during this economic downturn is needed now more than ever to keep America safe and keep our economy moving. Waiving the nonfederal match requirement in the economic recovery and reinvestment package will further ensure that police forces will be able to quickly refill their ranks and get more cops on the beat.

Ms. MIKULSKI. I thank the Senator from Vermont working with me to restore funding for this important program. We have worked together in the fight to turn back the cuts made by the previous administration to Federal resources that assist State and local communities in fighting violent crime. I know all too well the importance of the COPS Hiring Program and share your concerns about the effect of the economic downturn on our neighborhoods. We need to make sure those on the blue line have a full team to combat increased crime in communities. My subcommittee recognizes that need, which is why we put $3.5 billion total for State and local law enforcement activities. This includes $1 billion for COPS hiring grants, for which we waived the salary cap for hiring or rehiring career law enforcement officers and civilian public safety personnel.

Ms. KLOBUCHAR. I thank Chairwoman MIKULSKI and the Senator from Vermont. As we work toward economic recovery, ensuring the safety of America's communities is a critical component to economic stability and growth. Local governments across the country are facing extraordinary budget shortfalls necessitating cutbacks in services, programs, and personnel. I have heard from police in my State how drastically the substantial decline in Federal funding for State and local law enforcement has affected them. The financial situation in our country is dire and requires us to do everything we can to help our struggling police forces so they can protect our neighborhoods and communities.

Apart from the program's benefit to community safety, the COPS Hiring Program has obvious and important economic value. All of the funding goes directly to pay the salaries of officers hired to work in police departments across the country. Moreover, many neighborhoods in inner cities and rural towns throughout America that were once crime-ridden and depressed have flourished in the nineties and in this decade, creating businesses, increasing value, and powering local economies. Maintaining a strong community police presence can allow us to protect these economic gains.

With the rising unemployment rate and the foreseeable increase in crime, we cannot afford the continuing depletion of the ranks of our State and local law enforcement officers, nor can we ask them to operate without the resources needed to do the job effectively. Waiving the match requirement, as the House has done, will ensure that all States and localities will be able to afford and accept the COPS funding which is so badly needed.

No city or State has been spared from this recession. I know the chairwoman and the Senator from Vermont understand the importance of ensuring the COPS funding is as accessible as possible and have witnessed the need in their own States as well.

Ms. MIKULSKI. The Senator from Minnesota is right that this is an issue in Maryland, as well as nationwide. As the economic recovery package moves to conference, we will work to ensure mechanisms are in place for this critical program to be quickly and effectively implemented and accessible to those in need of assistance.

Mr. LEAHY. I thank Chairwoman MIKULSKI and Senator KLOBUCHAR. I am hopeful that as the economic recovery and reinvestment plan moves forward that we may work together to see if this important issue can be addressed in conference.

VICTIMS' COMPENSATION AND ASSISTANCE GRANTS

Mr. President, I wish to join Senator MIKULSKI, the chairwoman of the Commerce, Justice, and Science, CJS, Appropriations Subcommittee, in a colloquy about the importance of including additional funding to States for victims' compensation and assistance in the American Recovery and Reinvestment Act of 2009. I would first like to thank my friend from Maryland, who has worked so hard for the success of this bill. I commend her for fighting to include and maintain vital funding to support some of the most vulnerable Americans today, who need our help.

During the past year, victim service professionals have seen a clear increase in victimization and victim need. The National Crime Victim Helpline has experienced a 25-percent increase in calls,

as job losses and economic stress translate into increased violence in the home and in our communities. The shortage of affordable housing and rising unemployment are causing victims to require longer stays in emergency shelters. The increasing unemployment rate also means victims are less likely to have insurance to cover their crime-related expenses. In addition to significant State and county budget cuts, corporate and individual donations are decreasing. Across the board, victim service providers are strapped for funding.

As the Senate considers extraordinary legislation to address the current economic crisis, I believe it is imperative for the record to reflect the intent behind the provisions included in this legislation. To ensure that there is no doubt about what we intended, I ask my friend from Maryland whether it is her understanding that the funding included for State victims' compensation and assistance programs would be in addition to any funding states receive from their annual Victims of Crime Act, VOCA, Grants in the 2009 and 2010 appropriations bills?

Ms. MIKULSKI. I would say to the chairman of the Judiciary Committee, that is what we intend.

Mr. LEAHY. I thank the Senator. It is not the Senate's intent to deduct the funding for victims compensation included in the economic recovery package from the grant money they would receive from regular VOCA formula grants. Through this bill, we intend to provide extra funding for compensation programs, to pay more costs for victims' recovery.

Ms. MIKULSKI. That is correct as well. The funding I included in the CJS portion of economic recovery package for crime victim compensation programs will be in addition to their annual VOCA grants, and will not be deducted from their annual VOCA grants.

Mr. LEAHY. I thank the chairwoman of the CJS Appropriations Subcommittee, Senator MIKULSKI, for engaging in this colloquy. And I thank her for working with me to include victim services in the economic recovery legislation, which will help ensure that those already victimized by crime are not also victims of our economic crisis.

Mr. FEINGOLD. Mr. President, I commend this body for including provisions in the American Recovery and Reinvestment Act of 2009 to energize the fledgling green economy. While I am concerned by the enormous cost of this bill and lack of offsets, I recognize the need for urgent action as we strive to keep and create jobs for those who are suffering because of our failing economy.

Earlier this year, I introduced the Community Revitalization Energy Conservation Act, S. 222, as part of my E4 Initiative aimed at fueling job creation and spurring economic development. I am very pleased that so much of what I proposed in this bill has been included in the economic recovery package. The economic recovery legislation passed by the Senate includes an increase for the bond limit for the Qualified Energy Conservation Bond program from $800 million to $3.2 billion, more than a 300 percent increase. While I proposed increasing the program to $3.6 billion, I thank the chairman of the Finance Committee for including such a significant increase.

The second component of my Community Revitalization Energy Conservation Act would boost job growth and help businesses and homeowners go green by expanding the types of projects that are eligible for the Qualified Energy Conservation Bond program, which was established by Congress last fall. I am pleased the Senate adopted my amendment making this change as part of the economic recovery package.

Business and labor leaders and others in Wisconsin have told me about the tremendous potential for energy efficiency retrofits to generate more green-collar jobs. And already, Wisconsin communities are beginning to pursue these improvements. My amendment will allow Wisconsin to launch programs—modeled after Milwaukee's proposed Me2 program—throughout the State by utilizing the tax credit bonds allocated to Wisconsin under the Qualified Energy Conservation Bond program.

My amendment specifically ensures that States and local governments can increase the number of building retrofits by eliminating significant financial barriers facing homeowners and businesses interested in making energy efficiency and conservation improvements. It does this by allowing energy efficiency projects to be performed as part of a ''green community program'' using grants, loans, or other repayment mechanisms, such as periodic fees included on a utility bill or municipal bill. By using utilities as intermediaries, States and localities can ensure homeowners and businesses do not incur upfront costs and can gradually pay back the costs of the energy efficiency retrofits through their electricity or water bills at a rate that reflects energy savings. For example, if a monthly energy bill before energy efficiency improvements is $150 and with improvements the energy costs are down to $110, then at most a homeowner or business would pay $40 monthly towards paying off the costs of the energy efficiency building retrofits.

Presently, buildings account for 40 percent of total U.S. energy consumption and 70 percent of U.S. electricity consumption so there are significant gains to be made with energy efficiency. Projects that could qualify for the funding include heat-saving measures like insulation, electricity-saving measures like lighting and appliances, water-saving measures like low-flow shower heads and toilets, renewable energy generating devices like photovoltaic solar installations, storm water management like rain barrels, or other measures that also result in reduced energy use.

My amendment will allow Qualified Energy Conservation Bonds to support these partnerships among cities, utilities, homeowners, and businesses to make energy efficiency improvements within more people's reach and put Americans to work.

I thank Senator DEBBIE STABENOW for cosponsoring this amendment, and I appreciate the endorsements from the Air Conditioning Contractors of America, American Council for an Energy Efficient Economy, Apollo Alliance, National Electrical Contractors Association, National SAVE Energy Coalition, and the Plumbing-Heating-Cooling Contractors-National Association.

I am pleased my provision was included, offering another opportunity to help jumpstart the green economy and bring relief to our citizens as we reinvest in America. I intend to work with conferees to ensure the provision is retained and look forward to its enactment as part of economic recovery legislation.

I am also pleased that funding was included for several other energy programs that I sought funding for including the Energy Efficiency and Conservation Block Grant Program and the Weatherization Assistance Program, both of which can quickly generate jobs and generate lasting energy savings.

VOTE EXPLANATION

Mr. VOINOVICH. Mr. President, I rise today to speak in regards to a recent rollcall vote held in the Senate. On February 5, 2009, the Senate voted 32 to 65 on Senate amendment No. 140, which was offered by the junior Senator from Wisconsin. Due to an inadvertent error, I recorded my support for this amendment. I would like to take a few moments to clarify my views regarding this amendment.

As my colleagues know, this amendment would have allowed a point of order to be raised against congressionally directed spending for programs whose authorization has lapsed. This amendment would have hamstrung the Senate in the exercise of its constitutionally delegated ''power of the purse.'' Procedures already exist for Senators to strike provisions of bills they find objectionable, including language in appropriation bills. For example, Members may offer amendments to strike or amend such provisions as they deem appropriate. In addition, as my friend, the senior Senator from Hawaii, has pointed out, this amendment would have exempted funding requests for unauthorized programs included in the President's budget request from this so-called ''earmark point of order.'' In effect, this would have allowed unelected bureaucrats the ability to request funding for programs whose authorization has lapsed while denying elected and accountable members of the Senate from doing likewise.

Finally, important programs like the ones that could be affected by this point of order should not be penalized by Congress's inability to enact authorization bills in a timely fashion.

Together, the distinguished chairman and ranking member of the Senate Committee on Appropriations are taking steps to provide for unprecedented levels of transparency in the appropriations process. As a new member of the Senate Committee on Appropriations, I look forward to working with my colleagues to address the pressing issues that will come before the committee, and I appreciate the opportunity to clarify my views on this issue.

COMMITTEE ON FOREIGN RELATIONS RULES OF PROCEDURE

Mr. KERRY. Mr. President, pursuant to the requirements of paragraph 2 of Senate rule XXVI, I ask to have printed in the RECORD the rules of the Committee on Foreign Relations for the 111th Congress adopted by the committee on February 5, 2009.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF THE COMMITTEE ON FOREIGN RELATIONS

(Adopted February 5, 2009)

RULE 1—JURISDICTION

(a) *Substantive.*—In accordance with Senate Rule XXV.1(j), the jurisdiction of the committee shall extend to all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Acquisition of land and buildings for embassies and legations in foreign countries.
2. Boundaries of the United States.
3. Diplomatic service.
4. Foreign economic, military, technical, and humanitarian assistance.
5. Foreign loans.
6. International activities of the American National Red Cross and the International Committee of the Red Cross.
7. International aspects of nuclear energy, including nuclear transfer policy.
8. International conferences and congresses.
9. International law as it relates to foreign policy.
10. International Monetary Fund and other international organizations established primarily for international monetary purposes (except that, at the request of the Committee on Banking, Housing, and Urban Affairs, any proposed legislation relating to such subjects reported by the Committee on Foreign Relations shall be referred to the Committee on Banking, Housing, and Urban Affairs).
11. Intervention abroad and declarations of war.
12. Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.
13. National security and international aspects of trusteeships of the United States.
14. Ocean and international environmental and scientific affairs as they relate to foreign policy.
15. Protection of United States citizens abroad and expatriation.
16. Relations of the United States with foreign nations generally.
17. Treaties and executive agreements, except reciprocal trade agreements.
18. United Nations and its affiliated organizations.
19. World Bank group, the regional development banks, and other international organizations established primarily for development assistance purposes.

The committee is also mandated by Senate Rule XXV.1(j) to study and review, on a comprehensive basis, matters relating to the national security policy, foreign policy, and international economic policy as it relates to foreign policy of the United States, and matters relating to food, hunger, and nutrition in foreign countries, and report thereon from time to time.

(b) *Oversight.*—The committee also has a responsibility under Senate Rule XXVI.8, which provides that ''. . . . each standing committee . . . shall review and study, on a continuing basis, the application, administration, and execution of those laws or parts of laws, the subject matter of which is within the jurisdiction of the committee.''

(c) *''Advice and Consent'' Clauses.*—The committee has a special responsibility to assist the Senate in its constitutional function of providing ''advice and consent'' to all treaties entered into by the United States and all nominations to the principal executive branch positions in the field of foreign policy and diplomacy.

RULE 2—SUBCOMMITTEES

(a) *Creation.*—Unless otherwise authorized by law or Senate resolution, subcommittees shall be created by majority vote of the committee and shall deal with such legislation and oversight of programs and policies as the committee directs. Legislative measures or other matters may be referred to a subcommittee for consideration in the discretion of the chairman or by vote of a majority of the committee. If the principal subject matter of a measure or matter to be referred falls within the jurisdiction of more than one subcommittee, the chairman or the committee may refer the matter to two or more subcommittees for joint consideration.

(b) *Assignments.*—Assignments of members to subcommittees shall be made in an equitable fashion. No member of the committee may receive assignment to a second subcommittee until, in order of seniority, all members of the committee have chosen assignments to one subcommittee, and no member shall receive assignments to a third subcommittee until, in order of seniority, all members have chosen assignments to two subcommittees.

No member of the committee may serve on more than four subcommittees at any one time.

The chairman and ranking member of the committee shall be *ex officio* members, without vote, of each subcommittee.

(c) *Meetings.*—Except when funds have been specifically made available by the Senate for a subcommittee purpose, no subcommittee of the Committee on Foreign Relations shall hold hearings involving expenses without prior approval of the chairman of the full committee or by decision of the full committee. Meetings of subcommittees shall be scheduled after consultation with the chairman of the committee with a view toward avoiding conflicts with meetings of other subcommittees insofar as possible. Meetings of subcommittees shall not be scheduled to conflict with meetings of the full committee.

The proceedings of each subcommittee shall be governed by the rules of the full committee, subject to such authorizations or limitations as the committee may from time to time prescribe.

RULE 3—MEETINGS

(a) *Regular Meeting Day.*—The regular meeting day of the Committee on Foreign Relations for the transaction of committee business shall be on Tuesday of each week, unless otherwise directed by the chairman.

(b) *Additional Meetings.*—Additional meetings and hearings of the committee may be called by the chairman as he may deem necessary. If at least three members of the committee desire that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for that special meeting. Immediately upon filing of the request, the chief clerk of the committee shall notify the chairman of the filing of the request. If, within three calendar days after the filing of the request, the chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour of that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk shall notify all members of the committee that such special meeting will be held and inform them of its date and hour.

(c) *Hearings, Selection of Witnesses.*—To ensure that the issue which is the subject of the hearing is presented as fully and fairly as possible, whenever a hearing is conducted by the committee or a subcommittee upon any measure or matter, the ranking member of the committee or subcommittee may call an equal number of non-governmental witnesses selected by the ranking member to testify at that hearing.

(d) *Public Announcement.*—The committee, or any subcommittee thereof, shall make public announcement of the date, place, time, and subject matter of any meeting or hearing to be conducted on any measure or matter at least one week in advance of such meetings or hearings, unless the chairman of the committee, or subcommittee, in consultation with the ranking member, determines that there is good cause to begin such meeting or hearing at an earlier date.

(e) *Procedure.*—Insofar as possible, proceedings of the committee will be conducted without resort to the formalities of parliamentary procedure and with due regard for the views of all members. Issues of procedure which may arise from time to time shall be resolved by decision of the chairman, in consultation with the ranking member. The chairman, in consultation with the ranking member, may also propose special procedures to govern the consideration of particular matters by the committee.

(f) *Closed Sessions.*—Each meeting of the Committee on Foreign Relations, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the committee or a subcommittee on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in paragraphs (1) through (6) would require the meeting to be closed followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct; to disgrace or injure the professional standing of an individual, or otherwise to expose an individual

to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by government officers and employees; or

(B) the information has been obtained by the government on a confidential basis, other than through an application by such person for a specific government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person, or

(6) may divulge matters required to be kept confidential under other provisions of law or government regulations.

A closed meeting may be opened by a majority vote of the committee.

(g) *Staff Attendance.*—A member of the committee may have one member of his or her personal staff, for whom that member assumes personal responsibility, accompany and be seated nearby at committee meetings.

Each member of the committee may designate members of his or her personal staff, who hold a top secret security clearance, for the purpose of their eligibility to attend closed sessions of the committee, subject to the same conditions set forth for committee staff under Rules 12, 13, and 14.

In addition, the majority leader and the minority leader of the Senate, if they are not otherwise members of the committee, may designate one member of their staff with a top secret security clearance to attend closed sessions of the committee, subject to the same conditions set forth for committee staff under Rules 12, 13, and 14. Staff of other Senators who are not members of the committee may not attend closed sessions of the committee.

Attendance of committee staff at meetings shall be limited to those designated by the staff director or the minority staff director.

The committee, by majority vote, or the chairman, with the concurrence of the ranking member, may limit staff attendance at specified meetings.

RULE 4—QUORUMS

(a) *Testimony.*—For the purpose of taking sworn or unsworn testimony at any duly scheduled meeting a quorum of the committee and each subcommittee thereof shall consist of one member.

(b) *Business.*—A quorum for the transaction of committee or subcommittee business, other than for reporting a measure or recommendation to the Senate or the taking of testimony, shall consist of one-third of the members of the committee or subcommittee, including at least one member from each party.

(c) *Reporting.*—A majority of the membership of the committee, including at least one member from each party, shall constitute a quorum for reporting any measure or recommendation to the Senate. No measure or recommendation shall be ordered reported from the committee unless a majority of the committee members is physically present, and a majority of those present concurs.

RULE 5—PROXIES

Proxies must be in writing with the signature of the absent member. Subject to the requirements of Rule 4 for the physical presence of a quorum to report a matter, proxy voting shall be allowed on all measures and matters before the committee. However, proxies shall not be voted on a measure or matter except when the absent member has been informed of the matter on which he is being recorded and has affirmatively requested that he or she be so recorded.

RULE 6—WITNESSES

(a) *General.*—The Committee on Foreign Relations will consider requests to testify on any matter or measure pending before the committee.

(b) *Presentation.*—If the chairman so determines, the oral presentation of witnesses shall be limited to 10 minutes. However, written statements of reasonable length may be submitted by witnesses and other interested persons who are unable to testify in person.

(c) *Filing of Statements.*—A witness appearing before the committee, or any subcommittee thereof, shall file a written statement of his proposed testimony at least 48 hours prior to his appearance, unless this requirement is waived by the chairman and the ranking member following their determination that there is good cause for failure to file such a statement. Witnesses appearing on behalf of the executive branch shall provide an additional 100 copies of their statement to the committee.

(d) *Expenses.*—Only the chairman may authorize expenditures of funds for the expenses of witnesses appearing before the committee or its subcommittees.

(e) *Requests.*—Any witness called for a hearing may submit a written request to the chairman no later than 24 hours in advance for his testimony to be in closed or open session, or for any other unusual procedure. The chairman shall determine whether to grant any such request and shall notify the committee members of the request and of his decision.

RULE 7—SUBPOENAS

(a) *Authorization.*—The chairman or any other member of the committee, when authorized by a majority vote of the committee at a meeting or by proxies, shall have authority to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials. At the request of any member of the committee, the committee shall authorize the issuance of a subpoena only at a meeting of the committee. When the committee authorizes a subpoena, it may be issued upon the signature of the chairman or any other member designated by the committee.

(b) *Return.*—A subpoena, or a request to an agency, for documents may be issued whose return shall occur at a time and place other than that of a scheduled committee meeting. A return on such a subpoena or request which is incomplete or accompanied by an objection constitutes good cause for a hearing on shortened notice. Upon such a return, the chairman or any other member designated by him may convene a hearing by giving 2 hours notice by telephone to all other members. One member shall constitute a quorum for such a hearing. The sole purpose of such a hearing shall be to elucidate further information about the return and to rule on the objection.

(c) *Depositions.*—At the direction of the committee, staff is authorized to take depositions from witnesses.

RULE 8—REPORTS

(a) *Filing.*—When the committee has ordered a measure or recommendation reported, the report thereon shall be filed in the Senate at the earliest practicable time.

(b) *Supplemental, Minority and Additional Views.*—A member of the committee who gives notice of his intentions to file supplemental, minority, or additional views at the time of final committee approval of a measure or matter, shall be entitled to not less than 3 calendar days in which to file such views, in writing, with the chief clerk of the committee, with the 3 days to begin at 11:00 p.m. on the same day that the committee has ordered a measure or matter reported. Such views shall then be included in the committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the committee report may be filed and printed immediately without such views.

(c) *Rollcall Votes.*—The results of all rollcall votes taken in any meeting of the committee on any measure, or amendment thereto, shall be announced in the committee report. The announcement shall include a tabulation of the votes cast in favor and votes cast in opposition to each such measure and amendment by each member of the committee.

RULE 9—TREATIES

(a) The committee is the only committee of the Senate with jurisdiction to review and report to the Senate on treaties submitted by the President for Senate advice and consent to ratification. Because the House of Representatives has no role in the approval of treaties, the committee is therefore the only congressional committee with responsibility for treaties.

(b) Once submitted by the President for advice and consent, each treaty is referred to the committee and remains on its calendar from Congress to Congress until the committee takes action to report it to the Senate or recommend its return to the President, or until the committee is discharged of the treaty by the Senate.

(c) In accordance with Senate Rule XXX.2, treaties which have been reported to the Senate but not acted on before the end of a Congress ''shall be resumed at the commencement of the next Congress as if no proceedings had previously been had thereon.''

(d) Insofar as possible, the committee should conduct a public hearing on each treaty as soon as possible after its submission by the President. Except in extraordinary circumstances, treaties reported to the Senate shall be accompanied by a written report.

RULE 10—NOMINATIONS

(a) *Waiting Requirement.*—Unless otherwise directed by the chairman and the ranking member, the Committee on Foreign Relations shall not consider any nomination until 6 calendar days after it has been formally submitted to the Senate.

(b) *Public Consideration.*—Nominees for any post who are invited to appear before the committee shall be heard in public session, unless a majority of the committee decrees otherwise, consistent with Rule 3(f).

(c) *Required Data.*—No nomination shall be reported to the Senate unless (1) the nominee has been accorded a security clearance on the basis of a thorough investigation by executive branch agencies; (2) the nominee has filed a financial disclosure report and a related ethics undertaking with the committee; (3) the committee has been assured that the nominee does not have any interests which could conflict with the interests of the government in the exercise of the nominee's proposed responsibilities; (4) for persons nominated to be chief of mission, ambassador-at-large, or minister, the committee has received a complete list of any contributions made by the nominee or members of his immediate family to any Federal election campaign during the year of his or her nomination and for the 4 preceding years; and (5) for persons nominated to be chiefs of

mission, the report required by Section 304(a)(4) of the Foreign Service Act of 1980 on the demonstrated competence of that nominee to perform the duties of the position to which he or she has been nominated.

RULE 11—TRAVEL

(a) *Foreign Travel.*—No member of the Committee on Foreign Relations or its staff shall travel abroad on committee business unless specifically authorized by the chairman, who is required by law to approve vouchers and report expenditures of foreign currencies, and the ranking member. Requests for authorization of such travel shall state the purpose and, when completed, a full substantive and financial report shall be filed with the committee within 30 days. This report shall be furnished to all members of the committee and shall not be otherwise disseminated without authorization of the chairman or the ranking member. Except in extraordinary circumstances, staff travel shall not be approved unless the reporting requirements have been fulfilled for all prior trips. Except for travel that is strictly personal, travel funded by non-U.S. Government sources is subject to the same approval and substantive reporting requirements as U.S. Government-funded travel. In addition, members and staff are reminded to consult the Senate Code of Conduct, and, as appropriate, the Senate Select Committee on Ethics, in the case of travel sponsored by non-U.S. Government sources.

Any proposed travel by committee staff for a subcommittee purpose must be approved by the subcommittee chairman and ranking member prior to submission of the request to the chairman and ranking member of the full committee.

(b) *Domestic Travel.*—All official travel in the United States by the committee staff shall be approved in advance by the staff director, or in the case of minority staff, by the minority staff director.

(c) *Personal Staff.*—As a general rule, no more than one member of the personal staff of a member of the committee may travel with that member with the approval of the chairman and the ranking member of the committee. During such travel, the personal staff member shall be considered to be an employee of the committee.

(d) *Personal Representatives of the Member (PRM).*—For the purposes of this rule regarding staff foreign travel, the officially-designated personal representative of the member (PRM) shall be deemed to have the same rights, duties, and responsibilities as members of the staff of the Committee on Foreign Relations. Furthermore, for the purposes of this section, each member of the committee may designate one personal staff member as the ''Personal Representative of the Member.''

RULE 12—TRANSCRIPTS

(a) *General.*—The Committee on Foreign Relations shall keep verbatim transcripts of all committee and subcommittee meetings and such transcripts shall remain in the custody of the committee, unless a majority of the committee decides otherwise. Transcripts of public hearings by the committee shall be published unless the chairman, with the concurrence of the ranking member, determines otherwise.

(b) *Classified or Restricted Transcripts.*—

(1) The chief clerk of the committee shall have responsibility for the maintenance and security of classified or restricted transcripts, and shall ensure that such transcripts are handled in a manner consistent with the requirements of the United States Senate Security Manual.

(2) A record shall be maintained of each use of classified or restricted transcripts as required by the Senate Security Manual.

(3) Classified transcripts may not leave the committee offices, or SVC–217 of the Capitol Vistors Center, except for the purpose of declassification.

(4) Extreme care shall be exercised to avoid taking notes or quotes from classified transcripts. Their contents may not be divulged to any unauthorized person.

(5) Subject to any additional restrictions imposed by the chairman with the concurrence of the ranking member, only the following persons are authorized to have access to classified or restricted transcripts.

(A) Members and staff of the committee in the committee offices or in SVC–217 of the Capitol Vistors Center;

(B) Designated personal representatives of members of the committee, and of the majority and minority leaders, with appropriate security clearances, in the committee offices or in SVC–217 of the Capitol Vistors Center;

(C) Senators not members of the committee, by permission of the chairman, in the committee offices or in SVC–217 of the Capitol Vistors Center; and

(D) Officials of the executive departments involved in the meeting, in the committee offices or SVC–217 of the Capitol Vistors Center.

(6) Any restrictions imposed upon access to a meeting of the committee shall also apply to the transcript of such meeting, except by special permission of the chairman and ranking member.

(7) In addition to restrictions resulting from the inclusion of any classified information in the transcript of a committee meeting, members and staff shall not discuss with anyone the proceedings of the committee in closed session or reveal information conveyed or discussed in such a session unless that person would have been permitted to attend the session itself, or unless such communication is specifically authorized by the chairman, the ranking member, or in the case of staff, by the staff director or minority staff director. A record shall be kept of all such authorizations.

(c) *Declassification.*—

(1) All noncurrent records of the committee are governed by Rule XI of the Standing Rules of the Senate and by S. Res. 474 (96th Congress). Any classified transcripts transferred to the National Archives and Records Administration under Rule XI may not be made available for public use unless they have been subject to declassification review in accordance with applicable laws or Executive orders.

(2) Any transcript or classified committee report, or any portion thereof, may be declassified, in accordance with applicable laws or Executive orders, sooner than the time period provided for under S. Res. 474 if:

(A) the chairman originates such action, with the concurrence of the ranking member;

(B) the other current members of the committee who participated in such meeting or report have been notified of the proposed declassification, and have not objected thereto, except that the committee by majority vote may overrule any objections thereby raised to early declassification; and

(C) the executive departments that participated in the meeting or originated the classified information have been consulted and consented to the declassification.

RULE 13—CLASSIFIED INFORMATION

(a) The handling of classified information in the Senate is governed by S. Res. 243 (100th Congress), which established the Office of Senate Security. All handling of classified information by the committee shall be consistent with the procedures set forth in the United States Senate Security Manual issued by the Office of Senate Security.

(b) The chief clerk is the security manager for the committee. The chief clerk shall be responsible for implementing the provisions of the Senate Security Manual and for serving as the committee liaison to the Office of Senate Security. The staff director, in consultation with the minority staff director, may appoint an alternate security manager as circumstances warrant.

(c) Classified material may only be transported between Senate offices by appropriately cleared staff members who have been specifically authorized to do so by the security manager.

(d) In general, Senators and staff undertake to confine their access to classified information on the basis of a ''need to know'' such information related to their committee responsibilities.

(e) The staff director is authorized to make such administrative regulations as may be necessary to carry out the provisions of this rule.

RULE 14—STAFF

(a) *Responsibilities.*—

(1) The staff works for the committee as a whole, under the general supervision of the chairman of the committee, and the immediate direction of the staff director, except that such part of the staff as is designated minority staff shall be under the general supervision of the ranking member and under the immediate direction of the minority staff director.

(2) Any member of the committee should feel free to call upon the staff at any time for assistance in connection with committee business. Members of the Senate not members of the committee who call upon the staff for assistance from time to time should be given assistance subject to the overriding responsibility of the staff to the committee.

(3) The staff's primary responsibility is with respect to bills, resolutions, treaties, and nominations.

In addition to carrying out assignments from the committee and its individual members, the staff has a responsibility to originate suggestions for committee or subcommittee consideration. The staff also has a responsibility to make suggestions to individual members regarding matters of special interest to such members.

(4) It is part of the staff's duty to keep itself as well informed as possible in regard to developments affecting foreign relations and in regard to the administration of foreign programs of the United States. Significant trends or developments which might otherwise escape notice should be called to the attention of the committee, or of individual Senators with particular interests.

(5) The staff shall pay due regard to the constitutional separation of powers between the Senate and the executive branch. It therefore has a responsibility to help the committee bring to bear an independent, objective judgment of proposals by the executive branch and when appropriate to originate sound proposals of its own. At the same time, the staff shall avoid impinging upon the day-to-day conduct of foreign affairs.

(6) In those instances when committee action requires the expression of minority views, the staff shall assist the minority as fully as the majority to the end that all points of view may be fully considered by members of the committee and of the Senate. The staff shall bear in mind that under our constitutional system it is the responsibility of the elected members of the Senate to determine legislative issues in the light of as full and fair a presentation of the facts as the staff may be able to obtain.

(b) *Restrictions.*—

(1) The staff shall regard its relationship to the committee as a privileged one, in

the nature of the relationship of a lawyer to a client. In order to protect this relationship and the mutual confidence which must prevail if the committee-staff relationship is to be a satisfactory and fruitful one, the following criteria shall apply:

(A) members of the staff shall not be identified with any special interest group in the field of foreign relations or allow their names to be used by any such group;

(B) members of the staff shall not accept public speaking engagements or write for publication in the field of foreign relations without specific advance permission from the staff director, or, in the case of minority staff, from the minority staff director. In the case of the staff director and the minority staff director, such advance permission shall be obtained from the chairman or the ranking member, as appropriate. In any event, such public statements should avoid the expression of personal views and should not contain predictions of future, or interpretations of past, committee action; and

(C) staff shall not discuss their private conversations with members of the committee without specific advance permission from the Senator or Senators concerned.

(2) The staff shall not discuss with anyone the proceedings of the committee in closed session or reveal information conveyed or discussed in such a session unless that person would have been permitted to attend the session itself, or unless such communication is specifically authorized by the staff director or minority staff director. Unauthorized disclosure of information from a closed session or of classified information shall be cause for immediate dismissal and may, in the case of some kinds of information, be grounds for criminal prosecution.

RULE 15—STATUS AND AMENDMENT OF RULES

(a) *Status*.—In addition to the foregoing, the Committee on Foreign Relations is governed by the Standing Rules of the Senate, which shall take precedence in the event of a clear inconsistency. In addition, the jurisdiction and responsibilities of the committee with respect to certain matters, as well as the timing and procedure for their consideration in committee, may be governed by statute.

(b) *Amendment*.—These rules may be modified, amended, or repealed by a majority of the committee, provided that a notice in writing of the proposed change has been given to each member at least 48 hours prior to the meeting at which action thereon is to be taken. However, rules of the committee which are based upon Senate rules may not be superseded by committee vote alone.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS RULES OF PROCEDURE

Mr. LIEBERMAN. Mr. President, the Committee on Homeland Security and Governmental Affairs has adopted rules governing its procedures for the 111th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator COLLINS, I ask unanimous consent to have a copy of the committee rules printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF PROCEDURE OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

PURSUANT TO RULE XXVI, SEC. 2, STANDING RULES OF THE SENATE

RULE 1. MEETINGS AND MEETING PROCEDURES OTHER THAN HEARINGS

A. Meeting dates. The Committee shall hold its regular meetings on the first Wednesday of each month, when the Congress is in session, or at such other times as the Chairman shall determine. Additional meetings may be called by the Chairman as he/she deems necessary to expedite Committee business. (Rule XXVI, Sec. 3, Standing Rules of the Senate.)

B. Calling special Committee meetings. If at least three Members of the Committee desire the Chairman to call a special meeting, they may file in the offices of the Committee a written request therefor, addressed to the Chairman. Immediately thereafter, the clerk of the Committee shall notify the Chairman of such request. If, within 3 calendar days after the filing of such request, the Chairman fails to call the requested special meeting, which is to be held within 7 calendar days after the filing of such request, a majority of the Committee Members may file in the offices of the Committee their written notice that a special Committee meeting will be held, specifying the date and hour thereof, and the Committee shall meet on that date and hour. Immediately upon the filing of such notice, the Committee clerk shall notify all Committee Members that such special meeting will be held and inform them of its date and hour. (Rule XXVI, Sec. 3, Standing Rules of the Senate.)

C. Meeting notices and agenda. Written notices of Committee meetings, accompanied by an agenda, enumerating the items of business to be considered, shall be sent to all Committee Members at least 3 days in advance of such meetings, excluding Saturdays, Sundays, and legal holidays in which the Senate is not in session. The written notices required by this Rule may be provided by electronic mail. In the event that unforeseen requirements or Committee business prevent a 3-day notice of either the meeting or agenda, the Committee staff shall communicate such notice and agenda, or any revisions to the agenda, as soon as practicable by telephone or otherwise to Members or appropriate staff assistants in their offices.

D. Open business meetings. Meetings for the transaction of Committee or Subcommittee business shall be conducted in open session, except that a meeting or series of meetings on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) below would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the Committee or Subcommittee Members when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of foreign relations of the United States;

(2) will relate solely to matters of Committee or Subcommittee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of an informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations. (Rule XXVI, Sec. 5(b), Standing Rules of the Senate.) Notwithstanding the foregoing, whenever disorder arises during a Committee or Subcommittee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the Chairman to enforce order on his or her own initiative and without any point of order being made by a Member of the Committee or Subcommittee; provided, further, that when the Chairman finds it necessary to maintain order, he/she shall have the power to clear the room, and the Committee or Subcommittee may act in closed session for so long as there is doubt of the assurance of order. (Rule XXVI, Sec. 5(d), Standing Rules of the Senate.)

E. Prior notice of first degree amendments. It shall not be in order for the Committee, or a Subcommittee thereof, to consider any amendment in the first degree proposed to any measure under consideration by the Committee or Subcommittee unless a written copy of such amendment has been delivered to each Member of the Committee or Subcommittee, as the case may be, and to the office of the Committee or Subcommittee, at least 24 hours before the meeting of the Committee or Subcommittee at which the amendment is to be proposed. The written copy of amendments in the first degree required by this Rule may be provided by electronic mail. This subsection may be waived by a majority of the Members present. This subsection shall apply only when at least 72 hours written notice of a session to mark-up a measure is provided to the Committee or Subcommittee.

F. Meeting transcript. The Committee or Subcommittee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceeding of each meeting whether or not such meeting or any part thereof is closed to the public, unless a majority of the Committee or Subcommittee Members vote to forgo such a record. (Rule XXVI, Sec. 5(e), Standing Rules of the Senate.)

RULE 2. QUORUMS

A. Reporting measures and matters. A majority of the Members of the Committee shall constitute a quorum for reporting to the Senate any measures, matters or recommendations. (Rule XXVI, Sec. 7(a)(1), Standing Rules of the Senate.)

B. Transaction of routine business. One-third of the membership of the Committee shall constitute a quorum for the transaction of routine business, provided that one Member of the Minority is present. For the purpose of this paragraph, the term ''routine business'' includes the convening of a meeting and the consideration of any business of the Committee other than reporting to the Senate any measures, matters or recommendations. (Rule XXVI, Sec. 7(a)(1), Standing Rules of the Senate.)

C. Taking testimony. One Member of the Committee shall constitute a quorum for taking sworn or unsworn testimony. (Rule XXVI, Sec. 7(a)(2) and 7(c)(2), Standing Rules of the Senate.)

D. Subcommittee quorums. Subject to the provisions of sections 7(a)(1) and (2) of Rule XXVI of the Standing Rules of the Senate, the Subcommittees of this Committee are authorized to establish their own quorums for the transaction of business and the taking of sworn testimony.

E. Proxies prohibited in establishment of quorum. Proxies shall not be considered for the establishment of a quorum.

RULE 3. VOTING

A. Quorum required. Subject to the provisions of subsection (E), no vote may be taken by the Committee, or any Subcommittee thereof, on any measure or matter unless a quorum, as prescribed in the preceding section, is actually present.

B. Reporting measures and matters. No measure, matter or recommendation shall be reported from the Committee unless a majority of the Committee Members are actually present, and the vote of the Committee to report a measure or matter shall require the concurrence of a majority of those Members who are actually present at the time the vote is taken. (Rule XXVI, Sec. 7(a)(1) and (3), Standing Rules of the Senate.)

C. Proxy voting. Proxy voting shall be allowed on all measures and matters before the Committee, or any Subcommittee thereof, except that, when the Committee, or any Subcommittee thereof, is voting to report a measure or matter, proxy votes shall be allowed solely for the purposes of recording a Member's position on the pending question. Proxy voting shall be allowed only if the absent Committee or Subcommittee Member has been informed of the matter on which he or she is being recorded and has affirmatively requested that he or she be so recorded. All proxies shall be filed with the chief clerk of the Committee or Subcommittee thereof, as the case may be. All proxies shall be in writing and shall contain sufficient reference to the pending matter as is necessary to identify it and to inform the Committee or Subcommittee as to how the Member establishes his or her vote to be recorded thereon. (Rule XXVI, Sec. 7(a)(3) and 7(c)(1), Standing Rules of the Senate.)

D. Announcement of vote. (1) Whenever the Committee by roll call vote reports any measure or matter, the report of the Committee upon such a measure or matter shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measure or matter by each Member of the Committee. (Rule XXVI, Sec. 7(c), Standing Rules of the Senate.)

(2) Whenever the Committee by roll call vote acts upon any measure or amendment thereto, other than reporting a measure or matter, the results thereof shall be announced in the Committee report on that measure unless previously announced by the Committee, and such announcement shall include a tabulation of the votes cast in favor of and the votes cast in opposition to each such measure and amendment thereto by each Member of the Committee who was present at the meeting. (Rule XXVI, Sec. 7(b), Standing Rules of the Senate.)

(3) In any case in which a roll call vote is announced, the tabulation of votes shall state separately the proxy vote recorded in favor of and in opposition to that measure, amendment thereto, or matter. (Rule XXVI, Sec. 7(b) and (c), Standing Rules of the Senate.)

E. Polling. (1) The Committee, or any Subcommittee thereof, may poll (a) internal Committee or Subcommittee matters including the Committee's or Subcommittee's staff, records and budget; (b) steps in an investigation, including issuance of subpoenas, applications for immunity orders, and requests for documents from agencies; and (c) other Committee or Subcommittee business other than a vote on reporting to the Senate any measures, matters or recommendations or a vote on closing a meeting or hearing to the public.

(2) Only the Chairman, or a Committee Member or staff officer designated by him/her, may undertake any poll of the Members of the Committee. If any Member requests, any matter to be polled shall be held for meeting rather than being polled. The chief clerk of the Committee shall keep a record of polls; if a majority of the Members of the Committee determine that the polled matter is in one of the areas enumerated in subsection (D) of Rule 1, the record of the poll shall be confidential. Any Committee Member may move at the Committee meeting following the poll for a vote on the polled decision, such motion and vote to be subject to the provisions of subsection (D) of Rule 1, where applicable.

F. Naming postal facilities. The Committee will not consider any legislation that would name a postal facility for a living person with the exception of bills naming facilities after former Presidents and Vice Presidents of the United States, former Members of Congress over 70 years of age, former State or local elected officials over 70 years of age, former judges over 70 years of age, or wounded veterans.

RULE 4. CHAIRMANSHIP OF MEETINGS AND HEARINGS

The Chairman shall preside at all Committee meetings and hearings except that he or she shall designate a temporary Chairman to act in his or her place if he or she is unable to be present at a scheduled meeting or hearing. If the Chairman (or his or her designee) is absent 10 minutes after the scheduled time set for a meeting or hearing, the Ranking Majority Member present shall preside until the Chairman's arrival. If there is no Member of the Majority present, the Ranking Minority Member present, with the prior approval of the Chairman, may open and conduct the meeting or hearing until such time as a Member of the Majority arrives.

RULE 5. HEARINGS AND HEARING PROCEDURES

A. Announcement of hearings. The Committee, or any Subcommittee thereof, shall make public announcement of the date, time, and subject matter of any hearing to be conducted on any measure or matter at least 1 week in advance of such hearing, unless the Committee, or Subcommittee, determines that there is good cause to begin such hearing at an earlier date. (Rule XXVI, Sec. 4(a), Standing Rules of the Senate.)

B. Open hearings. Each hearing conducted by the Committee, or any Subcommittee thereof, shall be open to the public, except that a hearing or series of hearings on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) below would require the hearing to be closed, followed immediately by a record vote in open session by a majority of the Committee or Subcommittee Members when it is determined that the matters to be discussed or the testimony to be taken at such hearing or hearings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of foreign relations of the United States;

(2) will relate solely to matters of Committee or Subcommittee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of an informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations. (Rule XXVI, Sec. 5(b), Standing Rules of the Senate.)

Notwithstanding the foregoing, whenever disorder arises during a Committee or Subcommittee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the Chairman to enforce order on his or her own initiative and without any point of order being made by a Member of the Committee or Subcommittee; provided, further, that when the Chairman finds it necessary to maintain order, he or she shall have the power to clear the room, and the Committee or Subcommittee may act in closed session for so long as there is doubt of the assurance of order. (Rule XXVI, Sec. 5(d), Standing Rules of the Senate.)

C. Full Committee subpoenas. The Chairman, with the approval of the Ranking Minority Member of the Committee, is authorized to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials at a hearing or deposition, provided that the Chairman may subpoena attendance or production without the approval of the Ranking Minority Member where the Chairman or a staff officer designated by him/her has not received notification from the Ranking Minority Member or a staff officer designated by him/her of disapproval of the subpoena within 72 hours, excluding Saturdays and Sundays, of being notified of the subpoena. If a subpoena is disapproved by the Ranking Minority Member as provided in this subsection, the subpoena may be authorized by vote of the Members of the Committee. When the Committee or Chairman authorizes subpoenas, subpoenas may be issued upon the signature of the Chairman or any other Member of the Committee designated by the Chairman.

D. Witness counsel. Counsel retained by any witness and accompanying such witness shall be permitted to be present during the testimony of such witness at any public or executive hearing or deposition to advise such witness while he or she is testifying, of his or her legal rights; provided, however, that in the case of any witness who is an officer or employee of the government, or of a corporation or association, the Committee Chairman may rule that representation by counsel from the government, corporation, or association or by counsel representing other witnesses, creates a conflict of interest, and that the witness may only be represented during interrogation by staff or

during testimony before the Committee by personal counsel not from the government, corporation, or association or by personal counsel not representing other witnesses. This subsection shall not be construed to excuse a witness from testifying in the event his or her counsel is ejected for conducting himself or herself in such manner so as to prevent, impede, disrupt, obstruct or interfere with the orderly administration of the hearings; nor shall this subsection be construed as authorizing counsel to coach the witness or answer for the witness. The failure of any witness to secure counsel shall not excuse such witness from complying with a subpoena or deposition notice.

E. Witness transcripts. An accurate electronic or stenographic record shall be kept of the testimony of all witnesses in executive and public hearings. The record of his or her testimony whether in public or executive session shall be made available for inspection by the witness or his or her counsel under Committee supervision; a copy of any testimony given in public session or that part of the testimony given by the witness in executive session and subsequently quoted or made part of the record in a public session shall be provided to any witness at his or her expense if he or she so requests. Upon inspecting his or her transcript, within a time limit set by the chief clerk of the Committee, a witness may request changes in the transcript to correct errors of transcription and grammatical errors; the Chairman or a staff officer designated by him/her shall rule on such requests.

F. Impugned persons. Any person whose name is mentioned or is specifically identified, and who believes that evidence presented, or comment made by a Member of the Committee or staff officer, at a public hearing or at a closed hearing concerning which there have been public reports, tends to impugn his or her character or adversely affect his or her reputation may:

(a) File a sworn statement of facts relevant to the evidence or comment, which statement shall be considered for placement in the hearing record by the Committee;

(b) Request the opportunity to appear personally before the Committee to testify in his or her own behalf, which request shall be considered by the Committee; and

(c) Submit questions in writing which he or she requests be used for the cross-examination of other witnesses called by the Committee, which questions shall be considered for use by the Committee.

G. Radio, television, and photography. The Committee, or any Subcommittee thereof, may permit the proceedings of hearings which are open to the public to be photographed and broadcast by radio, television or both, subject to such conditions as the Committee, or Subcommittee, may impose. (Rule XXVI, Sec. 5(c), Standing Rules of the Senate.)

H. Advance statements of witnesses. A witness appearing before the Committee, or any Subcommittee thereof, shall provide electronically a written statement of his or her proposed testimony at least 48 hours prior to his or her appearance. This requirement may be waived by the Chairman and the Ranking Minority Member following their determination that there is good cause for failure of compliance. (Rule XXVI, Sec. 4(b), Standing Rules of the Senate.)

I. Minority witnesses. In any hearings conducted by the Committee, or any Subcommittee thereof, the Minority Members of the Committee or Subcommittee shall be entitled, upon request to the Chairman by a majority of the Minority Members, to call witnesses of their selection during at least 1 day of such hearings. (Rule XXVI, Sec. 4(d), Standing Rules of the Senate.)

J. Full Committee depositions. Depositions may be taken prior to or after a hearing as provided in this subsection.

(1) Notices for the taking of depositions shall be authorized and issued by the Chairman, with the approval of the Ranking Minority Member of the Committee, provided that the Chairman may initiate depositions without the approval of the Ranking Minority Member where the Chairman or a staff officer designated by him/her has not received notification from the Ranking Minority Member or a staff officer designated by him/her of disapproval of the deposition within 72 hours, excluding Saturdays and Sundays, of being notified of the deposition notice. If a deposition notice is disapproved by the Ranking Minority Member as provided in this subsection, the deposition notice may be authorized by a vote of the Members of the Committee. Committee deposition notices shall specify a time and place for examination, and the name of the Committee Member or Members or staff officer or officers who will take the deposition. Unless otherwise specified, the deposition shall be in private. The Committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness' failure to appear or produce unless the deposition notice was accompanied by a Committee subpoena.

(2) Witnesses may be accompanied at a deposition by counsel to advise them of their legal rights, subject to the provisions of Rule 5D.

(3) Oaths at depositions may be administered by an individual authorized by local law to administer oaths. Questions shall be propounded orally by Committee Member or Members or staff. If a witness objects to a question and refuses to testify, the objection shall be noted for the record and the Committee Member or Members or staff may proceed with the remainder of the deposition.

(4) The Committee shall see that the testimony is transcribed or electronically recorded (which may include audio or audio/video recordings). If it is transcribed, the transcript shall be made available for inspection by the witness or his or her counsel under Committee supervision. The witness shall sign a copy of the transcript and may request changes to it, which shall be handled in accordance with the procedure set forth in subsection (E). If the witness fails to sign a copy, the staff shall note that fact on the transcript. The individual administering the oath shall certify on the transcript that the witness was duly sworn in his or her presence, the transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall then be filed with the chief clerk of the Committee. The Chairman or a staff officer designated by him/her may stipulate with the witness to changes in the procedure; deviations from this procedure which do not substantially impair the reliability of the record shall not relieve the witness from his or her obligation to testify truthfully.

RULE 6. COMMITTEE REPORTING PROCEDURES

A. Timely filing. When the Committee has ordered a measure or matter reported, following final action, the report thereon shall be filed in the Senate at the earliest practicable time. (Rule XXVI, Sec. 10(b), Standing Rules of the Senate.)

B. Supplemental, Minority, and additional views. A Member of the Committee who gives notice of his or her intention to file supplemental, Minority or additional views at the time of final Committee approval of a measure or matter, shall be entitled to not less than 3 calendar days in which to file such views, in writing, with the chief clerk of the Committee. Such views shall then be included in the Committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the Committee report may be filed and printed immediately without such views. (Rule XXVI, Sec. 10(c), Standing Rules of the Senate.)

C. Notice by Subcommittee Chairmen. The Chairman of each Subcommittee shall notify the Chairman in writing whenever any measure has been ordered reported by such Subcommittee and is ready for consideration by the full Committee.

D. Draft reports of Subcommittees. All draft reports prepared by Subcommittees of this Committee on any measure or matter referred to it by the Chairman, shall be in the form, style, and arrangement required to conform to the applicable provisions of the Standing Rules of the Senate, and shall be in accordance with the established practices followed by the Committee. Upon completion of such draft reports, copies thereof shall be filed with the chief clerk of the Committee at the earliest practicable time.

E. Impact statements in reports. All Committee reports, accompanying a bill or joint resolution of a public character reported by the Committee, shall contain (1) an estimate, made by the Committee, of the costs which would be incurred in carrying out the legislation for the then current fiscal year and for each of the next 5 years thereafter (or for the authorized duration of the proposed legislation, if less than 5 years); and (2) a comparison of such cost estimates with any made by a Federal agency; or (3) in lieu of such estimate or comparison, or both, a statement of the reasons for failure by the Committee to comply with these requirements as impracticable, in the event of inability to comply therewith. (Rule XXVI, Sec. 11(a), Standing Rules of the Senate.)

Each such report shall also contain an evaluation, made by the Committee, of the regulatory impact which would be incurred in carrying out the bill or joint resolution. The evaluation shall include (a) an estimate of the numbers of individuals and businesses who would be regulated and a determination of the groups and classes of such individuals and businesses, (b) a determination of the economic impact of such regulation on the individuals, consumers, and businesses affected, (c) a determination of the impact on the personal privacy of the individuals affected, and (d) a determination of the amount of paperwork that will result from the regulations to be promulgated pursuant to the bill or joint resolution, which determination may include, but need not be limited to, estimates of the amount of time and financial costs required of affected parties, showing whether the effects of the bill or joint resolution could be substantial, as well as reasonable estimates of the recordkeeping requirements that may be associated with the bill or joint resolution. Or, in lieu of the forgoing evaluation, the report shall include a statement of the reasons for failure by the Committee to comply with these requirements as impracticable, in the event of inability to comply therewith. (Rule XXVI, Sec. 11(b), Standing Rules of the Senate.)

RULE 7. SUBCOMMITTEES AND SUBCOMMITTEE PROCEDURES

A. Regularly established Subcommittees. The Committee shall have three regularly established Subcommittees. The Subcommittees are as follows: Permanent Subcommittee on Investigations; Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia; and Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security.

B. Ad hoc Subcommittees. Following consultation with the Ranking Minority Member, the Chairman shall, from time to time, establish such ad hoc Subcommittees as he/she deems necessary to expedite Committee business.

C. Subcommittee membership. Following consultation with the Majority Members, and the Ranking Minority Member of the Committee, the Chairman shall announce selections for membership on the Subcommittees referred to in paragraphs A and B, above.

D. Subcommittee meetings and hearings. Each Subcommittee of this Committee is authorized to establish meeting dates and adopt rules not inconsistent with the rules of the Committee except as provided in Rules 2(D) and 7(E).

E. Subcommittee subpoenas. Each Subcommittee is authorized to adopt rules concerning subpoenas which need not be consistent with the rules of the Committee; provided, however, that in the event the Subcommittee authorizes the issuance of a subpoena pursuant to its own rules, a written notice of intent to issue the subpoena shall be provided to the Chairman and Ranking Minority Member of the Committee, or staff officers designated by them, by the Subcommittee Chairman or a staff officer designated by him/her immediately upon such authorization, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chairman and Ranking Minority Member waive the 48-hour waiting period or unless the Subcommittee Chairman certifies in writing to the Chairman and Ranking Minority Member that, in his or her opinion, it is necessary to issue a subpoena immediately.

F. Subcommittee budgets. During the first year of a new Congress, each Subcommittee that requires authorization for the expenditure of funds for the conduct of inquiries and investigations, shall file with the chief clerk of the Committee, by a date and time prescribed by the Chairman, its request for funds for the two (2) 12-month periods beginning on March 1 and extending through and including the last day of February of the 2 following years, which years comprise that Congress. Each such request shall be submitted on the budget form prescribed by the Committee on Rules and Administration, and shall be accompanied by a written justification addressed to the Chairman of the Committee, which shall include (1) a statement of the Subcommittee's area of activities, (2) its accomplishments during the preceding Congress detailed year by year, and (3) a table showing a comparison between (a) the funds authorized for expenditure during the preceding Congress detailed year by year, (b) the funds actually expended during that Congress detailed year by year, (c) the amount requested for each year of the Congress, and (d) the number of professional and clerical staff members and consultants employed by the Subcommittee during the preceding Congress detailed year by year and the number of such personnel requested for each year of the Congress. The Chairman may request additional reports from the Subcommittees regarding their activities and budgets at any time during a Congress. (Rule XXVI, Sec. 9, Standing Rules of the Senate.)

RULE 8. CONFIRMATION STANDARDS AND PROCEDURES

A. Standards. In considering a nomination, the Committee shall inquire into the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated. The Committee shall recommend confirmation, upon finding that the nominee has the necessary integrity and is affirmatively qualified by reason of training, education, or experience to carry out the functions of the office to which he or she was nominated.

B. Information concerning the Nominee. Each nominee shall submit the following information to the Committee:

(1) A detailed biographical resume which contains information relating to education, employment, and achievements;

(2) Financial information, in such specificity as the Committee deems necessary, including a list of assets and liabilities of the nominee and tax returns for the 3 years preceding the time of his or her nomination, and copies of other relevant documents requested by the Committee, such as a proposed blind trust agreement, necessary for the Committee's consideration; and,

(3) Copies of other relevant documents the Committee may request, such as responses to questions concerning the policies and programs the nominee intends to pursue upon taking office. At the request of the Chairman or the Ranking Minority Member, a nominee shall be required to submit a certified financial statement compiled by an independent auditor. Information received pursuant to this subsection shall be made available for public inspection; provided, however, that tax returns shall, after review by persons designated in subsection (C) of this rule, be placed under seal to ensure confidentiality.

C. Procedures for Committee inquiry. The Committee shall conduct an inquiry into the experience, qualifications, suitability, and integrity of nominees, and shall give particular attention to the following matters:

(1) A review of the biographical information provided by the nominee, including, but not limited to, any professional activities related to the duties of the office to which he or she is nominated;

(2) A review of the financial information provided by the nominee, including tax returns for the 3 years preceding the time of his or her nomination;

(3) A review of any actions, taken or proposed by the nominee, to remedy conflicts of interest; and

(4) A review of any personal or legal matter which may bear upon the nominee's qualifications for the office to which he or she is nominated. For the purpose of assisting the Committee in the conduct of this inquiry, a Majority investigator or investigators shall be designated by the Chairman and a Minority investigator or investigators shall be designated by the Ranking Minority Member. The Chairman, Ranking Minority Member, other Members of the Committee, and designated investigators shall have access to all investigative reports on nominees prepared by any Federal agency, except that only the Chairman, the Ranking Minority Member, or other Members of the Committee, upon request, shall have access to the report of the Federal Bureau of Investigation. The Committee may request the assistance of the General Accounting Office and any other such expert opinion as may be necessary in conducting its review of information provided by nominees.

D. Report on the Nominee. After a review of all information pertinent to the nomination, a confidential report on the nominee shall be made in the case of judicial nominees and may be made in the case of non-judicial nominees by the designated investigators to the Chairman and the Ranking Minority Member and, upon request, to any other Member of the Committee. The report shall summarize the steps taken by the Committee during its investigation of the nominee and the results of the Committee inquiry, including any unresolved matters that have been raised during the course of the inquiry.

E. Hearings. The Committee shall conduct a public hearing during which the nominee shall be called to testify under oath on all matters relating to his or her suitability for office, including the policies and programs which he or she will pursue while in that position. No hearing shall be held until at least 72 hours after the following events have occurred: The nominee has responded to prehearing questions submitted by the Committee; and, if applicable, the report described in subsection (D) has been made to the Chairman and Ranking Minority Member, and is available to other Members of the Committee, upon request.

F. Action on confirmation. A mark-up on a nomination shall not occur on the same day that the hearing on the nominee is held. In order to assist the Committee in reaching a recommendation on confirmation, the staff may make an oral presentation to the Committee at the mark-up, factually summarizing the nominee's background and the steps taken during the pre-hearing inquiry.

G. Application. The procedures contained in subsections (C), (D), (E), and (F) of this rule shall apply to persons nominated by the President to positions requiring their full-time service. At the discretion of the Chairman and Ranking Minority Member, those procedures may apply to persons nominated by the President to serve on a part-time basis.

RULE 9. PERSONNEL ACTIONS AFFECTING COMMITTEE STAFF

In accordance with Rule XLII of the Standing Rules of the Senate and the Congressional Accountability Act of 1995 (P.L. 104–1), all personnel actions affecting the staff of the Committee shall be made free from any discrimination based on race, color, religion, sex, national origin, age, state of physical handicap, or disability.

COMMITTEE ON VETERANS' AFFAIRS RULES OF PROCEDURE

Mr. AKAKA. Mr. President, the Committee on Veterans' Affairs has adopted rules governing its procedures for the 111th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator BURR, I ask unanimous consent to have a copy of the committee rules be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMITTEE ON VETERANS' AFFAIRS

RULES OF PROCEDURE, 111TH CONGRESS

I. MEETINGS

(A) Unless otherwise ordered, the Committee shall meet on the first Wednesday of each month. The Chairman may, upon proper notice, call such additional meetings as deemed necessary.

(B) Except as provided in subparagraphs (b) and (d) of paragraph 5 of rule XXVI of the Standing Rules of the Senate, meetings of the Committee shall be open to the public. The Committee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceedings of each meeting whether or not such meeting or any part thereof is closed to the public.

(C) The Chairman of the Committee, or the Ranking Majority Member present in the absence of the Chairman, or such other Member as the Chairman may designate, shall preside over all meetings.

(D) Except as provided in rule XXVI of the Standing Rules of the Senate, no meeting of

the Committee shall be scheduled except by majority vote of the Committee or by authorization of the Chairman of the Committee.

(E) The Committee shall notify the office designated by the Committee on Rules and Administration of the time, place, and purpose of each meeting. In the event such meeting is canceled, the Committee shall immediately notify such designated office.

(F) Written or electronic notice of a Committee meeting, accompanied by an agenda enumerating the items of business to be considered, shall be sent to all Committee Members at least 72 hours (not counting Saturdays, Sundays, and federal holidays) in advance of each meeting. In the event that the giving of such 72-hour notice is prevented by unforeseen requirements or Committee business, the Committee staff shall communicate notice by the quickest appropriate means to Members or appropriate staff assistants of Members and an agenda shall be furnished prior to the meeting.

(G) Subject to the second sentence of this paragraph, it shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless a written or electronic copy of such amendment has been delivered to each Member of the Committee at least 24 hours before the meeting at which the amendment is to be proposed. This paragraph may be waived by a majority vote of the Members and shall apply only when 72-hour written notice has been provided in accordance with paragraph (F).

II. QUORUMS

(A) Subject to the provisions of paragraph (B), eight Members of the Committee shall constitute a quorum for the reporting or approving of any measure or matter or recommendation. Five Members of the Committee shall constitute a quorum for purposes of transacting any other business.

(B) In order to transact any business at a Committee meeting, at least one Member of the minority shall be present. If, at any meeting, business cannot be transacted because of the absence of such a Member, the matter shall lay over for a calendar day. If the presence of a minority Member is not then obtained, business may be transacted by the appropriate quorum.

(C) One Member shall constitute a quorum for the purpose of receiving testimony.

III. VOTING

(A) Votes may be cast by proxy. A proxy shall be written and may be conditioned by personal instructions. A proxy shall be valid only for the day given.

(B) There shall be a complete record kept of all Committee actions. Such record shall contain the vote cast by each Member of the Committee on any question on which a roll call vote is requested.

IV. HEARINGS AND HEARING PROCEDURES

(A) Except as specifically otherwise provided, the rules governing meetings shall govern hearings.

(B) At least one week in advance of the date of any hearing, the Committee shall undertake, consistent with the provisions of paragraph 4 of rule XXVI of the Standing Rules of the Senate, to make public announcements of the date, place, time, and subject matter of such hearing.

(C) The Committee shall require each witness who is scheduled to testify at any hearing to file 40 copies of such witness' testimony with the Committee not later than 48 hours prior to the witness' scheduled appearance unless the Chairman and Ranking Minority Member determine there is good cause for failure to do so.

(D) The presiding Member at any hearing is authorized to limit the time allotted to each witness appearing before the Committee.

(E) The Chairman, with the concurrence of the Ranking Minority Member of the Committee, is authorized to subpoena the attendance of witnesses and the production of memoranda, documents, records, and any other materials. If the Chairman or a Committee staff member designated by the Chairman has not received from the Ranking Minority Member or a Committee staff member designated by the Ranking Minority Member notice of the Ranking Minority Member's non-concurrence in the subpoena within 48 hours (excluding Saturdays, Sundays, and federal holidays) of being notified of the Chairman's intention to subpoena attendance or production, the Chairman is authorized following the end of the 48-hour period involved to subpoena the same without the Ranking Minority Member's concurrence. Regardless of whether a subpoena has been concurred in by the Ranking Minority Member, such subpoena may be authorized by vote of the Members of the Committee. When the Committee or Chairman authorizes a subpoena, the subpoena may be issued upon the signature of the Chairman or of any other Member of the Committee designated by the Chairman.

(F) Except as specified in Committee Rule VII (requiring oaths, under certain circumstances, at hearings to confirm Presidential nominations), witnesses at hearings will be required to give testimony under oath whenever the presiding Member deems such to be advisable.

V. MEDIA COVERAGE

Any Committee meeting or hearing which is open to the public may be covered by television, radio, and print media. Photographers, reporters, and crew members using mechanical recording, filming, or broadcasting devices shall position and use their equipment so as not to interfere with the seating, vision, or hearing of the Committee Members or staff or with the orderly conduct of the meeting or hearing. The presiding Member of the meeting or hearing may for good cause terminate, in whole or in part, the use of such mechanical devices or take such other action as the circumstances and the orderly conduct of the meeting or hearing may warrant.

VI. GENERAL

All applicable requirements of the Standing Rules of the Senate shall govern the Committee.

VII. PRESIDENTIAL NOMINATIONS

(A) Each Presidential nominee whose nomination is subject to Senate confirmation and referred to this Committee shall submit a statement of his or her background and financial interests, including the financial interests of his or her spouse and of children living in the nominee's household, on a form approved by the Committee which shall be sworn to as to its completeness and accuracy. The Committee form shall be in two parts:

(1) Information concerning employment, education, and background of the nominee which generally relates to the position to which the individual is nominated and which is to be made public; and

(2) Information concerning the financial and other background of the nominee, to be made public when the Committee determines that such information bears directly on the nominee's qualifications to hold the position to which the individual is nominated.

(B) At any hearing to confirm a Presidential nomination, the testimony of the nominee and, at the request of any Member, any other witness shall be under oath.

(C) Committee action on a nomination, including hearings or a meeting to consider a motion to recommend confirmation, shall not be initiated until at least five days after the nominee submits the form required by this rule unless the Chairman, with the concurrence of the Ranking Minority Member, waives this waiting period.

VIII. NAMING OF DEPARTMENT OF VETERANS AFFAIRS FACILITIES

It is the policy of the Committee that no Department of Veterans Affairs facility shall be named after any individual unless:

(A) Such individual is deceased and was:

(1) A veteran who (i) was instrumental in the construction or the operation of the facility to be named, or (ii) was a recipient of the Medal of Honor or, as determined by the Chairman and Ranking Minority Member, otherwise performed military service of an extraordinarily distinguished character;

(2) A Member of the United States House of Representatives or Senate who had a direct association with such facility;

(3) An Administrator of Veterans Affairs, a Secretary of Veterans Affairs, a Secretary of Defense or of a service branch, or a military or other Federal civilian official of comparable or higher rank; or

(4) An individual who, as determined by the Chairman and Ranking Minority Member, performed outstanding service for veterans.

(B) Each Member of the Congressional delegation representing the State in which the designated facility is located must indicate in writing such Member's support of the proposal to name such facility after such individual.

(C) The pertinent State department or chapter of each Congressionally chartered veterans' organization having a national membership of at least 500,000 must indicate in writing its support of such proposal.

IX. AMENDMENTS TO THE RULES

The rules of the Committee may be changed, modified, amended, or suspended at any time provided, however, that no less than a majority of the entire membership so determine at a regular meeting with due notice or at a meeting specifically called for that purpose. The rules governing quorums for reporting legislative matters shall govern rules changes, modification, amendments, or suspension.

TRIBUTE TO CONGRESSMAN JOHN DINGELL

Mr. LEVIN. Mr. President, today Congressman JOHN DINGELL of Michigan becomes the longest serving member in the history of the United States House of Representatives. As we observe this notable milestone in time, however, JOHN DINGELL's longevity is really a footnote that does not even begin to tell the full story of JOHN and his wonderful partner Debbie.

Fifty-four years from now, or 154 years from now, when historians look back for models of public service, JOHN DINGELL will stand among the best America has to offer. His commitment to the public good, his sense of fiduciary duty as a public servant and most of all the spirit, the passion, and the motivation that JOHN brings to his work day in and day out, year after year, are nothing short of remarkable.

Before JOHN DINGELL became a Member of the House, he was a son and a student of the House. His father, Congressman John Dingell Sr., was a New

Dealer and a passionate advocate of FDR's agenda.

As a House page in the late 1930s and early 1940s, JOHN learned the intricacies of House procedure. He got to know his way around, and developed a profound respect for leaders like Sam Rayburn.

Even in his youth, JOHN was anything but a passive observer. When Japan attacked Pearl Harbor and FDR came to Congress and declared it a ''date which will live in infamy,'' JOHN was in the Chamber. In fact, JOHN saw to it that one audio recorder continued to run even after FDR's speech ended, so thanks to him we have a fascinating record of the deliberations afterward that quickly led to the declaration of war on Japan.

When he was 18, JOHN enlisted in the Army. After the war he returned to Washington, and, ever a student of the House, he worked as an elevator operator here in the Capitol while attending Georgetown, where he received undergraduate and law degrees. As a young lawyer, JOHN served as a clerk for Sandy's and my uncle, Theodore Levin, a Federal judge in Michigan who, along with our Dad, had actually campaigned for JOHN's Dad in the 1930s.

A few years later, when his father passed away, JOHN Jr. won the special election to fill the vacant seat. The son and student became a Member of the institution that he had studied so closely and that he respected so deeply. And over the years, the Member would become the Chairman, and the Chairman would become the Dean—the most senior member of the House of Representatives.

While that alone is a significant achievement, the true mark of JOHN DINGELL is his devotion to public service that connects him to the great men and women of America's storied past whose statues grace this Capitol, and the legislation he has influenced that has so improved the lives of our people. He contributed to the creation of Medicaid and Medicare, to the Civil Rights bills, to the Endangered Species Act and the Clean Air Act. He fought to protect Social Security—which his father helped create.

Like all great fighters, when JOHN DINGELL is knocked down, he picks himself up. For example, he has helped keep the fight for universal health care alive by introducing legislation to achieve it in each new Congress, just as his father did.

JOHN can be tough, running procedural circles around even the most skilled legislative adversaries. And he can be gruff, for instance comparing a proposal he thinks is foolish or unnecessary to ''side pockets on a cow'' or ''feathers on a fish.''

But this tough and gruff Congressman has a softer side. His wife Debbie is personable and glowing and brings extraordinary energy to everything she touches. JOHN and Debbie are each powerhouses in their own right, and their relationship is a perfect synergy.

While Debbie is everywhere, raising funds for great causes, creating personal relationships that enrich so many lives, JOHN is only where he needs to be—focusing like a laser on legislative and policy goals.

There is a common thread in the Dingells' legislative maneuvers, charitable endeavors and even JOHN's unique use of language: they are all devoted to the goal of helping working people. People back home love ''Big JOHN'' because they know he is on their side—fighting for their jobs, their health, their children.

That is why, as much evidence as there is of John's influence and respect in the House of Representatives, the best way to really understand JOHN's impact on the people he represents is to make a visit to ''Dingell Country.'' In JOHN's district, people have placed JOHN's name on a road, a bridge, a park and a library not just to honor him but to inspire others. Just talk to a few of JOHN's fellow veterans at the VA Medical Center in Detroit. Those vets feel a little better and a little stronger knowing that they live in the JOHN DINGELL VA Medical Center. Or stop by the UAW Region 1a headquarters in Taylor, Michigan, and tell them you've stood shoulder to shoulder with JOHN DINGELL fighting for American workers—and you won't get a warmer welcome anywhere in America.

JOHN is beloved in his district, and he has been a role model to me and to my older brother Sandy since we arrived in Congress. He has also been a wonderful mentor to us and to the entire Michigan delegation.

JOHN has been a son of the House, a student of the House, a Member and a Chairman in the House he loves so much. On behalf of Michigan, I offer thanks to the now all-time Dean of the House of Representatives, JOHN DINGELL, a great institution within a great institution, for his devotion to public service and to the people of Michigan and the Nation.

BELARUS IMPRISONMENT

Mr. CARDIN. Mr. President, as chairman of the Helsinki Commission, I would like to bring to the attention of the Senate a situation which is literally a matter of life and death for an American citizen, Emanuel Zeltser, who has been imprisoned in Belarus since March 12, 2008. Mr. Zeltser is in desperate and immediate need of serious medical treatment—including a coronary bypass operation.

The poor human rights record of President Lukashenka's regime is well known. No American—indeed no human being—should be subjected to the kind of treatment Mr. Zeltser has been forced to endure during his incarceration. Despite Mr. Zeltser's grave health condition—he suffers from heart disease, type 2 diabetes, severe arthritis, gout, and dangerously elevated blood pressure—Belarusian authorities have repeatedly refused to provide Mr. Zeltser with his prescribed medications.

He was initially denied two independent medical evaluations and he has reported being physically assaulted and abused while incarcerated. Amnesty International has urged that Belarusian authorities no longer subject Mr. Zeltser to ''further torture and other ill-treatment.''

Mr. Zeltser was convicted of ''using false official documents'' and ''attempted economic espionage'' in a closed judicial proceeding. The U.S. Embassy in Minsk criticized the proceedings, noting that it was denied the opportunity to observe the trial. The State Department has repeatedly called for Mr. Zeltser's release on humanitarian grounds. So have others in Congress, especially my colleague on the Helsinki Commission, cochairman Representative ALCEE HASTINGS.

But now the situation appears dire. Earlier this month, Mr. Zeltser was examined by an American doctor. It was only the second time an American physician has been permitted to see Mr. Zeltser. The doctor concluded that ''there is a clear and high risk of sudden death from heart attack unless the patient is immediately transferred to a U.S. hospital with the proper equipment and facilities. . . . Refusal to transfer Mr. Zeltser to a U.S. hospital is equivalent to a death sentence.'' Specifically, Mr. Zeltser is in dire need of a coronary bypass procedure. The doctor also determined that because he had been denied prescribed diabetes medication, Mr. Zeltser's left foot may need to be amputated.

In response to a press inquiry in December, the State Department called for ''the Belarusian authorities to release Mr. Zeltser on humanitarian grounds before this situation takes an irrevocable turn.'' Based on the recent doctor's report it is apparent that such an irrevocable turn is imminent unless this American citizen can be brought home promptly for the medical treatment necessary to save his life.

Belarus has taken some tentative steps to improve its notably poor human rights record, in particular the release of several political prisoners last August. However, Mr. Zeltser's continued, and potentially terminal, imprisonment threatens to override those initially encouraging signs. As such, I strongly urge the Belarusian authorities to release Emanuel Zeltser on humanitarian grounds so that he may obtain the immediate medical treatment his doctor has concluded is required if he is to live.

REMEMBERING CONGRESSMAN WENDELL WYATT

Mr. WYDEN. Mr. President, I wish to mark a sad occasion: the recent death of one of Oregon's most respected Members of Congress, Wendell Wyatt, who represented the First District of Oregon from 1965 to 1975. He died peacefully on January 28th at the age of 91 in Portland, OR.

With good humor and little interest in partisanship, Wendell Wyatt's congressional career began with his service on the House Interior Committee. He is best known, however, for his work on the House Interior Appropriations Subcommittee where his working relationship with its chair, distinguished Washingtonian Julia Butler Hansen, was a model of effective teamwork across party lines and—in this case—across the Columbia River that separated their congressional districts.

The same was true of his relationship with Democratic Congresswoman Edith Green, who represented Oregon's Third Congressional District, which includes most of Portland and is the district I was privileged to represent in the House before coming to the Senate. In fact, my Portland office is housed in the Edith Green-Wendell Wyatt Federal Building. Congressman Wyatt and Congresswoman Green—known simply in Oregon as Edith and Wendell—worked tirelessly together on many worthwhile civic projects that improved their city and their adjoining congressional districts. Their good work helped lay the foundation for the Portland we are proud of today.

Wendell Wyatt was an advocate for the Federal workforce in Oregon, Government workers he regarded as good civil servants dedicated to serving the public interest. He also loved the individual service element of his work in Congress. Today, most offices call this ''casework,'' but to Wendell Wyatt it gave him the chance to help an individual constituent with his or her problem when the Federal Government was unresponsive or trying to put a square peg in a round hole. He never disrespected any Government official who was implementing something that had an adverse impact on one of his constituents, but he pressed the case strongly and effectively.

As a young Member of the House, I remember other House members and longtime staffers talking about Wendell with great affection and admiration, someone who worked hard, got results, and always with good humor and without partisanship.

His colleagues during that era in Congress included Gerald Ford, Melvin Laird, George H.W. Bush, and other like-minded House Republican moderates. Like them, he epitomized the saying that ''You could disagree without being disagreeable.'' In Oregon, he was part of a generation of elected officials whose goals were service, not partisanship, including Mark Hatfield and Tom McCall.

When he retired from Congress in 1974, Wendell Wyatt returned to Oregon to become a partner in what is now the State's second largest law firm, Schwabe Williamson & Wyatt, where he is remembered as someone who rolled up his sleeves to help his clients, to close the deal, and to help add economic activity that created jobs for Oregonians.

The commitment to public service runs strong in Wendell Wyatt's family. His son, Bill, was a member of the Oregon Legislature as a young man, later the chief of staff to an Oregon Governor, and is now the very effective executive director of the Port of Portland. Bill Wyatt is a longtime friend of mine and of others in the economic and political leadership of our State, and we all know that the Wyatt bloodline for service to our State has passed from father to son.

I join his family, colleagues in his law firm, and his many good friends in mourning his death. I join the good citizens of the First Congressional District of Oregon, who salute his effective voice for them in Congress. And I stand with so many people throughout Oregon whose lives are better because of Wendell Wyatt's commitment to service in Congress.

Mr. President, I ask unanimous consent that at the conclusion of my remarks a few articles about Congressman Wyatt be printed in the RECORD. First, is the announcement of his death that appeared in the Portland City Club Bulletin, followed by the notice of Wyatt's death that appeared in the Oregonian newspaper and the warm editorial about Wendell. I ask that there next be printed the article in his hometown newspaper, the Daily Astorian, in which local residents reflect on his service to their community. The final document that I request be printed in the RECORD is the editorial in the Daily Astorian paying tribute to the dignity with which Wendell Wyatt served his district, our State and the Congress.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Portland City Club Bulletin, Feb. 13, 2009]

CITY CLUB REMEMBERS WENDELL J. WYATT

Former City Club member Wendell J. Wyatt passed away on Wednesday, January 28 at the age of 91. Wyatt graduated from the University of Oregon School of Law. He served as an FBI agent and a Marine Corps pilot before being elected to Congress where he served a distinguished, decade-long career. After retiring from office, Wyatt became a partner in the law firm Schwabe, Williamson & Wyatt.

Wyatt was a Club member for almost twenty years. He made notable speaking appearances at City Club with the late Congresswoman Edith Green, and the Federal Building on Third Street is dedicated jointly in their names. Wyatt's law firm is a City Club sponsor and his family members continue to play a significant role in the Club.

Wyatt's contributions to the community will be celebrated at 1 p.m. Saturday, Feb. 21, 2008 in St. Anne's Chapel at Marylhurst University.

[From the Oregonian, Jan. 29, 2009]

EX-CONGRESSMAN WENDELL WYATT DIES AT 91

(By Joan Harvey)

Wendell Wyatt, who represented Oregon's 1st Congressional District for 10 years, died Wednesday in his Portland home. He was 91.

Wyatt was a popular and respected Republican lawmaker who was known as an adroit deal-maker.

As a member of the House Committee on the Interior and later the powerful House Appropriations Committee, he finessed through Congress bills that permanently affected Oregon, including bills that established the Tualatin Reclamation Project (Scoggins Dam) in Washington County, the Columbia River 40-foot shipping channel from Astoria to Portland, and Lincoln City's Cascade Head Scenic Area, as well as a bill authorizing the $4 million purchase of ranchlands along the Snake River for public recreation.

He stayed active in Republican politics after retiring from Congress. He became a partner in the law firm of Schwabe Williamson & Wyatt, and was a commissioner for the Port of Portland and a lobbyist. He became inactive as an attorney in 2001 but continued consulting for the firm.

In 1975, he pleaded guilty to a technical violation of federal campaign laws, admitting that as chairman of the Oregon Committee to Re-Elect the President, he failed to report a donation to President Richard Nixon's campaign. The Oregonian defended him in an editorial:

''He has had a long and honorable career both in private and public life, including 10 years in Congress; and he has gained the reputation of being not only an exceptionally effective public servant, but one who is scrupulously honest in all of his dealings. He has had both the respect and warm friendship of colleagues in both parties. No one who knows him well believes he intentionally violated the law.''

Wyatt was born June 15, 1917, in Eugene and moved to Portland as a teenager. He was editor of the Jefferson High School newspaper and went to the University of Oregon. He dropped out and joined The Oregonian as a copy aide. After a year, he applied to the University of Oregon Law School and was admitted without an undergraduate degree.

Wayne Morse was one of his professors, and Wyatt often recalled four-hour evening sessions led by the man who would become the legendary ''Tiger of the Senate.'' Later, the two became political adversaries.

After obtaining his law degree, he was an FBI agent and then served as a Marine Corps pilot in the Pacific during World War II.

He moved to Astoria after the war and joined the law firm of Albin Norblad, a former Oregon governor and father of U.S. Rep. Walter Norblad; after Walter Norblad died in 1964, Wyatt was elected to fill his vacancy. He was re-elected four times, retiring in 1975, the same year colleague and friend Edith Green, a Democratic congresswoman for 20 years, stepped down. The federal building in downtown Portland is named for Green and Wyatt.

Wyatt married Anne Elizabeth Buchanan in the mid-1940s; they divorced. He married Faye Hill in 1962. She predeceased him. He is survived by daughters, Ann Wyatt and Jane Wyatt; stepdaughter, Sandi Kinsley; son, Wendell ''Bill'' Jr., executive director of the Port of Portland; stepson, Larry D. Hill; four grandchildren; and one great-grandchild.

A memorial service will be at 1 p.m. Saturday, Feb. 21, 2009, in St. Anne's Chapel at Marylhurst University. The family suggests remembrances to the Clatsop County Historical Society. Arrangements are by Finley's Sunset Hills Mortuary.

WENDELL WYATT: SUCCESS THROUGH PERSONAL VALUES

(By The Oregonian Editorial Board)

Back when Rep. Wendell Wyatt, R-Ore., was in Congress, from 1965 to 1975, you didn't hear the word bipartisan much, because at many levels of American politics, it was a way of life, thus taken for granted.

Wyatt died this week at age 91 after a life in politics, law and community leadership. He should be remembered as someone who

put the problems of his individual constituents at the forefront of his service in the U.S. House of Representatives.

His congressional office was geared toward listening to constituent problems, then bending every effort to solve them—whether the issue was of great national or regional import or simply a mishandled Social Security benefit. Wyatt himself often got personally engaged in the most challenging and vexing details of constituent service.

It would not have been useful for Wyatt or his constituents for him to adopt a highly partisan stance when he was in Congress.

He was elected to the House in the small GOP freshman class of 1964, the year that Democratic President Lyndon B. Johnson laid a historic electoral whipping on Sen. Barry Goldwater, R-Ariz., the great hope of the right wing of the Republican party.

It was clear that Wyatt was never going to be part of the majority, and he never was. Thus he had to develop the skills necessary to adequately represent all of the people of Oregon's 1st Congressional District.

''This was more effective than sitting in the back benches and throwing spitballs all day long,'' said his son Bill Wyatt. Instead, the elder Wyatt developed good working relationships with powerful Democrats such as Wayne Aspinall, D-Colo., chairman of the House Interior Committee and Tom Foley, who also entered Congress in 1964 and, much later, became Speaker of the House for a short time.

As a congressman, Wyatt was pro-choice, pro-gun-control and the driving force behind efforts to bring commerce to Oregon via the Columbia River. His social views would not sit well in the modern Republican Party, at least the official part of it. They didn't sit that well with the party's establishment back then either, but it still was possible to disagree and be independent-minded and still remain in good standing within the party. Today? It's not as clear. But Wyatt's views then are positions that many Republicans hold privately—or even not-so-privately—today, even if the right's hold on party leadership is much stronger.

For Wyatt, though, service was a far bigger motivator than political ideology. In his last campaign, Wyatt even went retail with his orientation toward constituents. His campaign slogan was: ''Wendell Wyatt, your door-to-door Congressman.''

His son Bill, of course, has been prominent in Oregon political and economic circles for years, serving as chief of staff for Gov. John Kitzhaber and now as executive director of the Port of Portland. Bill Wyatt also tried elective politics early in his career, as a Democratic candidate for the Oregon Legislature. Worried about whether he would somehow step on his father's political toes, the younger Wyatt brought the matter up. ''He told me, 'What makes you happy makes me happy. You don't have to protect me from what you think is the right thing to do.','' Bill Wyatt said. ''He was able to separate what was most important to him and keep it there.''

That was the key to what made Wendell Wyatt successful in life—public and private.

[From the Daily Astorian, Feb. 9, 2009]

NORTH COAST MOURNS FORMER OREGON CONGRESSMAN WENDELL WYATT

(By Patrick Webb)

Former Astoria Congressman Wendell Wyatt died Wednesday. He was 91.

Wyatt, a Republican, served the 1st Congressional District from 1964 until retiring in 1975.

Tributes to him focused on his honesty and his ability to get the job done.

Denny Thompson of Astoria, who served as honorary Finnish Consul for 35 years, worked closely with Wyatt and praised his ability to reach across the aisle.

''My union friends were all Democrats, but they were working for Wendell Wyatt. They all respected him and he respected everyone in return,'' said Thompson, whose wife, Frankye, was Wyatt's campaign chairwoman for Clatsop County.

''He did everything the proper way—he was completely honest, and he did as much for Clatsop County as anyone.''

Wyatt was a well-respected Republican leader who worked especially effectively with Democrat Congresswoman Edith Green. The federal building in Portland was later named for them.

Born in Eugene in 1917, Wyatt moved with his family to Portland. He graduated from Jefferson High School, where he had been editor of the high school newspaper, in 1935. He worked briefly as a copy aide for The Oregonian newspaper, earned a bachelor's degree from the University of Oregon in 1941 then worked briefly as an FBI agent.

When World War II broke out in the Pacific, he enlisted in the U.S. Marine Air Corps and served as a pilot from 1942 until 1946.

Afterward, he moved to Astoria and worked for the law firm of Albin Norblad, the former Oregon governor and father of U.S. Rep. Walter Norblad.

Tom Brownhill, of Eugene, was district attorney in Clatsop County from 1952 to 1960 and regularly faced Wyatt in the courtroom. ''I had a lot of cases against him,'' said Brownhill, whose daughter Paula, continues the family's legal tradition as a circuit court judge. ''As a lawyer, when he got into a case, he was all-in.''

Wyatt hired longtime legal secretary Doris Hughes from another firm in the 1950s—by offering her a raise from $160 to $200 a month. Hughes remembered Wyatt today as a ''wonderful person.''

''He gave the best dictation of anyone I know,'' she recalled. ''He was so smooth. The words just flowed out.''

Wyatt was chairman of the Oregon State Republican Central Committee from 1955 until 1957. During that time, George C. Fulton, of Astoria, another contemporary, worked closely with him while serving as Clatsop County GOP chairman.

Fulton, also an attorney, described Wyatt as a hard worker. ''He was a good lawyer. He worked hard and he played hard.''

When Walter Norblad died in 1965, Wyatt was elected to his congressional seat and served five terms, retiring in 1974.

Ted Bugas, a Bumblebee Seafood executive and supporter of Salmon For All, knew Wyatt because both had worked for the FBI and their Astoria offices were in the Post Office and across the street.

He recalled one incident as if yesterday.

''One morning we woke up and thought 'There's someone in the house! The wife and I were still in bed. In came Wendell—into our room—and said, 'I might go to Congress. What do you think of that?' ''

Bugas worked with Wyatt on fisheries issues, often traveling to Washington, D.C., often for lobbying efforts. His daughter, Christine, served as an intern in Wyatt's Congressional office.

''He was a great personality,'' said Bugas, who splits his time in retirement between Astoria and California. ''He was very pleasant.''

He worked on bills that established the Tualatin Reclamation Project in Washington County and the 40-foot shipping channel in the Columbia River from Astoria to Portland.

He was also credited with bills that created Lincoln City's Cascade Head Scenic Area, as well as a bill authorizing the $4 million purchase of ranchlands along the Snake River for public recreation.

U.S. Sen. Jeff Merkley said, ''Wendell Wyatt truly made his mark on Oregon. Everyone who has appreciated Cascade Head owes Congressman Wyatt a debt of gratitude for establishing this scenic area and those who visit public lands along the Snake River can thank Wendell Wyatt for opening the region to recreation.''

The Daily Astorian Publisher Steve Forrester covered Wyatt's political activities in 1974 while substituting for Washington columnist A. Robert Smith.

''Wyatt said to me that he earned 'the equivalent of a master's degree' every time he took on a new issue. He was the kind of Republican we no longer see—a solid, pragmatic middle-of-the-road guy,'' Forrester said.

''He was close to President Richard Nixon, and he was unfortunately tarred with that brush when he admitted to his involvement with Nixon's fund-raising—an embarrassing moment in an otherwise unblemished political career.''

In 1975, Wyatt admitted a technical violation of campaign laws for failing to report an Oregon GOP donation to Nixon.

He stayed active in Republican politics after retiring from Congress and became a partner in the law firm of Schwabe Williamson and Wyatt until his retirement.

He became inactive as an attorney in 2001, but continued consulting for the firm. He also served as a commissioner for the Port of Portland and a lobbyist.

Wyatt was married twice. He divorced his first wife, Anne Elizabeth Buchanan. He married Faye Hill in 1962. She died last year. He had two daughters, Ann and Jane, and a son, Wendell ''Bill'' Wyatt Jr., who is executive director of the Port of Portland and a former chief of staff for Gov. John Kitzhaber, plus step son and stepdaughter, four grandchildren and one great grandchild.

A memorial service will be held 1 p.m. Feb. 21 at St. Anne's Chapel at Marylhurst University near Lake Oswego. Contributions may go to the Clatsop County Historical Society.

[From the Daily Astorian, Feb. 2, 2009]

WENDELL WYATT SERVED WITH DIGNITY

Wendell Wyatt, who died last week, was one of those old-school, gentlemanly fellows who served his country and his community without the need for a brass band playing in the background.

A Republican, he served the 1st Congressional District, which includes Astoria and the North Coast, from 1965 until retiring in 1975.

An Oregonian through and through, he moved to Astoria to practice law after serving as a U.S. Marine Air Corps pilot in World War II. His buddies around the courthouse smile when they remember he practiced law with what they describe as ''considerable tenacity.''

When Congressman Walter Norblad died in office, Wyatt took over.

In the decade that followed, he served with dignity and pragmatism. Often politicians wax eloquent about bipartisan efforts but don't really mean it. Wyatt talked the talk, and walked the walk, working especially closely with Democrat Congresswoman Edith Green, to get the job done.

On fisheries issues, he worked to ensure the interests of the Columbia River came first.

Oregon U.S. Sen. Jeff Merkley summed it up best: ''Wendell Wyatt truly made his mark on Oregon.''

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:

We are your typical lower middle class family. My husband has a good job at FedEx where we are blessed to have good insurance benefits and stability; he is on the bottom of the totem pole, however so the wages leave something to be desired. I used to work for a local childcare center where I got free daycare for our 1-year-old son and was able to contribute an income. Last summer we were in a tight but good place in our lives and decided to purchase our first home. It is not much (it is a humble home) but it is ours. We moved in a week before Christmas and though things were very tight we were still doing ''ok''. We got pregnant again in January and were very excited. After all we were making it. Then in March I lost my job and the economy really started to hit us hard. Our tax returns were spent getting my car fixed, and our incentive package paid the mortgage and some bills. We were thankful that that money was there when we needed it but it was not spent as the government intended. We applied for public assistance while I looked for work but found out that we overqualify by only $60 a month. This was frustrating considering most of the people in the waiting room were not here on a legal basis but their children (born in the U.S.) have right to the same assistance I was applying for. They pay no taxes because they are not here legally and are not required to report their income so of course they qualify and the funny thing is that I saw several drive away in nicer cars than even my parents own. I take in a child or two into our home to bring in some income because I do not have a degree and cannot find a job that pays more than daycare costs.

On to gas prices: I drive a Ford Focus, an affordable economical car, and my hubby has his old F–150, which is one of the only assets we actually own. We do not drive big fancy cars that take hundreds of dollars to fill up. My focus cost $43 dollars last time I filled up (last Monday night) and my hubby's truck costs around $65–$70. That may not be a lot to you or anyone with a better job than we, but it is a lot more than we paid last year at this time and it is almost double to fill up my car from what it was when we got married (two years ago in October). Honestly, Senator, we pray our way through every month. It is an honest miracle that we still have our home and that we have made our mortgage for the last 4 months. My husband works 12-hour days so the only logical solution was for me to look for a second job. It took a while given that no one wants to hire a lady who is 6 months pregnant. But I am blessed to have found a job at Cracker Barrel being a part-time waitress and working when my husband gets home to take our son and, with the help of family, we make it work. As you can imagine, it does not pay much ($3.35/hour and then tips). I hate this arrangement, and I have not been working there long enough to see the benefits of having two jobs but I keep thinking that if I just keep at it then maybe we can get caught up and maybe even save enough money to pay the mortgage when I go on maternity leave in October. This is a long shot.

If gas prices (among other things) were lower it would help alleviate some of the strain on our family. The cost of food has gone up, though, too. If both of those things could be what they were, I may not have to work two jobs never seeing my husband and worrying about if I am going to do something bad to my unborn child by driving my body so hard. Even if it were only gas that went down, we might be able to swing it with just one job once we get caught up. Anything would help us at this point. I work any odd jobs I can find in addition my others. I went and counted votes when the elections took place in May and I made $40, not much but it adds up if you save it! I know we are not as bad off as a lot of other people but we are not doing as well as we let people think either. Who wants to tell their friends and family that they are on the verge of losing everything? We are walking a tight scary line and if we fall off we are screwed. We just keep praying and working hard and so far God has not let us down. I know he will not but I do not know what his definition of ok is either. Maybe you could be the blessing we have been praying for, a small piece of a very big problem but like I said even a little bit can help a lot.

Thank you for your time,

KRISTI, *Boise*.

I travel about 20 miles each direction to work. It is really hurting me financially to continue paying these gas prices, but what am I to do? Quit my job? Try to sell my house so I can move closer to work? At this time I am going to continue to commute and reluctantly put my trust in my government to fix the problem. I am very skeptical that you folks will do anything about it because it seems like the government is more concerned about investigating professional sports and finger pointing about who is to blame for our nation's problems. As a citizen of Idaho and of the United States of America, I can tell you that I really do not care if our nation's problems are a result of Democrats, Republicans, or President Bush. Somebody has to act like a responsible adult, and the American public is waiting to see if our leaders are going to help us. Do you know what it is like to go to the gas station and see the dollar amount on the pump scroll so fast that your head spins?

My idea to alleviate our oil problems is to drill in the United States in those areas we know to contain oil. Why not? Who are we saving it for? How many jobs would be created if we were to drill on our own soil? Do not you think that creation of those jobs just might help our economy, as well as diminish our reliance on foreign countries for oil?

I appreciate the opportunity to share my story and ideas. Thank you, Senator Crapo. You seem to be the one that is stepping up.

MARK, *Nampa*.

In response to your email letter I would like to say that this country must do all of the things you mentioned such as developing our domestic oil and refining capacity; nuclear energy; clean coal; wind; solar; hydroelectric and hamsters on spinning wheels if that is what it takes. However, in order to realistically achieve these goals we must first deal with those forces that have been the stumbling block for many years; the environmentalists and their lackeys.

Now is the time to expose these people and their extremist hand-wringing positions for what they are. No reasonable person wants to pollute the air and/or water, but observe the ''sky is falling'' mentality when the Alaska pipeline was proposed. Every conceivable environmental catastrophe was predicted by the environmental lobby. Unfortunately for them, none of it happened. In fact, wildlife flourished after the pipeline went in and there has been no environmental degradation. The time is right to put on the fore court press against these people. Do it; do it today; and do it boldly and courageously. I look forward to reading the headlines in the newspaper to the affect ''Senator Crapo shouts the truth from the Capitol Rotunda''.

MIKE, *Coeur d'Alene*.

Finally a politician that is listening to the people. Now I know why I voted for you. The first few emails on this site are far more astute in presenting their views than I, but I think we should finally ignore the environmentalists and drill ASAP. The very act of starting to drill would probably bring down oil prices. Thanks for listening to your citizens in Idaho.

AUDEANE COX.

My initial reaction to the request for response was that it would be a waste of time. I am very frustrated with the ineffectiveness of Congress. The [partisan] in-fighting seems to be more important than the welfare of the Nation. I wish I could believe that the Senator would actually see/read the responses sent to him instead of just a compilation of data, but I do not.

In response to your request: One solution to saving gas, which would only be a small savings per vehicle but huge nationwide, would be to better manage the stoplights in every town and city. During the times of day and/or at locations where there is light traffic, the stoplights could be set such that the busiest street would get a flashing yellow caution signal and the minor street would have a flashing red stop/go signal. Each intersection would have to be evaluated separately for peak loads versus times of day. The largest impact would be during the night time hours. Not only would this save gas, it would save wear and tear on the vehicles—especially the brakes. Major intersections should be unaffected, day or night. What I have suggested would have a minimal cost—only manpower, to re-set the timers in the control boxes. Another possibility, which would be costly, would be to change-out the stoplight controllers to the type that senses traffic and only change the signal as needed. But either way, having to sit at a red light when there is zero cross traffic is foolish, especially when there is an easy solution.

A second topic that is energy-related is the ethanol craze. Too many people are getting too caught-up in the ''green'' philosophy, and not enough people are looking at the real costs of what they are promoting. You are taking food off of people's tables just to put it into fuel tanks. It costs every bit as much to process corn into gas as crude costs, there is no savings at the pump and the price of food at the grocer's is skyrocketing. This is a joke at this time! If the use of wheat

straw, corn stalks, hay, etc. (i.e. by-products), for ethanol production can be perfected, then you would have something worthwhile.

Further, the request also asked for a brief statement as to how the energy problem was affecting people. I am somewhat past the age that I expected/wanted to retire. But with the problems with the stock market, banking, mortgages, inflation (principally due to energy policies—or lack of same), etc., I am reluctant to go into retirement. Congress could help many retirees if they would rescind the income tax on Social Security. One of the assurances when Social Security was implemented was that it would not be taxed.

DON.

I thank you for the opportunity to share my thoughts. Next to the air we breathe and the water we drink, energy is tied to everything in life we do. Our entire economy is centered on affordable energy. As energy increases in cost (far too fast to be able to adjust to) everything else does as well since it is energy that is used for production, delivery, and services. As a nation, we cannot be held hostage to a dependency on other countries who hold major energy reserves that they are willing to exploit and yet keep the majority of their citizens uneducated and living in the stone ages. These foreign energy-controlling countries know that the American way of life and our infrastructure and economy is based on energy and will continue to use energy to gain control over our domestic and foreign politics. We as Americans must not allow ourselves to be dependent on foreign energy sources and not allow ourselves to be held hostage by domestic legal blocks by certain environmental groups who wish to prevent our country from being able to explore and produce our own energy sources. What we need to be able to do is take a step back to the early 60s where John Kennedy was able to spur on an all out effort to put a man on the moon by the end of the decade. We need to approve a measure to take emergency action now to start utilizing our own resources of energy to shift away from foreign dependence and at the same time take major efforts to promote expansion and creation of other resources as alternatives and how to make a gallon of gas go much farther than it does today. We need to stop blocking nuclear power plant creations with years of legal/environmental suits, push for the development of affordable efficient battery cells for electric vehicle conversion. For roughly $5,000 a small car or truck can be converted to use DC electric but current lead acid cells do not hold enough charge for reasonable distance (limited to approximately 40 miles mile per charge) and are limited to lower speeds of 35–45 mph, making impractical for interstate or longer commutes, and lead acid batteries will only handle a limited number of charge and discharge cycles before needing replacement. I am all for and encourage wind and solar alternatives as well. These alternatives need to be backed and supported by state and federal incentives (tax credits to offset some of the costs) to encourage resident and business use and promote demand so that production costs can be reduced. Prizes have been offered privately to developed space vehicles that can takes passengers on joy rides to the edge of space. Our government should be doing the same to encourage development of alternative energy. From a constituent viewpoint, congress and our countries executive administration have been ignoring for too long developing these alternatives. We should have learned from the 1970s implied shortage of oil and effects it had on our economy, but as soon as cheap oil was dumped on the market we became happy and no efforts have been made to move away from foreign dependence on oil. We as a country did this to ourselves and now have to act immediately to solve our energy issues. This was probably more then you were asking for. How I am personally affected by high fuel prices is no different than others. I cannot afford to fly my aircrafts as often as I use to, or drive to my cabin in Garden Valley as often as I like. The pump is painful and it has impacted my desire to make larger purchases. I am remodeling my home instead of looking to move to a new one. If I were to buy new where I would like to buy to have a large home or lot, it would increase my commute and commute expenses. We eat out less and as people who love to travel, we have three time shares that are going to waste because of the rising cost of airfare. So far we can still feed ourselves but as large company expenses for energy goes up, cut backs will be made in other areas such as employee salary and head count. So rising fuel costs is going to be felt everywhere and on everything.

MICHAEL, *Meridian*.

The question seems to be whether or not the United States needs to drill for our own oil. That seems a no brainer to me. I believe we depend on other countries far too much as it is. It is time we started developing our own method of providing energy without the use of foreign oil. There seems to be an argument that drilling our own oil will not help in the short term. That may be right, but we need to start now so that this development can get underway for the future. If not now, when? We are a nation founded on the principal that we can take care of ourselves and do not need others to make our country self-reliant and strong. The time is now to start to drill for our own oil and if need be to build more refineries to develop it into usable forms. I truly believe if our country does not start taking care of its own energy resources, we will be putting ourselves in jeopardy as a strong independent nation.

Personally, I will have enough gas to get to work and back. However, I will no longer have enough to go visit my 3-week-old grandson and my other family who live 200 miles away. I teach school and even though I am at the top of the pay scale I have to live on a very tight budget. I am waiting to see how this gas increase affects the amount of money I have left to eat on. I am afraid the old adage, ''To rob Peter to pay Paul'', will be in use shortly. My whole family helps each other financially. I help my son who has a hard time finding a job that pays more than minimum wage. My sisters help their children who also have minimum wage-paying jobs and our parents help all of us. Now that these prices are so high, we will not be able to help each other and who knows what will happen. One of my sisters and I do not even own our own homes, so we do not have the equity of a home to rely on.

There are many other issues I feel strongly about; demanding countries pay us the money they have borrowed, equal taxation for all Americans, minimum wages, the war in Iraq, etc, but those are issues for other communications

Thanks for asking for our input. I hope this input helps convince legislators that we had better start taking care of our middle and lower classes if this nation is to once again be strong, self-reliant, and independent.

KATHY, *Nampa*.

There are six of us living in our house. The recent hike in electrical which may go up again due to the high price of fuel. It has strapped us big time. We are not keeping up as we once were because my wages aren't going up to compensate for price hikes in food, and services besides the fuel hikes.

I have been vague about actual numbers because of our privacy, but it is still none the less true about not being able to keep up due to everything going up along with the fuel prices, and not the wages. I really do not like government getting involved in this too much. What can we really do as a people to reduce this or better yet stop it?

JIM.

TRIBUTE TO ROBERT AND VIRGINIA HOWRIGAN

Mr. LEAHY. Mr. President, today marks the 60th wedding anniversary of Richard and Virginia Howrigan. I am happy to have the opportunity to congratulate my good friends who have given so much to the State of Vermont.

The Howrigans are one of the best-known families in Franklin County; their family name has been synonymous with successful and conscientious dairy farming for decades. Marcelle and I value our friendship with them.

Over the course of the past 60 years, Robert and Virginia have worked and grown together. They are wonderful parents, hard workers, and have always remained true to their faith.

Mr. President, I ask unanimous consent to have an excerpt from a February 8, 2009, Burlington Free Press article honoring the Howrigans printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, Feb. 8, 2009]

COUPLES SHARE SECRETS OF LOVE, MARRIAGE

(By Sally Pollack)

Flowers, chocolates and candlelight dinners mark Valentine's Day. But what marks marriage, day after day, year by year, decade upon decade? The Burlington Free Press asked four couples who together have been married a combined 240 years what it takes to make a marriage work. We'll let the pros do the talking:

VIRGINIA AND ROBERT HOWRIGAN, FAIRFIELD, 60 YEARS

Virginia and Robert Howrigan will celebrate their 60th anniversary Thursday. They are retired farmers who live in Fairfield. The couple worked together on their dairy farm and raised nine children.

Robert Howrigan will turn 90 in May; Virginia is 80. They met at a soda fountain in a St. Albans drugstore, where Virginia scooped ice cream. For the Howrigans, who were married on Lincoln's birthday, Valentine's Day was never a significant event. ''Mostly we remember Lincoln,'' Virginia said.

Robert milked cows the morning the couple were married at a church in St. Albans. The work went on and on: The Howrigans stopped doing farm chores four years ago. Tolerance, patience and perseverance are central to the marriage's longevity, Virginia said.

''You make the best of what you have and keep going,'' Virginia said. ''You get up in the morning and go with the flow. You know what you've got to do. You don't have to look around for work. There's plenty of it everywhere.'' Robert and Virginia and their children ate all their meals together. Together, the couple talked everything over.

''We were able to keep family together,'' she said. ''All our decisions were joint. We do

our bills together.'' Robert said two things form the cornerstone of his 60-year marriage: Love and understanding.

ADDITIONAL STATEMENTS

REMEMBERING MILLARD FULLER

• Mr. MERKLEY. Mr. President, this week, Millard Fuller, cofounder of Habitat for Humanity, passed away. Millard Fuller dedicated his life to helping families fulfill the dream of homeownership. Fuller was a selfless entrepreneur who left his fruitful career to start a nonprofit organization that used no-interest loans and ''sweat equity'' to give low income families the chance to own their own homes. I can tell you from firsthand experience that Fuller made a huge difference in the lives of thousands of American families.

Millard Fuller's efforts didn't stop at our national borders. Indeed, Habitat for Humanity builds homes in partnership with homeowners in virtually every country on the planet.

Fifteen years ago, I was the executive director for Habitat for Humanity in Portland, OR. Helping build homes for those who couldn't otherwise afford them provides stability and gives families confidence.

I saw in the faces of the Habitat family members how much it meant to own their own homes. These homes were also important to the children. I remember one family with two young daughters who were so excited to be able to have their friends over for the very first time in their lives.

Millard Fuller will be missed, but his legacy and organization will live on. I know that I join hundreds of thousands of families in being so appreciative for everything Fuller has done for so many hardworking Americans and for our country.•

HONORING BANGOR FLORAL COMPANY

• Ms. SNOWE. Mr. President, this Saturday, we celebrate Valentine's Day, when couples across the world take a moment to slow down and show each other their appreciation and love. Along with ''Be My Valentine'' cards and boxes of chocolate, one of the symbols most connected with this special day is a beautiful bouquet of red roses. With that in mind, I rise to recognize a small florist in my home State of Maine that continually provides customers with quality flowers and gifts—and at this time of year, makes Valentine's Day a sweet event.

Bangor Floral Company, founded in 1925, is a historic floral shop located in downtown Bangor. Housed in a converted, turn-of-the-century church, Bangor Floral prides itself on fresh flowers, creative arrangements, and responsive customer service. From red and pastel roses, to bright lilies, chrysanthemums, and snapdragons, Bangor Floral expertly prepares beautiful bouquets for any occasion. Bangor Floral also organizes a variety of fresh fruit baskets and gift baskets that include cookies, candies, stuffed animals, and balloons. To keep his flowers fresh, Phil Frederick, owner of Bangor Floral Company, purchases his flowers locally whenever possible, and does not pass any additional costs onto the customer. Mr. Frederick, a third generation florist, also offers his clients a 50 percent discount off all cut flowers from 4 p.m. to 5 p.m. each afternoon, fashioning this sale a ''happy hour.''

Around Valentine's Day, Mr. Frederick engages in a creative and humorous television and radio advertising campaign for his flowers that residents from across the region will recognize. In his television ad, Mr. Frederick dresses as a doctor and carries a stethoscope, calling himself ''Doctor Valentine.'' The popular ad has run in the Bangor area for several years, bringing smiles to the faces of his customers and increasing Mr. Frederick's sales.

Mr. Frederick is also very committed to the local community. A member of the Bangor Rotary Club, Mr. Frederick gives flowers to fellow Rotarians for their birthdays. He also donates flowers to various organizations across Bangor for fundraising purposes. Mr. Frederick is currently president of the Husson Alumni Board, as well as a board member of the Oncology Support Foundation, which provides resources and information to cancer patients and their families throughout Maine. The latter is a cause near and dear to Mr. Frederick, who is a cancer survivor himself. Additionally, the Bangor Rotary Club has honored Mr. Frederick by naming him a Paul Harris Fellow, as someone who has truly exhibited the creed of ''service above self'' in his everyday life.

In the era of online and telephone-based florists, Bangor Floral Company allows customers the opportunity to see and discuss the proper arrangement, and to truly ''smell the roses.'' My sincerest thanks to Phil Frederick for all of his generous efforts, and my best wishes to everyone at Bangor Floral for a pleasant Valentine's season and a successful year.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:03 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 632. An act 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.

H.R. 908. An act to amend the Violent Crime Control and Law Enforcement Act of 1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 41. Concurrent resolution providing for a joint session of Congress to receive a message from the President.

The message further announced that the House disagrees to the amendment of the Senate 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 the fiscal year ending September 30, 2009, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints the following as managers of the conference on the part of the House: Mr. OBEY, Mr. RANGEL, Mr. WAXMAN, Mr. LEWIS of California, and Mr. CAMP of Michigan.

At 4:07 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 47. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 11. To amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 632. An act 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; to the Committee on the Judiciary.

H.R. 908. An act to amend the Violent Crime Control and Law Enforcement Act of

1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program; to the Committee on the Judiciary.

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–683. A communication from the Director of the Legislative Affairs Division, Natural Resources Conservation Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Regional Equity'' (RIN0578–AA44) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–684. A communication from the Director of the Legislative Affairs Division, Natural Resources Conservation Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Technical Service Provider Assistance'' (RIN0578–AA48) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–685. A communication from the Director of the Legislative Affairs Division, Natural Resources Conservation Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''State Technical Committees'' (RIN0578–AA51) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–686. 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 ''HUD Office of Hearings and Appeals; Conforming Changes To Reflect Office Address and Staff Title Changes, and Notification of Retention of Chief Administrative Law Judge'' (RIN2501–AD46) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–687. A communication from the Deputy Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Interactive Data to Improve Financial Reporting'' (RIN3235–AJ71) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–688. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Rules of Practice'' (16 CFR Parts 3 and 4) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–689. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Revised Jurisdictional Thresholds for Section 8 of the Clayton Act'', received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–690. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Revised Jurisdictional Thresholds for Section 7A of the Clayton Act'', received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–691. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Charges For Certain Disclosures'', received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–692. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Federal Civil Penalties Inflation Adjustment Act'' (16 CFR Part 1) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–693. 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 73.202(b), Table of Allotments, FM Broadcast Stations; Basin, Wyoming'' (MB Docket No. 08-43) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–694. 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; Danville, Kentucky'' (MM Docket No. 08-104) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–695. 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; Montgomery, Alabama'' (MB Docket No. 08-230) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–696. 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. 30645)(Amendment No. 3302)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–697. A communication from the Assistant Chief Counsel for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Miscellaneous Cargo Tank Motor Vehicle and Cylinder Issues; Petitions for Rulemaking'' (RIN2137–AE23) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–698. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Alamosa, CO'' ((Docket No. FAA–2008–0982)(Airspace Docket No. 08–ANM–6)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–699. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Lycoming Engines IO, (L)IO, TIO, (L)TIO, AEIO, AIO, IGO, IVO, and HIO Series Reciprocating Engines, Teledyne Continental Motors (TCM) LTSIO–360–RB and TSIO–360–RB Reciprocating Engines, and Superior Air Parts, Inc. IO-360 Series Reciprocating Engines with certain Precision Airmotive LLC RSA–5 and RSA–10 Series, and Bendix RSA–5 and RSA–10 Series, Fuel Injection Servos'' ((RIN2120–AA64)(Docket No. FAA–2008–0420)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–700. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737–600, –700, –700C, –800 and –900 Series Airplanes'' ((RIN2120–AA64)(Docket No. FAA2007–28283)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–701. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Turbomeca Arriel 2B and 2B1 Turboshaft Engines'' ((RIN2120–AA64)(Docket No. FAA–2008–0935)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–702. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model CL–600–2C10 (Regional Jet Series 700, 701, & 702) and Model CL–600–2D24 (Regional Jet Series 900) Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0540)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–703. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A318, A319, A320, and A321 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0558)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–704. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Polskie Zaklady Lotnicze Spolka zo.o Model PZL M26 01 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2009–0010)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–705. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model CL–600–2C10 (Regional Jet Series 700, 701, & 702) Airplanes; CL–600–2D15 (Regional Jet Series 705) Airplanes; and CL–600–2D24 (Regional Jet Series 900) Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0625)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–706. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model DHC–8–400 Series Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–1083)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–707. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulations (including 3 regulations beginning with USCG–2008–0100)'' (RIN1625–AA09) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–708. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Potomac and Anacostia Rivers, Washington, DC, Arlington and Fairfax Counties, VA, and Prince George's County, MD'' ((RIN1625–AA87)(Docket No. USCG–2008–1001)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–709. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Anchorage Area ''A'', Boston Harbor, MA'' ((RIN1625–AA01)(Docket No. USCG–2008–0497)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–710. 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 Regulations (including 2 regulations beginning with USCG–2008–0984)'' (RIN1625–AA00) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–711. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Steam Generator Transit, Captain of the Port Zone San Diego; San Diego, California'' ((RIN1625–AA87)(Docket No. USCG–2008–1236)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–712. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Tank Level or Pressure Monitoring Devices on Single-Hull Tank Ships and Single-Hull Tank Barges Carrying Oil or Oil Residue as Cargo'' ((RIN1625–AB12)(Docket No. USCG–2001–9046)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–713. 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 Regulations (including 2 regulations beginning with USCG–2008–1081)'' (RIN1625–AA00) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–714. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Willamette River, Portland, OR, Schedule Change'' ((RIN1625–AA09)(Docket No. USCG–2008–0721)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–715. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Salvage and Marine Firefighting Requirements; Vessel Response Plans for Oil'' ((RIN1625–AA19)(Docket No. USCG–1998–3417)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–716. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the progress of the Comprehensive Plan report on the Mississippi Coastal Improvements Program; to the Committee on Environment and Public Works.

EC–717. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the progress of the report on Louisiana Coastal Protection and Restoration; to the Committee on Environment and Public Works.

EC–718. A communication from the Acting Chief of Recovery and Delisting, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Reinstatement of Protections for the Gray Wolf in the Western Great Lakes and Northern Rocky Mountains in Compliance with Court Orders'' (RIN1018–AW35) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Environment and Public Works.

EC–719. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for Reticulated Flatwoods Salamander; Designation of Critical Habitat for Frosted Flatwoods Salamander and Reticulated Flatwoods Salamander'' (RIN1018–AU85) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Environment and Public Works.

EC–720. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the interdiction of aircraft engaged in illicit drug trafficking; to the Committee on Foreign Relations.

EC–721. A communication from the Chairman, U.S. International Trade Commission, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of April 1, 2008, through September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–722. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–663, ''Real Property Tax Benefits Revision 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–723. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–664, ''Emergency Care for Sexual Assault Victims 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–724. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–665, ''Grocery Store Sidewalk Cafe in the Public Space 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–725. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–666, ''Eckington One Residential Project Economic Development 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–726. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–667, ''Approval of the Verizon Washington, DC Inc. Cable Television System Franchise 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–727. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–668, ''Mortgage Lender and Broker 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–728. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–685, ''Walker Jones/Northwest One Unity Health Center Tax Abatement 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–729. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–686, ''Bicycle Safety Enhancement 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–730. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–687, ''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–731. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–688, ''Conversion Fee Clarification and Technical 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–732. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–689, ''St. Martin's Apartments 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–733. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–690, ''Inoperable Pistol 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–734. A communication from the Chairman, Council of the District of Columbia,

transmitting, pursuant to law, a report on D.C. Act 17–691, ''Emergency Medical Services 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–735. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–692, ''Domestic Partnership Police and Fire 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–736. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–693, ''Gateway Market Center and Residences Real Property 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–737. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–694, ''Equitable Street Time Credit 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–738. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–695, ''Limitation on Borrowing and Establishment of the Operating Cash Reserve 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–739. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–696, ''Alcoholic Beverage Enforcement 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–740. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–697, ''Office of Public Education Facilities Modernization 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–741. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–698, ''AED Installation for Safe Recreation and Exercise 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–742. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–699, ''Housing Waiting List Elimination 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–743. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–700, ''Housing Production Trust Fund Stabilization 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–744. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–701, ''Housing Regulation Administration 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–745. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–702, ''Timely Transmission of Compensation Agreements 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–746. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–703, ''Intrafamily Offenses 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–747. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–704, ''Medical Insurance Empowerment 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–748. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–705, ''Water and Sewer Authority Equitable Ratemaking 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–749. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–706, ''Comprehensive Stormwater Management Enhancement 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–750. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–707, ''Washington, D.C. Fort Chaplin Park South Congregation of Jehovah's Witnesses, Inc. Real Property Tax Relief Temporary Act of 2009'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–751. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''2007 Annual Report of the National Institute of Justice''; to the Committee on the Judiciary.

EC–752. A communication from the Chairman, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled ''Reporting Contributions Bundled by Lobbyists, Registrants and the PACs of Lobbyists and Registrants'' (Notice 2009–03) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Rules and Administration.

EC–753. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Escorted Vessels in Captain of the Port Zone Jacksonville, Florida'' ((RIN1625–AA87)(Docket No. USCG–2008–0203)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. Res. 31. An original resolution authorizing expenditures by the Committee on Energy and Natural Resources.

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. Res. 32. An original resolution authorizing expenditures by the Committee on Homeland Security and Governmental Affairs.

By Mr. AKAKA, from the Committee on Veterans' Affairs, without amendment:

S. Res. 33. An original resolution authorizing expenditures by the Committee on Veterans' Affairs.

By Mrs. FEINSTEIN, from the Select Committee on Intelligence, without amendment:

S. Res. 34. An original resolution authorizing expenditures by the Select Committee on Intelligence.

By Mr. REID (for Mr. KENNEDY), from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. Res. 36. An original resolution authorizing expenditures by the Committee on Health, Education, Labor, and Pensions.

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 234. A bill 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''.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. DODD for the Committee on Banking, Housing, and Urban Affairs.

*Austan Dean Goolsbee, of Illinois, to be a Member of the Council of Economic Advisers.

*Cecilia Elena Rouse, of California, to be Member of the Council of Economic Advisers.

By Mr. KENNEDY for the Committee on Health, Education, Labor, and Pensions.

*Hilda L. Solis, of California, to be Secretary of Labor.

By Mrs. FEINSTEIN for the Select Committee on Intelligence.

*Leon E. Panetta, of California, to be Director of the Central Intelligence Agency.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KYL (for himself and Mr. MCCAIN):

S. 409. A bill to secure Federal ownership and management of significant natural, scenic, and recreational resources, to provide for the protection of cultural resources, to facilitate the efficient extraction of mineral

resources by authorizing and directing an exchange of Federal and non-Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. LINCOLN (for herself, Ms. COLLINS, Mr. CASEY, Mr. BAYH, Mr. JOHNSON, Ms. LANDRIEU, Mr. ROCKEFELLER, Ms. SNOWE, Mr. KERRY, and Ms. STABENOW):

S. 410. A bill to amend part E of title IV of the Social Security Act to ensure States follow best policies and practices for supporting and retaining foster parents and to require the Secretary of Health and Human Services to award grants to States to improve the empowerment, leadership, support, training, recruitment, and retention of foster care, kinship care, and adoptive parents; to the Committee on Finance.

By Mr. BENNETT (for himself and Mr. HATCH):

S. 411. A bill to authorize the Secretary of Transportation to release restrictions on the use of certain property conveyed to the City of St. George, Utah for airport purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. INHOFE:

S. 412. A bill to establish the Federal Emergency Management Agency as an independent agency, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BURR (for himself and Mr. BINGAMAN):

S. 413. A bill to establish a grant program to improve high school graduation rates and prepare students for college and work; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DODD (for himself, Mr. LEVIN, Mr. MENENDEZ, Mr. REED, Mr. AKAKA, Mr. SCHUMER, Mr. TESTER, Mr. BROWN, Mr. MERKLEY, Mr. KERRY, Mr. LEAHY, Mr. DURBIN, Mr. HARKIN, Mrs. MCCASKILL, Mr. WHITEHOUSE, and Mr. CASEY):

S. 414. A bill to amend the Consumer Credit Protection Act, to ban abusive credit practices, enhance consumer disclosures, protect underage consumers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN:

S. 415. A bill for the relief of Maha Dakar; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. BINGAMAN, Mrs. BOXER, Mr. BROWN, Mr. CARDIN, Mr. CASEY, Mr. DURBIN, Mr. FEINGOLD, Mr. KENNEDY, Ms. MIKULSKI, Mr. MENENDEZ, Mr. MERKLEY, Mr. SANDERS, Ms. STABENOW, and Mr. WHITEHOUSE):

S. 416. A bill to limit the use of cluster munitions; to the Committee on Foreign Relations.

By Mr. LEAHY (for himself, Mr. SPECTER, Mr. KENNEDY, Mr. FEINGOLD, Mr. WHITEHOUSE, and Mrs. MCCASKILL):

S. 417. A bill to enact a safe, fair, and responsible state secrets privilege Act; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself and Mr. HATCH):

S. 418. A bill to require secondary metal recycling agents to keep records of their transactions in order to deter individuals and enterprises engaged in the theft and interstate sale of stolen secondary metal, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BINGAMAN:

S. Res. 31. An original resolution authorizing expenditures by the Committee on Energy and Natural Resources; from the Committee on Energy and Natural Resources; to the Committee on Rules and Administration.

By Mr. LIEBERMAN:

S. Res. 32. An original resolution authorizing expenditures by the Committee on Homeland Security and Governmental Affairs; from the Committee on Homeland Security and Governmental Affairs; to the Committee on Rules and Administration.

By Mr. AKAKA:

S. Res. 33. An original resolution authorizing expenditures by the Committee on Veterans' Affairs; from the Committee on Veterans' Affairs; to the Committee on Rules and Administration.

By Mrs. FEINSTEIN:

S. Res. 34. An original resolution authorizing expenditures by the Select Committee on Intelligence; from the Select Committee on Intelligence; to the Committee on Rules and Administration.

By Mr. VOINOVICH (for himself and Mr. BROWN):

S. Res. 35. A resolution honoring Miami University for its 200 years of commitment to public higher education; considered and agreed to.

By Mr. REID (for Mr. KENNEDY):

S. Res. 36. An original resolution authorizing expenditures by the Committee on Health, Education, Labor, and Pensions; from the Committee on Health, Education, Labor, and Pensions; to the Committee on Rules and Administration.

By Mr. LAUTENBERG:

S. Res. 37. A bill calling on officials of the Government of Brazil and the federal courts of Brazil to comply with the requirements of the Convention on the Civil Aspects of International Child Abduction and to assist in the safe return of Sean Goldman to his father, David Goldman; to the Committee on Foreign Relations.

By Ms. STABENOW (for herself, Ms. MIKULSKI, Mrs. MURRAY, and Mr. SANDERS):

S. Con. Res. 6. A concurrent resolution expressing the sense of Congress that national health care reform should ensure that the health care needs of women and of all individuals in the United States are met; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 34

At the request of Mr. DEMINT, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 34, a bill to prevent the Federal Communications Commission from repromulgating the fairness doctrine.

S. 160

At the request of Mr. LIEBERMAN, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Ohio (Mr. VOINOVICH) were added as cosponsors of S. 160, a bill to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives.

S. 211

At the request of Mrs. MURRAY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services and volunteer services, and for other purposes.

S. 298

At the request of Mr. ISAKSON, the names of the Senator from Florida (Mr. NELSON) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 298, a bill to establish a Financial Markets Commission, and for other purposes.

S. 331

At the request of Mr. SCHUMER, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 331, a bill to increase the number of Federal law enforcement officials investigating and prosecuting financial fraud.

S. 371

At the request of Mr. THUNE, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from Mississippi (Mr. COCHRAN) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors 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. 374

At the request of Mr. DEMINT, the names of the Senator from Kansas (Mr. BROWNBACK), the Senator from Oklahoma (Mr. COBURN), the Senator from Idaho (Mr. CRAPO) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 374, a bill to amend the Consumer Product Safety Act to provide regulatory relief to small and family-owned businesses.

S. 405

At the request of Mr. LEAHY, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of 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.

S.J. RES. 1

At the request of Mr. VITTER, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S.J. Res. 1, a joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KYL (for himself and Mr. MCCAIN):

S. 409. A bill to secure Federal ownership and management of significant natural, scenic, and recreational resources, to provide for the protection of cultural resources, to facilitate the efficient extraction of mineral resources by authorizing and directing an

exchange of Federal and non-Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. KYL. 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. 409

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 ''Southeast Arizona Land Exchange and Conservation Act of 2009''.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to authorize, direct, facilitate, and expedite the conveyance and exchange of land between the United States and Resolution Copper;

(2) to provide for the permanent protection of cultural resources and uses of the Apache Leap escarpment located near the town of Superior, Arizona; and

(3) to secure Federal ownership and protection of land with significant natural, scenic, recreational, water, riparian, cultural and other resources.

SEC. 3. DEFINITIONS.

In this Act:

(1) APACHE LEAP.—The term ''Apache Leap'' means the approximately 822 acres of land (including the approximately 110 acres of land of Resolution Copper described in section 4(c)(1)(G)), as depicted on the map entitled ''Apache Leap'' and dated January 2009.

(2) FEDERAL LAND.—The term ''Federal land'' means the approximately 2,406 acres of land located in Pinal County, Arizona, depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2009–Federal Parcel–Oak Flat'' and dated January 2009.

(3) NON-FEDERAL LAND.—The term ''non-Federal land'' means each parcel of land described in section 4(c).

(4) OAK FLAT CAMPGROUND.—The term ''Oak Flat Campground'' means the campground that is—

(A) comprised of approximately 16 developed campsites and adjacent acreage at a total of approximately 50 acres; and

(B) depicted on the map entitled ''Oak Flat Campground'' and dated January 2009.

(5) OAK FLAT WITHDRAWAL AREA.—The term ''Oak Flat Withdrawal Area'' means the approximately 760 acres of land depicted on the map entitled ''Oak Flat Withdrawal Area'' and dated January 2009.

(6) RESOLUTION COPPER.—The term ''Resolution Copper'' means—

(A) Resolution Copper Mining, LLC, a Delaware limited liability company; and

(B) any successor, assign, affiliate, member, or joint venturer of Resolution Copper Mining, LLC.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(8) SECRETARY CONCERNED.—The term ''Secretary concerned'' means the Secretary of Agriculture or the Secretary of the Interior, as applicable.

(9) TOWN.—The term ''Town'' means the Town of Superior, Arizona, an incorporated municipality.

SEC. 4. LAND CONVEYANCES AND EXCHANGES.

(a) PURPOSES.—The purposes of the land conveyances and exchanges under this section are—

(1) to secure Federal ownership and protection of significant natural, scenic, and recreational resources; and

(2) to facilitate efficient extraction of mineral resources.

(b) OFFER BY RESOLUTION COPPER.—

(1) IN GENERAL.—Subject to section 9(b)(1), if Resolution Copper submits to the Secretary of Agriculture a written offer, in accordance with paragraph (2), to convey to the United States all right, title, and interest of Resolution Copper in and to the non-Federal land, the Secretary shall—

(A) accept the offer; and

(B) convey to Resolution Copper all right, title, and interest of the United States in and to the Federal land, subject to—

(i) section 10(c); and

(ii) any valid existing right or title reservation, easement, or other exception required by law or agreed to by the Secretary concerned and Resolution Copper.

(2) REQUIREMENTS.—Title to any non-Federal land conveyed by Resolution Copper to the United States under paragraph (1) shall—

(A) be in a form that is acceptable to the Secretary concerned; and

(B) conform to the title approval standards of the Attorney General of the United States applicable to land acquisitions by the Federal Government.

(c) RESOLUTION COPPER LAND EXCHANGE.—On receipt of title to the Federal land under subsection (b)(1)(B), Resolution Copper shall simultaneously convey—

(1) to the Secretary of Agriculture, all right, title, and interest that the Secretary determines to be acceptable in and to—

(A) the approximately 147 acres of land located in Gila County, Arizona, depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2009–Non-Federal Parcel–Turkey Creek'' and dated January 2009;

(B) the approximately 148 acres of land located in Yavapai County Arizona, depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2009–Non-Federal Parcel–Tangle Creek'' and dated January 2009;

(C) the approximately 149 acres of land located in Maricopa County, Arizona, depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2009–Non-Federal Parcel–Cave Creek'' and dated January 2009;

(D) the approximately 88 acres of land located in Pinal County, Arizona, depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2009–Non-Federal Parcel–J-I Ranch'' and dated January 2009;

(E) the approximately 640 acres of land located in Coconino County, Arizona, depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2009–Non-Federal Parcel–East Clear Creek'' and dated January 2009;

(F) the approximately 95 acres of land located in Pinal County, Arizona, depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2009–Non-Federal Parcel–The Pond'' and dated January 2009; and

(G) subject to the retained rights under subsection (d)(2), the approximately 110 acres of land located in Pinal County, Arizona, depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2009–Non-Federal Parcel–Apache Leap South End'' and dated January 2009; and

(2) to the Secretary of the Interior, all right, title, and interest that the Secretary of the Interior determines to be acceptable in and to—

(A) the approximately 3,073 acres of land located in Pinal County, Arizona, depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2009–Non-Federal Parcel–Lower San Pedro River'' and dated January 2009;

(B) the approximately 160 acres of land located in Gila and Pinal Counties, Arizona, depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2009–Non-Federal Parcel–Dripping Springs'' and dated January 2009; and

(C) the approximately 956 acres of land located in Santa Cruz County, Arizona, depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2009–Non-Federal Parcel–Appleton Ranch'' and dated January 2009.

(d) ADDITIONAL CONSIDERATION TO UNITED STATES.—

(1) SURRENDER OF RIGHTS.—Subject to paragraph (2), in addition to the non-Federal land to be conveyed to the United States under subsection (c), and as a condition of the land exchange under this section, Resolution Copper shall surrender to the United States, without compensation, the rights held by Resolution Copper under mining and other laws of the United States—

(A) to commercially extract minerals under—

(i) Apache Leap; or

(ii) the parcel identified in subsection (c)(1)(F); and

(B) to disturb the surface of Apache Leap, except with respect to such fences, signs, monitoring wells, and other devices, instruments, or improvements as are necessary to monitor the public health and safety or achieve other appropriate administrative purposes, as determined by the Secretary, in consultation with Resolution Copper.

(2) EXPLORATION ACTIVITIES.—Nothing in this Act prohibits Resolution Copper from using any existing mining claim held by Resolution Copper on Apache Leap, or from retaining any right held by Resolution Copper to the parcel described in subsection (c)(1)(G), to carry out any underground activities under Apache Leap in a manner that the Secretary determines will not adversely impact the surface of Apache Leap (including drilling or locating any tunnels, shafts, or other facilities relating to mining, monitoring, or collecting geological or hydrological information) that do not involve commercial mineral extraction under Apache Leap.

(e) USE OF EQUALIZATION PAYMENT.—

(1) PAYMENT.—Resolution Copper shall pay into the Federal Land Disposal Account established by section 206(a) of the Federal Land Transaction Facilitation Act (43 U.S.C. 2305(a)) (or any successor account) any cash equalization funds owed by Resolution Copper to the United States under section 7(b)(1), to remain available until expended, without further appropriation, to the Secretary and the Secretary of the Interior, as the Secretaries jointly determine to be appropriate, for—

(A) the acquisition from willing sellers of land or interests in land within the hydrographic boundary of the San Pedro River and tributaries in the State of Arizona; and

(B) the management and protection of endangered species and other sensitive environmental values and land within the San Pedro Riparian National Conservation Area established by section 101(a) of the Arizona-Idaho Conservation Act of 1988 (16 U.S.C. 460xx(a)) (including any additions to the area), including management under any cooperative management agreement entered into by the Secretary of the Interior and a State or local agency under section 103(c) of that Act (16 U.S.C. 460xx–2(c)).

(2) PERIOD OF USE.—To the maximum extent feasible, the amount paid into the Federal Land Disposal Account by Resolution Copper under paragraph (1) shall be used by

the Secretary and the Secretary of the Interior during the 2-year period beginning on the date of payment.

(3) COOPERATIVE MANAGEMENT AGREEMENTS.—The Secretary of the Interior may enter into such cooperative management agreements with qualified organizations (as defined in section 170(h) of the Internal Revenue Code of 1986) as the Secretary of the Interior determines to be appropriate to administer portions of the San Pedro Riparian National Conservation Area.

SEC. 5. TIMING AND PROCESSING OF EXCHANGE.

(a) SENSE OF CONGRESS REGARDING TIMING OF EXCHANGE.—It is the sense of Congress that the land exchange directed by section 4 should be consummated by not later than 1 year after the date of enactment of this Act.

(b) EXCHANGE PROCESSING.—Before the date of consummation of the exchange under section 4, the Secretary concerned shall complete any necessary land surveys and required preexchange clearances, reviews, mitigation activities, and approvals relating to—

(1) threatened or endangered species;

(2) cultural or historic resources;

(3) wetland or floodplains; or

(4) hazardous materials.

(c) POST-EXCHANGE PROCESSING.—Before commencing production in commercial quantities of any valuable mineral from the Federal land conveyed to Resolution Copper under section 4(b)(1)(B) (except for any such production from any exploration and mine development shafts, adits, and tunnels needed to determine feasibility and pilot plant testing of commercial production or to access the ore body and tailings deposition areas), the Secretary shall publish an environmental impact statement in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4322(2)(C)) regarding any Federal agency action carried out relating to the commercial production, including an analysis of the impacts of the production.

(d) OAK FLAT WITHDRAWAL AREA RESTRICTION.—

(1) MINERAL EXPLORATION.—To ensure the collection and consideration of adequate information to analyze possible commercial production of minerals by Resolution Copper from the Oak Flat Withdrawal Area, notwithstanding any other provision of law, Resolution Copper may carry out mineral exploration activities under the Oak Flat Withdrawal Area during the period beginning on the date of enactment of this Act and ending on the date of conveyance of the Oak Flat Withdrawal Area to Resolution Copper under section 4(b)(1)(B) by directional drilling or any other method that will not disturb the surface of the land.

(2) SENSE OF CONGRESS REGARDING PERMIT.—It is the sense of Congress that the Secretary should issue to Resolution Copper a permit to conduct appropriate directional drilling or other nonsurface-disturbing exploration in the Oak Flat Withdrawal Area as soon as practicable after the date of enactment of this Act.

(e) EXCHANGE AND POST-EXCHANGE COSTS.—In accordance with sections 254.4 and 254.7 of title 36, Code of Federal Regulations (or successor regulations), Resolution Copper shall assume responsibility for—

(1) hiring such contractors as are necessary for carrying out any exchange or conveyance of land under this Act; and

(2) paying, without compensation under section 254.7 of title 36, Code of Federal Regulations (or a successor regulation)—

(A) the costs of any appraisal relating to an exchange or conveyance under this Act, including any reasonable reimbursements to the Secretary on request of the Secretary for the cost of reviewing and approving an appraisal;

(B) the costs of any clearances, reviews, mitigation activities, and approvals under subsection (b), including any necessary land surveys conducted by the Bureau of Land Management Cadastral Survey program;

(C) the costs of achieving compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) under subsection (c); and

(D) any other cost agreed to by Resolution Copper and the Secretary concerned.

(f) CONTRACTOR WORK AND APPROVALS.—

(1) IN GENERAL.—Any work relating to the exchange or conveyance of land under this Act that is performed by a contractor shall be subject to the mutual agreement of the Secretary concerned and Resolution Copper, including any agreement with respect to—

(A) the selection of the contractor; and

(B) the scope of work performed by the contractor.

(2) REVIEW AND APPROVAL.—Any required review and approval of work by a contractor shall be performed by the Secretary concerned, in accordance with applicable law (including regulations).

(3) LEAD ACTOR AGREEMENT.—The Secretary of Agriculture and the Secretary of the Interior may mutually agree to designate the Secretary of Agriculture as the lead actor for any action under this subsection.

SEC. 6. CONVEYANCE OF LAND TO TOWN.

(a) CONVEYANCE REQUIREMENTS.—

(1) IN GENERAL.—On receipt of a request from the Town described in paragraph (2), the Secretary shall convey to the Town each parcel requested.

(2) DESCRIPTION OF REQUEST.—A request referred to in paragraph (1) is a request by the Town—

(A) for the conveyance of 1 or more of the parcels identified in subsection (b); and

(B) that is submitted to the Secretary by not later than 90 days after the date of consummation of the land exchange under section 4.

(3) PRICE.—The Town shall pay to the Secretary a price equal to the market value of any land conveyed under this subsection, as appraised under section 7, less the amount of any credit under section 7(b)(3).

(b) IDENTIFICATION OF PARCELS.—The Town may request conveyance of any of—

(1) the approximately 30 acres of land located in Pinal County, Arizona, occupied on the date of enactment of this Act by the Fairview Cemetery and depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2009–Federal Parcel–Fairview Cemetery'' and dated January 2009;

(2) the reversionary interest, and any reserved mineral interest, of the United States in the approximately 265 acres of land located in Pinal County, Arizona, depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2009–Federal Reversionary Interest–Superior Airport'' and dated January 2009; and

(3) all or any portion of the approximately 250 acres of land located in Pinal County, Arizona, depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2009–Federal Parcel–Superior Airport Contiguous Parcels'' and dated January 2009.

(c) CONDITION OF CONVEYANCE.—A conveyance of land under this section shall be carried out in a manner that provides the United States manageable boundaries on any parcel retained by the Secretary, to the maximum extent practicable.

SEC. 7. VALUATION OF LAND EXCHANGED OR CONVEYED.

(a) EXCHANGE VALUATION.—

(1) IN GENERAL.—The value of the land to be exchanged under section 4 or conveyed to the Town under section 6 shall be determined by the Secretary through concurrent appraisals conducted in accordance with paragraph (2).

(2) APPRAISALS.—

(A) IN GENERAL.—An appraisal under this section shall be—

(i) performed by an appraiser mutually agreed to by the Secretary and Resolution Copper;

(ii) performed in accordance with—

(I) the Uniform Appraisal Standards for Federal Land Acquisitions (Department of Justice, 5th Edition, December 20, 2000);

(II) the Uniform Standards of Professional Appraisal Practice; and

(III) Forest Service appraisal instructions; and

(iii) submitted to the Secretary for review and approval.

(B) REAPPRAISALS AND UPDATED APPRAISED VALUES.—After the final appraised value of a parcel is determined and approved under subparagraph (A), the Secretary shall not be required to reappraise or update the final appraised value—

(i) for a period of 3 years after the approval by the Secretary of the final appraised value under subparagraph (A)(iii); or

(ii) at all, in accordance with section 254.14 of title 36, Code of Federal Regulations (or a successor regulation), after an exchange agreement is entered into by Resolution Copper and the Secretary.

(C) PUBLIC REVIEW.—Before consummating the land exchange under section 4, the Secretary shall make available for public review a summary of the appraisals of the land to be exchanged.

(3) FAILURE TO AGREE.—If the Secretary and Resolution Copper fail to agree on the value of a parcel to be exchanged, the final value of the parcel shall be determined in accordance with section 206(d) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(d)).

(4) FEDERAL LAND APPRAISAL.—

(A) IN GENERAL.—The Federal land shall be appraised in accordance with the standards and instructions referred to in paragraph (2)(A)(ii) and other applicable requirements of this section.

(B) TREATMENT AS UNENCUMBERED.—The value of the Federal land outside the Oak Flat Withdrawal Area shall be determined as if the land is unencumbered by any unpatented mining claims of Resolution Copper.

(C) EFFECT.—Nothing in this Act affects the validity of any unpatented mining claim or right of Resolution Copper.

(D) ADDITIONAL APPRAISAL INFORMATION.—To provide information necessary to calculate a value adjustment payment for purposes of section 12, the appraiser under this paragraph shall include in the appraisal report a detailed royalty income approach analysis, in accordance with the Uniform Appraisal Standards for Federal Land Acquisition, of the market value of the Federal land, even if the royalty income approach analysis is not the appraisal approach relied on by the appraiser to determine the final market value of the Federal land.

(b) EQUALIZATION OF VALUE.—

(1) SURPLUS OF FEDERAL LAND VALUE.—

(A) IN GENERAL.—If the final appraised value of the Federal land exceeds the value of the non-Federal land involved in the exchange under section 4, Resolution Copper shall make a cash equalization payment into the Federal Land Disposal Account (as provided in subsection (e)) to equalize the values of the Federal land and non-Federal land.

(B) AMOUNT OF PAYMENT.—Notwithstanding section 206(b) of the Federal Land Policy and

Management Act of 1976 (43 U.S.C. 1716(b)), the United States may accept a cash equalization payment under subparagraph (A) in an amount that is greater than 25 percent of the value of the Federal land.

(2) SURPLUS OF NON-FEDERAL LAND VALUE.—If the final appraised value of the non-Federal land exceeds the value of the Federal land involved in the exchange under section 4—

(A) the United States shall not make a payment to Resolution Copper to equalize the values of the land; and

(B) the surplus value of the non-Federal land shall be considered to be a donation by Resolution Copper to the United States.

(3) PAYMENT FOR LAND CONVEYED TO TOWN.—

(A) IN GENERAL.—The Town shall pay the Secretary market value for any land acquired by the Town from the Secretary under section 6, as determined by the Secretary through an appraisal conducted in accordance with subsection (a)(2).

(B) CREDIT.—If the final appraised value of the non-Federal land exceeds the value of the Federal land in the exchange under section 4, the obligation of the Town to pay the United States under subparagraph (A) shall be reduced by an amount equal to the excess value of the non-Federal land conveyed to the United States.

(4) DISPOSITION AND USE OF PROCEEDS.—

(A) CASH EQUALIZATION PAYMENTS.—Any cash equalization payment under paragraph (1)(A) shall be deposited, without further appropriation, in the Federal Land Disposal Account for use in accordance with section 4(e).

(B) PAYMENT FOR LAND CONVEYED TO TOWN.—Any payment received by the Secretary from the Town under paragraph (3)(A) shall be—

(i) deposited in the fund established under Public Law 90–171 (commonly known as the ''Sisk Act'') (16 U.S.C. 484a); and

(ii) made available to the Secretary, without further appropriation, for the acquisition of land for addition to the National Forest System in the State of Arizona.

SEC. 8. APACHE LEAP PROTECTION AND MANAGEMENT.

(a) APACHE LEAP PROTECTION AND MANAGEMENT.—

(1) IN GENERAL.—To permanently protect the cultural, historic, educational, and natural resource values of Apache Leap, effective beginning on the date of enactment of this Act, the Secretary shall—

(A) manage Apache Leap in accordance with the laws (including regulations) applicable to the National Forest System; and

(B) place special emphasis on preserving the natural character of Apache Leap.

(2) WITHDRAWAL.—Subject to the valid existing rights of Resolution Copper under section 4(d)(2), effective beginning on the date of enactment of this Act, Apache Leap shall be permanently withdrawn from all forms of entry and appropriation under—

(A) the public land laws (including the mining and mineral leasing laws); and

(B) the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.).

(b) ADDITIONAL PROTECTIONS, ANALYSIS, AND PLAN.—

(1) MANAGEMENT PLAN.—Not later than 4 years after the date of enactment of this Act, the Secretary, in consultation with the Town, Resolution Copper, the Yavapai and Apache Indian tribes, and other interested members of the public, shall solicit public comment regarding, and initiate implementation of, a management plan for Apache Leap.

(2) PLANNING CONSIDERATIONS.—The plan described in paragraph (1) shall examine, among other matters, whether Apache Leap should be managed to establish—

(A) additional cultural and historical resource protections or measures, including permanent or seasonal closures of any portion of Apache Leap to protect cultural or archeological resources;

(B) additional or alternative public access routes, trails, and trailheads to Apache Leap; or

(C) additional opportunities (including appropriate access) for rock climbing, with special emphasis on improved rock climbing access to Apache Leap from the west.

(c) MINING ACTIVITIES.—Nothing in this section imposes any restriction on any exploration or mining activity carried out by Resolution Copper outside of Apache Leap after the date of enactment of this Act.

SEC. 9. INCORPORATION, MANAGEMENT, AND STATUS OF ACQUIRED LAND.

(a) LAND ACQUIRED BY SECRETARY.—

(1) IN GENERAL.—Land acquired by the Secretary under this Act shall—

(A) become part of the National Forest within which the land is located; and

(B) be administered in accordance with the laws (including regulations) applicable to the National Forest System.

(2) BOUNDARIES.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601 et seq.), the boundaries of a National Forest in which land acquired by the Secretary is located shall be deemed to be the boundaries of that forest as in existence on January 1, 1965.

(3) MANAGEMENT OF J-I RANCH.—

(A) IN GENERAL.—On the date on which the Secretary acquires the J-I Ranch parcel described in section 4(c)(1)(D), the Secretary shall manage the land to allow Yavapai and Apache Indian tribes—

(i) to access the land; and

(ii) to undertake traditional activities relating to the gathering of acorns.

(B) AUTHORITY OF SECRETARY.—On receipt of a request from the Yavapai or Apache Indian tribe, the Secretary may temporarily or seasonally close to the public any portion of the J-I Ranch during the period in which the Yavapai or Apache Indian tribe carries out any activity described in subparagraph (A)(ii).

(b) ROCK CLIMBING.—

(1) IN GENERAL.—Before consummating the land exchange under section 4, Resolution Copper shall pay to the Secretary $1,250,000.

(2) USE OF FUNDS.—The Secretary shall use the amount described in paragraph (1), without further appropriation, to construct or improve road access, turnouts, trails, camping, parking areas, or other facilities to promote and enhance rock climbing, bouldering, and such other outdoor recreational opportunities as the Secretary determines to be appropriate—

(A) in the general area north of Arizona State Highway 60 encompassing the parcel described in section 4(c)(1)(F) and adjacent National Forest land to the north of that parcel (commonly known as the ''upper Pond area''); or

(B) in the areas commonly known as ''Inconceivables'' and ''Chill Hill'' located in or adjacent to secs. 26, 35, and 36, T. 2 S., R. 12 E. , Gila and Salt River Meridian.

(3) TIMING.—To the maximum extent practicable, the Secretary shall use the amount described in paragraph (1) during the 2-year period beginning on the date of consummation of the land exchange under section 4.

(4) THE POND PARCEL WORK.—

(A) IN GENERAL.—To improve rock climbing opportunities in the parcel described in section 4(c)(1)(F) and the upper Pond area, Resolution Copper, in consultation with the Secretary and rock climbing interests, may construct roads or improve road access to, construct trails, camping, parking areas, or other facilities on, or provide other access to, the Pond parcel described in section 4(c)(1)(F) before the date of the conveyance under section 4(c).

(B) COSTS.—Resolution Copper shall pay the cost of any activity carried out under subparagraph (A), in addition to the amount specified in paragraph (1).

(c) LAND ACQUIRED BY SECRETARY OF INTERIOR.—

(1) IN GENERAL.—Land acquired by the Secretary of the Interior under this Act shall—

(A) become part of the Federal administrative area (including the Las Cienegas National Conservation Area or other national conservation area, if applicable) within which the land is located or to which the land is adjacent; and

(B) be managed in accordance with the laws (including regulations) applicable to the Federal administrative area or national conservation area within which the land is located or to which the land is adjacent.

(2) LOWER SAN PEDRO RIVER LAND.—To preserve and enhance the natural character and conservation value of the lower San Pedro River land described in section 4(c)(2)(A), on acquisition of the land by the Secretary of the Interior, the land shall be automatically incorporated in, and administered as part of, the San Pedro Riparian National Conservation Area.

(d) WITHDRAWAL.—On acquisition by the United States of any land under this Act, subject to valid existing rights and without further action by the Secretary concerned, the acquired land is permanently withdrawn from all forms of entry and appropriation under—

(1) the public land laws (including the mining and mineral leasing laws); and

(2) the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.).

SEC. 10. OAK FLAT CAMPGROUND.

(a) REPLACEMENT CAMPGROUNDS.—

(1) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, the Secretary, in consultation with Resolution Copper, the Town, and other interested parties, shall design and construct in the Globe Ranger District of the Tonto National Forest 1 or more replacement campgrounds for the Oak Flat Campground (including appropriate access routes to any replacement campgrounds).

(2) PUBLIC FACILITIES.—Any replacement campgrounds under this subsection shall be designed and constructed in a manner that adequately (as determined in the sole discretion of the Secretary) replaces, or improves on, the facilities, functions, and amenities available to the public at the Oak Flat Campground.

(b) COSTS OF REPLACEMENT.—Resolution Copper shall pay the actual cost of designing, constructing, and providing access to any replacement campgrounds under this subsection, not to exceed $1,000,000.

(c) INTERIM OAK FLAT CAMPGROUND ACCESS.—The document conveying the Federal land to Resolution Copper under section 4(b) shall specify that—

(1) during the 4-year period beginning on the date of enactment of this Act, the Secretary shall retain title to, operate, and maintain the Oak Flat Campground; and

(2) at the end of that 4-year period—

(A) the withdrawal of the Oak Flat Campground shall be revoked; and

(B) title to the Oak Flat Campground shall be simultaneously conveyed to Resolution Copper.

(d) BOULDERBLAST COMPETITION.—During the 5-year period beginning on the date of enactment of this Act, the Secretary, in consultation with Resolution Copper, may issue

not more than 1 special use permit per calendar year to provide public access to the bouldering area on the Federal land for purposes of the annual ''BoulderBlast'' competition.

SEC. 11. TRADITIONAL ACORN GATHERING AND RELATED ACTIVITIES IN AND AROUND OAK FLAT CAMPGROUND.

(a) SENSE OF CONGRESS REGARDING ACORN GATHERING.—In addition to the acorn gathering opportunities described in section 9(a)(3)(A)(ii), it is the sense of Congress that, on receipt of a request from the Apache or Yavapai Indian tribe or any other Indian tribe during the 180-day period beginning on the date of conveyance of the Federal land to Resolution Copper under section 4, Resolution Copper should endeavor to negotiate and execute a revocable authorization to each applicable Indian tribe to use an area in and around the Oak Flat Campground for traditional acorn gathering and related activities.

(b) AREA AND TERMS.—The precise area and terms of use described in subsection (a)—

(1) shall be agreed to by Resolution Copper and the applicable Indian tribes; and

(2) may be modified or revoked by Resolution Copper if Resolution Copper, in consultation with the Indian tribes, determines that all or a portion of the authorized use area needs to be closed on a temporary or permanent basis—

(A) to protect the health or safety of users; or

(B) to accommodate an exploration or mining plan of Resolution Copper.

SEC. 12. VALUE ADJUSTMENT PAYMENT TO UNITED STATES.

(a) ANNUAL PRODUCTION REPORTING.—

(1) IN GENERAL.—Beginning on February 15 of the first calendar year beginning after the date of commencement of production of valuable locatable minerals in commercial quantities (as defined by applicable Federal laws (including regulations)) from the Federal land conveyed to Resolution Copper under section 4(b), and annually thereafter, Resolution Copper shall file with the Secretary of the Interior a report indicating the quantity of locatable minerals in commercial quantities produced from the Federal land during the preceding calendar year.

(2) REPORT CONTENTS.—The reports under paragraph (1) shall comply with all recordkeeping and reporting requirements of applicable Federal laws (including regulations) in effect at the time of production relating to the production of valuable locatable minerals in commercial quantities on any federally owned land.

(b) PAYMENT ON PRODUCTION.—If the cumulative production of valuable locatable minerals in commercial quantities produced from the Federal land conveyed to Resolution Copper under section 4(b) exceeds the quantity of production of locatable minerals from the Federal land used in the royalty income approach analysis under the Uniform Appraisal Standards for Federal Land Acquisitions prepared under section 7(a)(4)(D), Resolution Copper shall pay to the United States, by not later than March 15 of each applicable calendar year, a value adjustment payment for the quantity of excess production at a rate equal to—

(1) the Federal royalty rate in effect for the production of valuable locatable minerals from federally owned land, if such a rate is enacted before December 31, 2012; or

(2) if no Federal royalty rate is enacted by the date described in paragraph (1), the royalty rate used for purposes of the royalty income approach analysis prepared under section 7(a)(4)(D).

(c) STATE LAW UNAFFECTED.—Nothing in this Act modifies, expands, diminishes, amends, or otherwise affects any State law (including regulations) relating to the imposition, application, timing, or collection of a State excise or severance tax under Arizona Revised Statutes 42–5201–5206.

(d) USE OF FUNDS.—The funds paid to the United States under this section shall—

(1) be deposited in a special account of the Treasury; and

(2) remain available, without further appropriation, to the Secretary and the Secretary of the Interior, as the Secretaries jointly determine to be appropriate, for the acquisition of land or interests in land from willing sellers in the State of Arizona.

SEC. 13. MISCELLANEOUS PROVISIONS.

(a) REVOCATION OF ORDERS; WITHDRAWAL.—

(1) REVOCATION OF ORDERS.—Any public land order that withdraws the Federal land from appropriation or disposal under a public land law shall be revoked to the extent necessary to permit disposal of the land.

(2) WITHDRAWAL.—On the date of enactment of this Act, if the Federal land or any Federal interest in the non-Federal land to be exchanged under section 4 is not withdrawn or segregated from entry and appropriation under a public land law (including mining and mineral leasing laws and the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.)), the land or interest shall be withdrawn, without further action required by the Secretary concerned, from entry and appropriation, subject to the valid existing rights of Resolution Copper, until the date of the conveyance of Federal land under section 4(b).

(b) MAPS, ESTIMATES, AND DESCRIPTIONS.—

(1) MINOR ERRORS.—The Secretary concerned and Resolution Copper, may correct, by mutual agreement, any minor errors in any map, acreage estimate, or description of any land conveyed or exchanged under this Act.

(2) CONFLICT.—If there is a conflict between a map, an acreage estimate, or a description of land under this Act, the map shall control unless the Secretary concerned and Resolution Copper mutually agree otherwise.

(3) AVAILABILITY.—On the date of enactment of this Act, the Secretary shall file and make available for public inspection in the Office of the Supervisor, Tonto National Forest, each map referred to in this Act.

By Mr. BENNETT (for himself and Mr. HATCH):

S. 411. A bill to authorize the Secretary of Transportation to release restrictions on the use of certain property conveyed to the City of St. George, Utah for airport purposes; to the Committee on Commerce, Science, and Transportation.

Mr. BENNETT. Mr. President, I, along with the senior senator from Utah, am introducing today legislation to authorize the Secretary of Transportation to release restrictions on the use of certain property conveyed to the city of St. George, Utah for airport purposes.

On October 17, 2008, the City of St. George, UT, and the Federal Aviation Administration, FAA, broke ground on the construction of a new replacement airport, which will provide enhanced air service to the over 300,000 residents of southern Utah. The total project will cost $168 million and the start of operations at the replacement airport is scheduled for January 1, 2011.

The project is being funded largely through Federal grants covered by a letter of intent from the FAA in the amount of $119 million.

The City of St. George is financing its $44 million local share of the replacement airport through the sale of the existing airport property totaling 274 acres to Anderson Development Services Inc.

Recently it was discovered that 40 acres of the existing airport site was acquired by the City of St. George under Section 16 of the Federal Airport Act of 1946 (60 Stat. 173; 49 U.S.C. 1115) and can only be used for airport purposes.

The United States Secretary of the Interior issued a patent to the city of St. George in 1951 for the 40 acres and the city signed a deed to the land dated August 28, 1973, which contains a reverter deed restriction that if the land ceased to be used for airport purposes, the title would revert back to the United States Secretary of Transportation.

Federal legislation is required to authorize the Secretary of Transportation to release this reverter deed restriction on the use of this 40 acre parcel so the sale of the entire 274 acre airport can go through. A similar legislation (Public Law 94–244) releasing identical deed restrictions was enacted for the City of Grand Junction, CO; in 1976.

The legislation requires that upon release from these restrictions, the City of St. George, UT, must sell the 40 acre parcel for fair market value, which is estimated at $5 million, and the proceeds must be given to the FAA for the development, improvement, operation, or maintenance of the replacement airport as part of St. George's local contribution.

I urge my colleagues to support this straight-forward legislation. All funds will still be directed to the FAA. However, this minor correction will go a long way in assisting one of the fastest growing counties in the United States.

By Mr. INHOFE:

S. 412. A bill to establish the Federal Emergency Management Agency as an independent agency, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. INHOFE. Mr. President, today I am reintroducing a bill I had introduced with then-Senator Hillary Clinton on two previous occasions. It is interesting, because this bill didn't have a lot of opposition in the Senate. It did, however, have some opposition from the Bush administration. What we were attempting to do was to take the Federal Emergency Management Agency out from under where it was put, in the Department of Homeland Security, by the previous administration and give it independent status. This is something that has been talked about for a long period of time.

We can draw from our experience in Oklahoma and the fact that we had a devastating tornado go through—as we did last night, although it was even worse—which killed many people. At that time, James Lee Witt was the FEMA Director. He was President Clinton's appointee. I will always remember when that happened. A matter of a

few short hours after it happened, I called Mr. Witt and he met me in Oklahoma, and we got it done. At that time, FEMA was under the Environment and Public Works Committee. It was under the Stafford Act and virtually had independent status at that time.

Contrast that with only a few months ago when GEN Russel Honore, the general placed in charge of the military's relief efforts following Hurricane Katrina, said that FEMA and the Department of Homeland Security should be separate agencies. In an interview reported in Politico, General Honore said of FEMA:

> I just think we've had some experience that demonstrates that the best thing to do is separate it and make it a separate agency.

Most importantly, President Obama said in remarks he delivered in New Orleans in February of last year:

> If catastrophe comes, the American people must be able to call on a competent government . . . the Director of FEMA will report to me . . . and as soon as we take office, my FEMA director will work with emergency management officials in all 50 States to create a National Response Plan. Because we need to know—before disaster comes—who will be in charge; and how the Federal, State and local governments will work together to respond.

I talked to the President a few minutes ago. He still has these same feelings. I think it is very appropriate now to bring up something we had talked about before. I know the Democratic platform, for example, has a provision which states that the FEMA Director will report directly to the President, and I couldn't agree more. I don't agree with a lot of things from the Democratic platform, but I do agree with that.

Oklahoma has had more than its share of natural disasters. Only last night, three confirmed tornadoes touched down throughout Oklahoma, impacting the communities of Oklahoma City, Edmond, Pawnee, and a small community called Lone Grove. In Lone Grove, this very tiny community, eight people were killed. There are 35 still missing, so I think the death toll, unfortunately, could rise above that. I had occasion to talk to civic leaders there—Gary Hicks and city manager Marianne Elfert—this morning, and the number of Lone Grove residents who are missing right now is still not determined. So I think it is a real disaster.

It wasn't that long ago that we had the Eagle Picher area of Oklahoma hit by a tornado, and that was a very similar thing there, with seven deaths in that case. On May 1 of last year, I surveyed other tornado damage up there with Secretary Chertoff and FEMA Director Paulison, Governor Henry, and Congressman BOREN. As I said, seven people were killed, but that didn't go quite as smoothly as we would have hoped.

FEMA's integration into the Department of Homeland Security in 2003 added an extra layer of bureaucracy and removed much of the autonomy that once kept the agency operating efficiently. We learned in the aftermath of Hurricane Katrina that the extra coordination required between the Department of Homeland Security and the Federal Emergency Management Agency was at least partly responsible for the shortcomings of the Federal response. I visited the area right after Katrina, and I think they did a much better job than the press portrayed, but I still think that extra level of bureaucracy created a problem in getting things done immediately.

My legislation takes the necessary steps in giving the Director of FEMA Cabinet level status in the event of a natural disaster and acts of terrorism and makes that person the principal adviser to the President, Homeland Security Council, and the Secretary of Homeland Security. So we are kind of reversing it, and he is going to be in a Cabinet-level position. Obviously, things can then be done a lot faster and a lot better. Perhaps most importantly, the legislation defines the primary mission and specific activities of the Federal Emergency Management Agency and its Director, and places directly upon them the obligation to ensure FEMA's mission is carried out.

Now, that is exactly what President Obama said while he was campaigning for President and what he reaffirmed to me today on the telephone.

Let me explain some other events that originally led me to introduce this legislation. Oklahoma first encountered significant problems with FEMA when wildfires ravaged the State in 2005 and 2006. These devastating wildfires swept through the entire State, leading to declarations for public assistance, individual assistance, and hazard mitigation funding. In January of 2007, Oklahoma encountered severe winter storms with devastating results. These storms led to prolonged loss of power and extensive building damage for many of my constituents. One of my constituents happened to be my wife—we have been married 49 years—and she was without electricity for 9 days, so that does get your attention.

Later this year, Oklahoma was hit by heavy rain, tornadoes, and flooding from May through September. The State made a number of disaster declarations during each of these periods, but each and every time, the process it took to obtain aid from FEMA became increasingly difficult, wrought with indecisiveness and an inability of Homeland Security to communicate with each other. Prior to the placement of FEMA under DHS, my State had not encountered nearly the same level of bureaucratic delays or communications as it has since that time.

Oklahoma has also struggled with FEMA regarding the determination of dates of incident periods, which is why I put language in my bill to give deference to the State's documentation regarding the dates of such incidents. Now, some of you guys are not from States where you have the number of disasters we have had, so it is something you are not as familiar with. But we certainly are. I see the junior Senator from Oklahoma on the floor here, and he knows too that we live through these things on a regular basis. We have had tornadoes, ice storms, windstorms, and other things people haven't had.

I think Senator Clinton and I were right when we introduced this the first time, and I believe it is consistent with what President Obama has reaffirmed to me as recently as today. It will be a better arrangement and I will be looking for supporters.

We have introduced the bill. It is S. 412. Again, this bill takes FEMA out from under DHS and gives it more of an independent status so it can respond in a more rapid way as it did prior to 2003.

By Mr. DODD (for himself, Mr. LEVIN, Mr. MENENDEZ, Mr. REED, Mr. AKAKA, Mr. SCHUMER, Mr. TESTER, Mr. BROWN, Mr. MERKLEY, Mr. KERRY, Mr. LEAHY, Mr. DURBIN, Mr. HARKIN, Mrs. MCCASKILL, Mr. WHITEHOUSE, and Mr. CASEY):

S. 414. A bill to amend the Consumer Credit Protection Act, to ban abusive credit practices, enhance consumer disclosures, protect underage consumers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DODD. Mr. President, I am pleased today to be reintroducing comprehensive credit card legislation that would reform credit card practices and prohibit card issuers from continuing policies that are threatening the financial security of American consumers and their families. The Credit Card Accountability, Responsibility and Disclosure Act, Credit CARD Act, will help to end the practices that cost American families billions of dollars each year.

This is a time of serious hardship for American families. As losses mount as a result of the economic crisis, lenders are squeezing consumers, often unfairly and without adequate notice, by raising credit card rates and tightening repayment terms. Credit card delinquency rates are inching higher, and repayment rates are dipping. At a time when Americans are becoming increasingly reliant on credit cards, credit card companies are being more aggressive about finding ways to charge their customers. Over $17 billion in credit card penalty fees were charged to Americans in 2006—a ten-fold increase from what was charged just ten years ago. These penalties are contributing to the avalanche of credit card debt under which many American consumers increasingly find themselves buried.

In my travels around Connecticut, I hear frequently about the burden of these credit card practices from constituents. Connecticut has the third-

highest median amount of credit card debt in the country—$2,094 per person. Non-business bankruptcy filings in the State are increasing, and in the second quarter of last year, credit card delinquencies increased in 7 of the 8 counties in the State.

In December, the Federal Reserve, Office of Thrift Supervision, and National Credit Union Administration finalized unfair and deceptive acts and practices rules aimed at curbing some of these practices. For example, for customers in good standing the new rules will prevent issuers from applying interest rate increases retroactively to credit card debt incurred prior to the interest rate increase. They will also help ensure that issuers apply payments fairly, and extend the time that consumers have to make their credit card payments. The rules are a good first step in providing needed consumer protections in some areas. They fall short in other important areas, however, failing to address issues including universal default, ''any time any reason'' repricing, multiple overlimit fees, and youth marketing, which I'll explain in a moment.

In anticipation of rules going into effect in July of 2010, issuers are raising their interest rates and cutting lines of credit even on consumers with a long and unblemished history of good payment, thereby underscoring the need for this legislation.

That is why I am reintroducing the Credit CARD Act. This bill will help to reform credit card practices that drag so many American families further and further into debt, and prevent banks from taking advantage of consumers through confusing, misleading, and unfair terms and procedures. It strengthens regulation and oversight of the credit card industry and prohibits the unfair and deceptive practices that in far too many instances keep consumers mired in debt.

Among its other provisions, the CARD Act will eliminate imposition of excessive fees and penalties; universal default provisions that permit credit card issuers to increase interest rates on cardholders in good standing for reasons unrelated to the cardholder's behavior with respect to that card; ''Any time any reason'' changes to credit card agreements—the bill prevents issuers from unilaterally changing the terms of a credit card contract for the length of the card agreement; and retroactive interest rate increases, unfair payment allocation practices, and double-cycle billing.

The Credit Card Act also contains additional critical consumer protections. Among other things, the bill would: allow customers who close their accounts to pay under the terms existing at the time the account is closed; ensure that cardholders receive sufficient information about the terms of their account; require issuers to lower penalty rates that have been imposed on a cardholder after 6 months if the cardholder meets the obligations of the credit card terms; and enhance regulators' ability to protect consumers against unfair credit card practices by giving each federal banking agency the authority to prescribe regulations governing unfair or deceptive practices by the institutions they regulate.

The bill also reins in irresponsible lending through a number of provisions aimed at protecting young consumers who lack the ability to repay substantial credit card debt.

This legislation incorporates several key concepts included in the legislative proposals put forth by some of my colleagues, notably Senators LEVIN, MENENDEZ, AKAKA, and TESTER. Each is a cosponsor of this legislation, as are Senators REED, SCHUMER, BROWN, MERKLEY, KERRY, LEAHY, DURBIN, HARKIN, MCCASKILL, WHITEHOUSE, and CASEY.

This bill has the support of a wide array of consumer advocates and labor organizations, including the Center for Responsible Lending, Connecticut Public Interest Research Group, the Connecticut Association for Human Services, Consumer Action, Consumer Federation of America, Consumers Union, Demos, the Leadership Conference on Civil Rights, the NAACP, the National Association of Consumer Advocates, the National Consumer Law Center, the National Council of LaRaza, the Service Employees International Union, and the U.S. Public Interest Research Group. The bill also has the support of the National Small Business Association.

As the U.S. economy tightens, financially vulnerable families need the protections of the Credit CARD Act more than ever. That is what the American people and the people of Connecticut are demanding. For this reason, I urge my colleagues to join me in cosponsoring, and eventually in enacting the Credit CARD Act.

Mr. LEVIN. Mr. President, I am pleased today to join my friend and colleague Senator DODD in reintroducing comprehensive legislation to combat credit card abuses that have been hurting American consumers for far too long. Our bill, which is supported and cosponsored by other Senate colleagues as well, is called the Credit Card Accountability Responsibility and Disclosure Act, or CARD Act of 2009. With the economic hardships facing Americans today, from falling home prices to rising unemployment, it is more important than ever for Congress to act now to stop credit card abuses and protect American families and businesses from unfair credit card practices.

Every day the taxpayer is being asked to foot the bill for our biggest banks' irresponsible lending decisions. America's banking giants can't be allowed to dig themselves out of the hole they are in by loading up American families with unfair fees and interest charges. Even as the prime rate has plummeted, some credit card companies are hiking interest rates on millions of customers who play by the rules. In other words, the banks are punishing the very taxpayers that they have come to, hat in hand, for financial rescue. It can't be allowed to continue.

Credit card companies regularly use a host of unfair practices. They hike the interest rates of cardholders who pay on time and comply with their credit card agreements. They impose interest rates as high as 32 percent, charge interest for debt that was paid on time, and, in some cases, apply higher interest rates retroactively to existing credit card debt. They pile on excessive fees and then charge interest on those fees. And they engage in a number of other unfair practices that are burying American consumers in a mountain of debt. It's long past time to enact legislation to protect American consumers.

In December, the Federal Reserve and other bank regulators finally issued a regulation to stop some of the most egregiously unfair practices. For example, the new credit card regulation stops banks from retroactively raising interest rates on cardholders who meet their obligations, requires banks to mail credit card bills at least 21 days before the payment due date, and forces banks to more fairly apply consumer payments. It is a good first step, and long overdue. But the regulation regrettably leaves in place many blatantly unfair credit card practices that mire families in debt. It fails to stop, for example, abuses such as charging interest on debt that was paid on time, charging folks a fee simply to pay their bills, and hiking interest rates on a credit card because of a misstep on another, unrelated debt, a practice known as universal default. Legislation is needed not only to end those abusive practices—which are not prohibited by the Federal Reserve regulation—but also to provide a statutory foundation for that new regulation so that it cannot be weakened in the future.

The bill we are introducing today will not only help protect consumers and ensure their fair treatment, but it will also make certain that credit card companies willing to do the right thing are not put at a competitive disadvantage by companies continuing unfair practices.

Some argue that Congress doesn't need to ban unfair credit card practices; they contend that improved disclosure alone will empower consumers to seek out better deals. Sunlight can be a powerful disinfectant, but credit cards have become such complex financial products that even improved disclosure will frequently not be enough to curb the abuses. Some practices are so confusing that consumers can't easily understand them. Additionally, better disclosure does not always lead to greater market competition, especially when essentially an entire industry is using and benefiting from practices that unfairly hurt consumers.

In 2006, Americans used 700 million credit cards to buy about $2 trillion in

goods and services. The average family now has 5 credit cards. Credit cards are being used to pay for groceries, mortgage payments, even taxes. And they are saddling U.S. consumers, from college students to seniors, with a mountain of debt. The latest figures show that U.S. credit card debt is now approaching $1 trillion. These consumers are routinely being subjected to unfair practices that squeeze them for ever more money, sinking them further and further into debt.

Congress acted boldly and quickly to bail out the banks; now is time to do something for the consumer. Too many American families are being hurt by too many unfair credit card practices to delay action any longer. I commend Senator DODD, Chairman of the Senate Banking Committee, for tackling credit card reform, and look forward to Congress promptly and urgently taking the steps needed to ban unfair practices that are causing so much pain and financial damage to American families.

Abusive credit card practices are a concern that I have been tracking over the past several years through the Permanent Subcommittee on Investigations, which I chair. The Subcommittee held two investigative hearings in 2007, exposing those practices, and based on those hearings, I introduced legislation—the Stop Unfair Practices in Credit Cards Act, S. 1395—to ban the outrageous credit card abuses we documented. I am pleased that Senators MCCASKILL, LEAHY, DURBIN, BINGAMAN, CANTWELL, WHITEHOUSE, KOHL, BROWN, KENNEDY, and SANDERS joined as cosponsors. The Dodd-Levin bill we are introducing today incorporates almost all of S. 1395, and adds other important protections as well. It is the strongest credit card bill yet.

The Dodd-Levin bill includes, for example, the following provisions that also appeared in the bill I introduced with Senator MCCASKILL and others. It would:

No Interest on Debt Paid on Time. Prohibit interest charges on any portion of a credit card debt which the card holder paid on time during a grace period.

Prohibition on Universal Default. Prohibit credit card issuers from increasing interest rates on cardholders in good standing for reasons unrelated to the cardholder's behavior with respect to that card.

Apply Interest Rate Increases Only to Future Debt. Require increased interest rates to apply only to future credit card debt, and not to debt incurred prior to the increase.

No Interest on Fees. Prohibit the charging of interest on credit card transaction fees, such as late fees and over-the-limit fees.

Restrictions on Over-Limit Fees. Prohibit the charging of repeated overlimit fees for a single instance of exceeding a credit card limit.

Prompt and Fair Crediting of Card Holder Payments. Require payments to be applied first to the credit card balance with the highest rate of interest, and to minimize finance charges.

Fixed Credit Limits. Require card issuers to offer consumers the option of operating under a fixed credit limit that cannot be exceeded.

No Pay-to-Pay Fees. Prohibit charging a fee to allow a credit card holder to make a payment on a credit card debt, whether payment is by mail, telephone, electronic transfer, or otherwise.

The Dodd-Levin bill also includes important additional protections. It would:

Require issuers to lower penalty rates that have been imposed on a cardholder after 6 months if the cardholder commits no further violations.

Enhance protection against unfair and deceptive practices by giving each federal banking agency the authority to prescribe regulations governing unfair or deceptive practices by banks or savings and loan institutions.

Improve disclosure requirements by, for example, requiring issuers to provide individual consumer account information and to disclose the period of time and total interest it will take to pay off the card balance if only minimum monthly payments are made.

Protect young consumers from credit card solicitations.

To understand why these protections are needed, I would like to provide a brief overview of some of the most prevalent credit card abuses we uncovered and some of the stories that American consumers shared with us during the course of the inquiries carried out by my Permanent Subcommittee on Investigations.

The first case history we examined illustrates the fact that major credit card issuers today impose a host of fees on their cardholders, including late fees and over-the-limit fees that are not only substantial in themselves but can contribute to years of debt for families unable to immediately pay them.

Wesley Wannemacher of Lima, Ohio, testified at our March 2007 hearing. In 2001 and 2002, Mr. Wannemacher used a new credit card to pay for expenses mostly related to his wedding. He charged a total of about $3,200, which exceeded the card's credit limit by $200. He spent the next six years trying to pay off the debt, averaging payments of about $1,000 per year. As of February 2007, he'd paid about $6,300 on his $3,200 debt, but his billing statement showed he still owed $4,400.

How is it possible that a man pays $6,300 on a $3,200 credit card debt, but still owes $4,400? Here's how. On top of the $3,200 debt, Mr. Wannemacher was charged by the credit card issuer about $4,900 in interest, $1,100 in late fees, and $1,500 in over-the-limit fees. He was hit 47 times with over-limit fees, even though he went over the limit only 3 times and exceeded the limit by only $200. Altogether, these fees and the interest charges added up to $7,500, which, on top of the original $3,200 credit card debt, produced total charges to him of $10,700.

In other words, the interest charges and fees more than tripled the original $3,200 credit card debt, despite payments by the cardholder averaging $1,000 per year. Unfair? Clearly, but our investigation has shown that sky-high interest charges and fees are not uncommon in the credit card industry. While the Wannemacher account happened to be at Chase, penalty interest rates and fees are also employed by other major credit card issuers.

The week before our March hearing, Chase decided to forgive the remaining debt on the Wannemacher account, and while that was great news for the Wannemacher family, that decision didn't begin to resolve the problem of excessive credit card fees and sky-high interest rates that trap too many hardworking families in a downward spiral of debt.

These high fees are made worse by the industry-wide practice of including all fees in a consumer's outstanding balance so that they also incur interest charges. Those interest charges magnify the cost of the fees and can quickly drive a family's credit card debt far beyond the cost of their initial purchases. It is one thing for a bank to charge interest on funds lent to a consumer; charging interest on penalty fees goes too far.

A second troubling case history involves Charles McClune, a 51–year-old Michigan resident who is married with one child. Mr. McClune has a credit card account which he closed in 1998, and has been trying to pay off for more than 10 years. Due to excessive fees and interest rates, and despite paying more than four times his original credit card debt of less than $4,000, Mr. McClune still owes thousands on his credit card, with no end in sight.

Mr. McClune first opened his credit card account while in college, in 1986, at Michigan National Bank through a student-targeted credit promotion. After leaving college, the credit limit on his card was increased to $4,000. By 1993, although he had not exceeded the credit limit through purchases, Mr. McClune had missed some payments and was assessed interest and fees that pushed his balance over the $4,000 limit. From 1993 to 1996, he exceeded his limit again, on several occasions, due to interest and fee charges. He stopped making purchases on the credit card in 1995.

In 1996, Mr. McClune's credit card account was purchased by Chase Bank. In 1998, Mr. McClune asked Chase to close the account, and Chase did so. Although he never made a single purchase on his credit card while the account was with Chase, Chase repeatedly increased the interest rate on his account, including after the account was closed. In 2002, for example, his interest rate was about 21 percent; by October 2005, it had climbed to 29.99 percent where it remained for more than two years until March 2008; it then

dropped slightly to 29.24 percent. The higher interest rates were applied retroactively to Mr. McClune's closed account balance, increasing the size of his minimum payments and his overall debt.

Chase also assessed Mr. McClune repeated over-the-limit and late fees, which began at $29 and increased over time to $39 per fee. Chase cannot locate statements for Mr. McClune's account prior to February 2001, so there is no record of all the fees he has paid. The records in existence show that, since February 2001, he has paid 64 over-the-limit fees totaling $2,200. Those fees stopped after the March 2007 hearing before my Subcommittee, in which Chase promised to stop charging more than three over-the-limit fees for a single violation of a credit card limit. In addition to the 64 over-the-limit fees, since February 2001, Chase has charged Mr. McClune nearly $2,000 in late fees.

The records also show that since 2001, Mr. McClune was contacted by telephone on several occasions by Chase representatives seeking payment on his account. If he agreed to make a payment over the telephone, Chase charged him—without notifying him at the time—a fee of $12 to $15 per telephone payment. When asked about these fees, Chase told the Subcommittee that the fees were imposed, because on each occasion Mr. McClune had spoken with a ''live advisor.'' Since 2001, he has paid a total of $160 in these pay-to-pay fees.

Altogether, since 2001, Mr. McClune has paid nearly $4,400 in fees on a debt of less than $4,000. If the more than four years of missing credit card bills were available from 1996 to 2000, this fee total would be even higher. In addition, each fee was added to Mr. McClune's outstanding credit card balance, and Chase charged him interest on the fee amounts, thereby increasing his debt by thousands of additional dollars.

In February 2001, Chase records show that Mr. McClune's credit card debt totaled nearly $5,200. For the next 7 years, although he did not pay every month, Mr. McClune paid nearly $2,000 per year toward his credit card debt, but was unable to pay it off. At one time, he paid $150 every two weeks for several weeks. Those payments did not bring his debt under the $4,000 credit limit, or reduce his interest rate.

In January 2007, Mr. McClune received a letter from Chase stating that if he made his next payment on time, he would receive a $50 credit on his debt. Mr. McClune cashed out his IRA and paid $4,000 on his credit card debt. Because he made this payment in February, however, he did not receive the $50 credit for an on-time payment. Instead, he was assessed a $39 late fee, a $39 over-the-limit fee, and a $14.95 payment fee for making the $4,000 payment over the telephone.

Mr. McClune was never offered a payment plan or a reduced interest rate by Chase to help him pay down his debt. His credit card bills show that from February 2001 to June 2008, he paid Chase a total of $15,800. If the four years of missing credit card bills from 1996 to 2000 were available, his total payments would likely exceed $20,000. In June 2008, his credit card bill showed he was charged 29 percent interest and a $39 late fee on a balance of $3,300.

How could Mr. McClune pay $15,000 to $20,000 on credit card purchases of less than $4,000, and still owe $3,300? His credit card statements since 2001 show that he was socked with over $9,700 in interest charges, $2,200 in over-the-limit fees, $2,000 in late fees, and $160 in pay-to-pay fees. All of these interest charges and fees were assessed by Chase while the account was closed and without a single purchase having been made since 1995. Despite his lack of purchases and payments totaling $15,800, Chase records show that, from February 2001 until June 2008, Mr. McClune was able to reduce his credit card balance by only about $1,850.

Mr. McClune is not trying to avoid his debt. He has made years of payments on a closed credit card account that he has not used to make a purchase in 13 years. He has paid thousands and thousands of dollars—four and possibly five times what he originally owed—in an attempt to pay off his credit card account. He is still paying. But his thousands of dollars in payments are not enough for his credit card issuer which is squeezing him for every cent it can, fair or not, for years on end.

Tragically, Mr. McClune and Mr. Wannemacher have a lot of company in their credit card experiences. The many case histories investigated by the Subcommittee show that responsible cardholders across the country are being squeezed by unfair credit card lending practices involving excessive fee and interest charges. The current regulatory regime—even with the new Federal Reserve regulation—is insufficient to prevent these ongoing credit card abuses. Legislation is badly needed.

Another galling practice featured in our March hearing involves the fact that credit card debt that is paid on time routinely accrues interest charges, and credit card bills that are paid on time and in full are routinely inflated with what I call ''trailing interest.'' Every single credit card issuer contacted by the Subcommittee engaged in both of these unfair practices which squeeze additional interest charges from responsible cardholders.

Here's how it works. Suppose a consumer who usually pays his account in full, and owes no money on December 1st, makes a lot of purchases in December, and gets a January 1 credit card bill for $5,020. That bill is due January 15. Suppose the consumer pays that bill on time, but pays $5,000 instead of the full amount owed. What do you think the consumer owes on the next bill?

If you thought the bill would be the $20 past due plus interest on the $20, you would be wrong. In fact, under industry practice today, the bill would likely be twice as much. That's because the consumer would have to pay interest, not just on the $20 that wasn't paid on time, but also on the $5,000 that was paid on time. In other words, the consumer would have to pay interest on the entire $5,020 from the first day of the new billing month, January 1, until the day the bill was paid on January 15, compounded daily. So much for a grace period! In addition, the consumer would have to pay the $20 past due, plus interest on the $20 from January 15 to January 31, again compounded daily. In this example, using an interest rate of 17.99 percent (which is the interest rate charged to Mr. Wannamacher), the $20 debt would, in one month, rack up $35 in interest charges and balloon into a debt of $55.21.

You might ask—hold on—why does the consumer have to pay any interest at all on the $5,000 that was paid on time? Why does anyone have to pay interest on the portion of a debt that was paid by the date specified in the bill—in other words, on time? The answer is, because that's how the credit card industry has operated for years, and they have gotten away with it.

There's more. You might think that once the consumer gets gouged in February, paying $55.21 on a $20 debt, and pays that bill on time and in full, without making any new purchases, that would be the end of it. But you would be wrong again. It's not over.

Even though, on February 15, the consumer paid the February bill in full and on time—all $55.21—the next bill has an additional interest charge on it, for what we call ''trailing interest.'' In this case, the trailing interest is the interest that accumulated on the $55.21 from February 1 to 15, which is the time period from the day when the bill was sent to the day when it was paid. The total is 38 cents. While some issuers will waive trailing interest if the next month's bill is less than $1, if a consumer makes a new purchase, a common industry practice is to fold the 38 cents into the end-of-month bill reflecting the new purchase.

Now 38 cents isn't much in the big scheme of things. That may be why many consumers don't notice these types of extra interest charges or try to fight them. Even if someone had questions about the amount of interest on a bill, most consumers would be hard pressed to understand how the amount was calculated, much less whether it was incorrect. But by nickel and diming tens of millions of consumer accounts, credit card issuers reap large profits. I think it is indefensible to make consumers pay interest on debt which they pay on time. It is also just plain wrong to charge trailing interest when a bill is paid on time and in full.

My Subcommittee's second hearing focused on another set of unfair credit card practices involving unfair interest

rate increases. Cardholders who had years-long records of paying their credit card bills on time, staying below their credit limits, and paying at least the minimum amount due, were nevertheless socked with substantial interest rate increases. Some saw their credit card interest rates double or even triple. At the hearing, three consumers described this experience.

Janet Hard of Freeland, Michigan, had accrued over $8,000 in debt on her Discover card. Although she made payments on time and paid at least the minimum due for over two years, Discover increased her interest rate from 18 percent to 24 percent in 2006. At the same time, Discover applied the 24 percent rate retroactively to her existing credit card debt, increasing her minimum payments and increasing the amount that went to finance charges instead of the principal debt. The result was that, despite making steady payments totaling $2,400 in twelve months and keeping her purchases to less than $100 during that same year, Janet Hard's credit card debt went down by only $350. Sky-high interest charges, inexplicably increased and unfairly applied, ate up most of her payments.

Millard Glasshof of Milwaukee, Wisconsin, a retired senior citizen on a fixed income, incurred a debt of about $5,000 on his Chase credit card, closed the account, and faithfully paid down his debt with a regular monthly payment of $119 for years. In December 2006, Chase increased his interest rate from 15 percent to 17 percent, and in February 2007, hiked it again to 27 percent. Retroactive application of the 27 percent rate to Mr. Glasshof's existing debt meant that, out of his $119 payment, about $114 went to pay finance charges and only $5 went to reducing his principal debt. Despite his making payments totaling $1,300 over twelve months, Mr. Glasshof found that, due to high interest rates and excessive fees, his credit card debt did not go down at all. Later, after the Subcommittee asked about his account, Chase suddenly lowered the interest rate to 6 percent. That meant, over a one year period, Chase had applied four different interest rates to his closed credit card account: 15 percent, 17 percent, 27 percent, and 6 percent, which shows how arbitrary those rates are.

Then there is Bonnie Rushing of Naples, Florida. For years, she had paid her Bank of America credit card on time, providing at least the minimum amount specified on her bills. Despite her record of on-time payments, in 2007, Bank of America nearly tripled her interest rate from 8 to 23 percent. The Bank said that it took this sudden action because Ms. Rushing's FICO credit score had dropped. When we looked into why it had dropped, it was apparently because she had opened Macy's and J. Jill credit cards to get discounts on purchases. Despite paying both bills on time and in full, the automated FICO system had lowered her credit rating, and Bank of America had followed suit by raising her interest rate by a factor of three. Ms. Rushing closed her account and complained to the Florida Attorney General, my Subcommittee, and her card sponsor, the American Automobile Association. Bank of America eventually restored the 8 percent rate on her closed account.

In addition to these three consumers who testified at the hearing, the Subcommittee presented case histories for five other consumers who experienced substantial interest rate increases despite complying with their credit card agreements.

I'd also like to note that, in each of these cases, the credit card issuer told our Subcommittee that the cardholder had been given a chance to opt out of the increased interest rate by closing their account and paying off their debt at the prior rate. But each of these cardholders denied receiving an opt-out notice, and when several tried to close their account and pay their debt at the prior rate, they were told they had missed the opt-out deadline and had no choice but to pay the higher rate. Our Subcommittee examined copies of the opt-out notices and found that some were filled with legal jargon, were hard to understand, and contained procedures that were hard to follow. When we asked the major credit card issuers what percentage of persons offered an opt-out actually took it, they told the Subcommittee that 90 percent did not opt out of the higher interest rate—a percentage that is contrary to all logic and strong evidence that current opt-out procedures don't work.

The case histories presented at our hearings illustrate only a small portion of the abusive credit card practices going on today. Since early 2007, the Subcommittee has received letters and emails from thousands of credit card cardholders describing unfair credit card practices and asking for help to stop them, more complaints than I have received in any investigation I've conducted in more than 25 years in Congress. The complaints stretch across all income levels, all ages, and all areas of the country. The bottom line is that these abuses have gone on for too long. In fact, these practices have been around for so many years that they have in many cases become the industry norm, and our investigation has shown that many of the practices are too entrenched, too profitable, and too immune to consumer pressure for the companies to change them on their own.

For these reasons, I urge my colleagues to support enactment of the Dodd-Levin Credit CARD Act this year. Congress has already gone to bat for the banks that engage in abusive credit card practices; it's time we go to bat for the American family.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. BINGAMAN, Mrs. BOXER, Mr. BROWN, Mr. CARDIN, Mr. CASEY, Mr. DURBIN, Mr. FEINGOLD, Mr. KENNEDY, Ms. MIKULSKI, Mr. MENENDEZ, Mr. MERKLEY, Mr. SANDERS, Ms. STABENOW, and Mr. WHITEHOUSE):

S. 416. A bill to limit the use of cluster munitions; to the Committee on Foreign Relations.

Mrs. FEINSTEIN. Mr. President, I rise today with my friend and colleague from Vermont, Senator LEAHY, to re-introduce the Cluster Munitions Civilian Protection Act.

The bill is also co-sponsored by Senators BINGAMAN, BOXER, BROWN, CARDIN, CASEY, DURBIN, FEINGOLD, KENNEDY, MIKULSKI, MENENDEZ, MERKLEY, SANDERS, STABENOW, and WHITEHOUSE.

Our legislation places common sense restrictions on the use of cluster bombs. It prevents any funds from being spent to use cluster munitions that have a failure rate of more than one percent; and unless the rules of engagement specify: the cluster munitions will only be used against clearly defined military targets and; will not be used where civilians are known to be present or in areas normally inhabited by civilians.

The bill also requires the President to submit a report to the appropriate Congressional committees on the plan to clean up unexploded cluster bombs.

Finally, the bill includes a national security waiver that allows the President to waive the prohibition on the use of cluster bombs with a failure rate of more than one percent, if he determines it is vital to protect the security of the United States to do so.

Cluster munitions are large bombs, rockets, or artillery shells that contain up to hundreds of small submunitions, or individual ''bomblets.''

They are intended for attacking enemy troop formations and armor covering over a half mile radius.

Yet, in practice, they pose a real threat to the safety of civilians when used in populated areas because they leave hundreds of unexploded bombs over a very large area and they are often inaccurate.

Indeed, the human toll of these weapons has been terrible:

In Laos, approximately 11,000 people, 30 percent of them children, have been killed or injured by U.S. cluster munitions since the Vietnam War ended.

In Afghanistan, between October 2001 and November 2002, 127 civilians lost their lives due to cluster munitions, 70 percent of them under the age of 18.

An estimated 1,220 Kuwaitis and 400 Iraqi civilians have been killed by cluster munitions since 1991.

In the 2006 war in Lebanon, Israeli cluster munitions, many of them manufactured in the U.S., injured and killed 200 civilians.

During the 2003 invasion of Baghdad, the last time the U.S. used cluster munitions, these weapons killed more civilians than any other type of U.S. weapon.

The U.S. 3rd Infantry Division described cluster munitions as ''battlefield losers'' in Iraq, because they were often forced to advance through areas contaminated with unexploded duds.

During the 1991 Gulf War, U.S. cluster munitions caused more U.S. troop casualties than any single Iraqi weapon system, killing 22 U.S. servicemen.

Yet we have seen significant progress in the effort to protect innocent civilians from these deadly weapons since we first introduced this legislation in the 110th Congress.

In December, 95 countries came together to sign the Oslo Convention on Cluster Munitions which would prohibit the production, use, and export of cluster bombs and requires signatories to eliminate their arsenals within 8 years.

This group includes key NATO allies such as Canada, the United Kingdom, France, and Germany, who are fighting alongside our troops in Afghanistan.

In 2007, Congress passed and President Bush signed into law a provision from our legislation contained in the fiscal year 2008 Consolidated Appropriations Act prohibiting the sale and transfer of cluster bombs with a failure rate of more than one percent.

In addition, the Senate Appropriations Committee approved the fiscal year 2009 State, Foreign Operations and Related Programs Appropriations bill renewing the ban for another year.

I am confident this ban will be included in an fiscal year 2009 Omnibus appropriations bill.

These actions will help save lives. But much more work remains to be done and significant obstacles remain.

For one, the United States chose not to participate in the Oslo process or sign the treaty.

The Pentagon continues to believe that cluster munitions are ''legitimate weapons with clear military utility in combat.'' It would prefer that the United States work within the Geneva-based Convention on Certain Conventional Weapons, CCW, to negotiate limits on the use of cluster munitions.

Yet these efforts have been going on since 2001 and it was the inability of the CCW to come to any meaningful agreement which prompted other countries, led by Norway, to pursue an alternative treaty through the Oslo process.

A lack of U.S. leadership in this area has given cover to other major cluster munitions producing nations—China, Russia, India, Pakistan, Israel, and Egypt—who have refused to sign the Oslo Convention as well.

Recognizing the United States could not remain silent in the face of international efforts to restrict the use of cluster bombs, Secretary of Defense Robert Gates issued a new policy on cluster munitions in June 2008 stating that after 2018, the use, sale and transfer of cluster munitions with a failure rate of more than 1 percent would be prohibited.

The policy is a step in the right direction, but under the terms of this new policy, the Pentagon will still have the authority to use cluster bombs with high failure rates for the next ten years.

That is unacceptable and runs counter to our values.

The United States maintains an arsenal of an estimated 5.5 million cluster munitions containing 728 million submunitions which have an estimated failure rate of between 5 and 15 percent.

What does that say about us, that we are still prepared to use, sell and transfer these weapons with well known failure rates?

The fact is, cluster munition technologies already exist, that meet the one percent standard. Why do we need to wait ten years?

This delay is especially troubling given that in 2001, former Secretary of Defense William Cohen issued his own policy on cluster munitions stating that, beginning in fiscal year 2005, all new cluster munitions must have a failure rate of less than one percent.

Unfortunately, the Pentagon was unable to meet this deadline and Secretary Gates' new policy essentially postpones any meaningful action for another ten years.

That means, if we do nothing, by 2018 close to twenty years will have passed since the Pentagon first recognized the threat these deadly weapons pose to innocent civilians.

We can do better.

Our legislation simply moves up the Gates policy by ten years. For those of my colleagues who are concerned that it may be too soon to enact a ban on the use of cluster bombs with failure rates of more than one percent, I point out again that our bill allows the President to waive this restriction if he determines it is vital to protect the security of the United States to do so.

I would also remind my colleagues that the United States has not used cluster bombs in Iraq since 2003 and has observed a moratorium on their use in Afghanistan since 2002.

We introduced this legislation to make this moratorium permanent for the entire U.S. arsenal of cluster munitions.

We introduced this legislation for children like Hassan Hammade.

A 13-year-old Lebanese boy, Hassan lost four fingers and sustained injuries to his stomach and shoulder after he picked up an unexploded cluster bomb in front of an orange tree.

He said:

> I started playing with it and it blew up. I didn't know it was a cluster bomb—it just looked like a burned out piece of metal.
>
> All the children are too scared to go out now, we just play on the main roads or in our homes.

I urge my colleagues to support this legislation. We should do whatever we can to protect more innocent children and other civilians from these dangerous weapons.

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. 416

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 ''Cluster Munitions Civilian Protection Act of 2009''.

SEC. 2. LIMITATION ON THE USE OF CLUSTER MUNITIONS.

No funds appropriated or otherwise available to any Federal department or agency may be obligated or expended to use any cluster munitions unless—

(1) the submunitions of the cluster munitions, after arming, do not result in more than 1 percent unexploded ordnance across the range of intended operational environments; and

(2) the policy applicable to the use of such cluster munitions specifies that the cluster munitions will only be used against clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians.

SEC. 3. PRESIDENTIAL WAIVER.

The President may waive the requirement under section 2(1) if, prior to the use of cluster munitions, the President—

(1) certifies that it is vital to protect the security of the United States; and

(2) not later than 30 days after making such certification, submits to the appropriate congressional committees a report, in classified form if necessary, describing in detail—

(A) the steps that will be taken to protect civilians; and

(B) the failure rate of the cluster munitions that will be used and whether such munitions are fitted with self-destruct or self-deactivation devices.

SEC. 4. CLEANUP PLAN.

Not later than 90 days after any cluster munitions are used by a Federal department or agency, the President shall submit to the appropriate congressional committees a plan, prepared by such Federal department or agency, for cleaning up any such cluster munitions and submunitions which fail to explode and continue to pose a hazard to civilians.

SEC. 5. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this Act, the term ''appropriate congressional committees'' means the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

Mr. LEAHY. Mr. President, I am pleased to join with my friend from California, Senator FEINSTEIN, in introducing the Cluster Munitions Civilian Protection Act of 2009. This is a slightly revised version of a bill of the same name which we introduced in 2007.

Since December 3, 2008, when the Convention on Cluster Munitions opened for signature in Dublin, 96 countries have signed the treaty including Great Britain, Germany, Canada, Norway, Australia and other allies of the United States.

The treaty is the culmination of a year of negotiations, launched by Norway, among 107 governments that came together to prohibit the use of cluster munitions that cause unacceptable harm to civilians.

The Bush administration did not participate in the negotiations, which I believe was a mistake. As the Nation with the world's most powerful military we should not be on the sidelines while others are trying to protect the

lives and limbs of civilians who comprise the vast majority of war casualties today.

The Pentagon continues to insist that cluster munitions have military utility, and that the U.S. should retain the ability to use millions of cluster munitions in its arsenal which have estimated failure rates of 5 to 20 percent.

Of course, any weapon, whether cluster munitions, landmines, or even poison gas, has some military utility. But anyone who has seen the indiscriminate devastation cluster munitions cause over a wide area understands the unacceptable threat they can pose to civilians. These are not the laser guided weapons the Pentagon showed destroying their targets during the invasion of Baghdad.

There is the insidious problem of cluster munitions that fail to explode as designed and remain as active duds, like landmines, until they are triggered by whoever comes into contact with them. Often it is an unsuspecting child, or a farmer. We saw that recently in Lebanon, and in Laos people are still being killed and maimed by U.S. cluster munitions left from the Vietnam War.

Current law prohibits U.S. sales, exports and transfers of cluster munitions that have a failure rate exceeding 1 percent. That law also requires any sale, export or transfer agreement to include a requirement that the cluster munitions will be used only against military targets and not in areas where civilians are known to be present.

Last year, the Pentagon announced that it would meet the failure rate requirement for U.S. use of cluster munitions in 2018. While a step forward, I do not believe we can justify continuing to use weapons that so often fail, so often kill and injure civilians, and which many of our allies have renounced. That is not the kind of leadership the world needs and expects from the United States.

Senator FEINSTEIN's and my bill would apply similar restrictions to the use of cluster munitions beginning immediately on the date of enactment. However, the bill does permit the President to waive the 1 percent requirement if he certifies that it is vital to protect the security of the United States. I urge the Pentagon to work with us by supporting this reasonable step.

I want to express my appreciation to all nations that have signed the treaty, and urge the Obama administration to review its policy on cluster munitions with a view toward putting the U.S. on a path to join the treaty as soon as possible. In the meantime, our legislation would go a long way toward putting the United States on that path.

There are some who dismissed the Cluster Munitions Convention as a pointless exercise, since it does not yet have the support of the United States and other major powers such as Russia, China, Pakistan, India, and Israel. These are some of the same critics of the Ottawa treaty banning antipersonnel landmines, which the U.S. and the other countries I named have also refused to sign. But that treaty has dramatically reduced the number of landmines produced, used, sold and stockpiled, and the number of mine victims has fallen sharply. Any government that contemplates using landmines today does so knowing that it will be condemned by the international community. I suspect it is only a matter of time before the same is true for cluster munitions.

It is important to note that the U.S. today has the technological ability to produce cluster munitions that would not be prohibited by the treaty. What is lacking is the political will to expend the necessary resources. There is no other excuse for continuing to use cluster munitions that cause unacceptable harm to civilians. I am committed to working in the Defense Appropriations Subcommittee to help secure the resources needed to make this new technology available.

I want to commend Senator FEINSTEIN who has shown real passion and persistence in raising this issue and seeking every opportunity to protect civilians from these indiscriminate weapons.

By Mr. LEAHY (for himself, Mr. SPECTER, Mr. KENNEDY, Mr. FEINGOLD, Mr. WHITEHOUSE, and Mrs. MCCASKILL):

S. 417. A bill to enact a safe, fair, and responsible state secrets privilege Act; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today, I am introducing the bipartisan State Secrets Protection Act. I am pleased that Senator KENNEDY, who had so much to do with developing this proposal last Congress is an original cosponsor of the bill along with Senators SPECTER, FEINGOLD, WHITEHOUSE and MCCASKILL. After a lengthy debate, this bill was reported by the Judiciary Committee last April.

The State secrets privilege is a common law doctrine that the Government can claim in court to prevent evidence that could harm national security from being publicly revealed. During the Bush administration, the State secrets privilege was used to avoid judicial review and skirt accountability by ending cases without consideration of the merits. It was used to stymie litigation at its very inception in cases alleging egregious Government misconduct, such as extraordinary rendition and warrantless eavesdropping on the communications of Americans.

The 2006 case of Khaled El-Masri, who was kidnapped and transported against his will to Afghanistan, where he was detained and tortured as part of the Bush administration's extraordinary rendition program, is one such example. He sued the government alleging unlawful detention and treatment. A district court judge dismissed the entire lawsuit after the Government invoked the State secrets privilege, solely on the basis of an ex parte declaration from the Director of the Central Intelligence Agency, and despite the fact that the Government had admitted that the rendition program exists. Mr. El-Masri has no other remedy. Our justice system is off limits to him, and no judge ever reviewed any of the actual evidence.

The State secrets privilege serves important goals where properly invoked. But there are serious consequences for litigants and for the American public when the privilege is used to terminate litigation alleging serious Government misconduct. For the aggrieved parties, it means that the courthouse doors are closed forever regardless of the severity of their injury. They will never have their day in court. For the American public, it means less accountability, because there will be no judicial scrutiny of improper actions of the executive, and no check or balance.

The State Secrets Protection Act will help guide the courts to balance the Government's interests in secrecy with accountability and the rights of citizens to seek judicial redress. The bill does not restrict the Government's ability to assert the privilege in appropriate cases. Rather, the bill would allow judges to look at the actual evidence the Government submits so that they, neutral judges, rather than self-interested executive branch officials, would render the ultimate decision whether the State secrets privilege should apply. This is consistent with the procedure for other privileges recognized in our courts.

We held a Committee hearing on this issue last year, and the appropriate use of this privilege remains an area of concern for me and for the cosponsors of this bill. In light of the pending cases where this privilege has been invoked, involving issues including torture, rendition and warrantless wiretapping, we can ill-afford to delay consideration of this important legislation. I hope all Senators will join us in supporting this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be placed in the RECORD, as follows:

S. 417

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 ''State Secrets Protection Act''.

SEC. 2. STATE SECRETS PROTECTION.

(a) IN GENERAL.—Title 28 of the United States Code is amended by adding after chapter 180, the following:

''CHAPTER 181—STATE SECRETS PROTECTION

''Sec.
''4051. Definitions.
''4052. Rules governing procedures related to this chapter.
''4053. Procedures for answering a complaint.
''4054. Procedures for determining whether evidence is protected from disclosure by the state secrets privilege.

''4055. Procedures when evidence protected by the state secrets privilege is necessary for adjudication of a claim or counterclaim.
''4056. Interlocutory appeal.
''4057. Security procedures.
''4058. Reporting.
''4059. Rule of construction.

''§ 4051. Definitions

''In this chapter—

''(1) the term 'evidence' means any document, witness testimony, discovery response, affidavit, object, or other material that could be admissible in court under the Federal Rules of Evidence or discoverable under the Federal Rules of Civil Procedure; and

''(2) the term 'state secret' refers to any information that, if disclosed publicly, would be reasonably likely to cause significant harm to the national defense or foreign relations of the United States.

''§ 4052. Rules governing procedures related to this chapter

''(a) DOCUMENTS.—A Federal court—

''(1) shall determine which filings, motions, and affidavits, or portions thereof, submitted under this chapter shall be submitted ex parte;

''(2) may order a party to provide a redacted, unclassified, or summary substitute of a filing, motion, or affidavit to other parties; and

''(3) shall make decisions under this subsection taking into consideration the interests of justice and national security.

''(b) HEARINGS.—

''(1) IN CAMERA HEARINGS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), all hearings under this chapter shall be conducted in camera.

''(B) EXCEPTION.—A court may not conduct a hearing under this chapter in camera based on the assertion of the state secrets privilege if the court determines that the hearing relates only to a question of law and does not present a risk of revealing state secrets.

''(2) EX PARTE HEARINGS.—A Federal court may conduct hearings or portions thereof ex parte if the court determines, following in camera review of the evidence, that the interests of justice and national security cannot adequately be protected through the measures described in subsections (c) and (d).

''(3) RECORD OF HEARINGS.—The court shall preserve the record of all hearings conducted under this chapter for use in the event of an appeal. The court shall seal all records to the extent necessary to protect national security.

''(c) ATTORNEY SECURITY CLEARANCES.—

''(1) IN GENERAL.—A Federal court shall, at the request of the United States, limit participation in hearings conducted under this chapter, or access to motions or affidavits submitted under this chapter, to attorneys with appropriate security clearances, if the court determines that limiting participation in that manner would serve the interests of national security. The court may also appoint a guardian ad litem with the necessary security clearances to represent any party for the purposes of any hearing conducted under this chapter.

''(2) STAYS.—During the pendency of an application for security clearance by an attorney representing a party in a hearing conducted under this chapter, the court may suspend proceedings if the court determines that such a suspension would serve the interests of justice.

''(3) COURT OVERSIGHT.—If the United States fails to provide a security clearance necessary to conduct a hearing under this chapter in a reasonable period of time, the court may review in camera and ex parte the reasons of the United States for denying or delaying the clearance to ensure that the United States is not withholding a security clearance from a particular attorney or class of attorneys for any reason other than protection of national security.

''(d) PROTECTIVE ORDERS.—A Federal court may issue a protective order governing any information or evidence disclosed or discussed at any hearing conducted under this chapter if the court determines that issuing such an order is necessary to protect national security.

''(e) OPINIONS AND ORDERS.—Any opinions or orders issued under this chapter may be issued under seal or in redacted versions if, and to the extent that, the court determines that such measure is necessary to protect national security.

''(f) SPECIAL MASTERS.—A Federal court may appoint a special master or other independent advisor who holds the necessary security clearances to assist the court in handling a matter subject to this chapter.

''§ 4053. Procedures for answering a complaint

''(a) INTERVENTION.—The United States may intervene in any civil action in order to protect information the Government determines may be subject to the state secrets privilege.

''(b) IMPERMISSIBLE AS GROUNDS FOR DISMISSAL PRIOR TO HEARINGS.—Except as provided in section 4055, the state secrets privilege shall not constitute grounds for dismissal of a case or claim. If a motion to dismiss or for summary judgment is based in whole or in part on the state secrets privilege, or may be affected by the assertion of the state secrets privilege, a ruling on that motion shall be deferred pending completion of the hearings provided under this chapter, unless the motion can be granted on grounds unrelated to, and unaffected by, the assertion of the state secrets privilege.

''(c) PLEADING STATE SECRETS.—In answering a complaint, if the United States or an officer or agency of the United States is a party to the litigation, the United States may plead the state secrets privilege in response to any allegation in any individual claim or counterclaim if the admission or denial of that allegation in that individual claim or counterclaim would itself divulge a state secret to another party or the public. If the United States has intervened in a civil action, it may assert the state secrets privilege in response to any allegation in any individual claim or counterclaim if the admission or denial by a party of that allegation in that individual claim or counterclaim would itself divulge a state secret to another party or the public. No adverse inference or admission shall be drawn from a pleading of state secrets in an answer to an item in a complaint.

''(d) SUPPORTING AFFIDAVIT.—In each instance in which the United States asserts the state secrets privilege in response to 1 or more claims, it shall provide the court with an affidavit signed by the head of the executive branch agency with responsibility for, and control over, the asserted state secrets explaining the factual basis for the assertion of the privilege and attesting that personal consideration was given to the assertion of the privilege. The duties of the head of an executive branch agency under this subsection may not be delegated.

''§ 4054. Procedures for determining whether evidence is protected from disclosure by the state secrets privilege

''(a) ASSERTING THE STATE SECRETS PRIVILEGE.—The United States may, in any civil action to which the United States is a party or in any other civil action before a Federal or State court, assert the state secrets privilege as a ground for withholding information or evidence in discovery or for preventing the disclosure of information through court filings or through the introduction of evidence.

''(b) SUPPORTING AFFIDAVIT.—In each instance in which the United States asserts the state secrets privilege with respect to an item of information or evidence, the United States shall provide the court with an affidavit signed by the head of the executive branch agency with responsibility for, and control over, the state secrets involved explaining the factual basis for the claim of privilege. The United States shall make public an unclassified version of the affidavit.

''(c) HEARING.—A Federal court shall conduct a hearing, consistent with the requirements of section 4052, to examine the items of evidence that the United States asserts are subject to the state secrets privilege, as well as any affidavit submitted by the United States in support of any assertion of the state secrets privilege, and to determine the validity of any assertion of the state secrets privilege made by the United States.

''(d) REVIEW OF EVIDENCE.—

''(1) SUBMISSION OF EVIDENCE.—In addition to the affidavit provided under subsection (b), and except as provided in paragraph (2) of this subsection, the United States shall make all evidence the United States claims is subject to the state secrets privilege available for the court to review, consistent with the requirements of section 4052, before any hearing conducted under this section.

''(2) SAMPLING IN CERTAIN CASES.—If the volume of evidence the United States asserts is protected by the state secrets privilege precludes a timely review of each item of evidence, or the court otherwise determines that a review of all of that evidence is not feasible, the court may substitute a sufficient sampling of the evidence if the court determines that there is no reasonable possibility that review of the additional evidence would change the determination on the privilege claim and the evidence reviewed is sufficient to enable to court to make the determination required under this section.

''(3) INDEX OF MATERIALS.—The United States shall provide the court with a manageable index of evidence it contends is subject to the state secrets privilege by formulating a system of itemizing and indexing that would correlate statements made in the affidavit provided under subsection (b) with portions of the evidence the United States asserts is subject to the state secrets privilege. The index shall be specific enough to afford the court an adequate foundation to review the basis of the invocation of the privilege by the United States.

''(e) DETERMINATIONS AS TO APPLICABILITY OF STATE SECRETS PRIVILEGE.—

''(1) IN GENERAL.—Except as provided in subsection (d)(2), as to each item of evidence that the United States asserts is protected by the state secrets privilege, the court shall review, consistent with the requirements of section 4052, the specific item of evidence to determine whether the claim of the United States is valid. An item of evidence is subject to the state secrets privilege if it contains a state secret, or there is no possible means of effectively segregating it from other evidence that contains a state secret.

''(2) ADMISSIBILITY AND DISCLOSURE.—

''(A) PRIVILEGED EVIDENCE.—If the court agrees that an item of evidence is subject to the state secrets privilege, that item shall not be disclosed or admissible as evidence.

''(B) NON-PRIVILEGED EVIDENCE.—If the court determines that an item of evidence is not subject to the state secrets privilege, the state secrets privilege does not prohibit the disclosure of that item to the opposing party or the admission of that item at trial, subject to the Federal Rules of Civil Procedure and the Federal Rules of Evidence.

''(3) STANDARD OF REVIEW.—The court shall give substantial weight to an assertion by the United States relating to why public disclosure of an item of evidence would be reasonably likely to cause significant harm to the national defense or foreign relations of the United States. The court shall weigh the testimony of a Government expert in the same manner as the court weighs, and along with, any other expert testimony in the applicable case.

''(f) NON-PRIVILEGED SUBSTITUTE.—If the court finds that material evidence is subject to the state secrets privilege and it is possible to craft a non-privileged substitute for that privileged material evidence that provides a substantially equivalent opportunity to litigate the claim or defense as would that privileged material evidence, the court shall order the United States to provide such a substitute, which may consist of—

''(1) a summary of such privileged information;

''(2) a version of the evidence with privileged information redacted;

''(3) a statement admitting relevant facts that the privileged information would tend to prove; or

''(4) any other alternative as directed by the court in the interests of justice and protecting national security.

''(g) REFUSAL TO PROVIDE NON-PRIVILEGED SUBSTITUTE.—In a suit against the United States or an officer or agent of the Unites States acting in the official capacity of that officer or agent, if the court orders the United States to provide a non-privileged substitute for evidence in accordance with this section, and the United States fails to comply, the court shall resolve the disputed issue of fact or law to which the evidence pertains in the non-government party's favor.

''§ 4055. Procedures when evidence protected by the state secrets privilege is necessary for adjudication of a claim or counterclaim

''After reviewing all pertinent evidence, privileged and non-privileged, a Federal court may dismiss a claim or counterclaim on the basis of the state secrets privilege only if the court determines that—

''(1) it is impossible to create for privileged material evidence a non-privileged substitute under section 4054(f) that provides a substantially equivalent opportunity to litigate the claim or counterclaim as would that privileged material evidence;

''(2) dismissal of the claim or counterclaim would not harm national security; and

''(3) continuing with litigation of the claim or counterclaim in the absence of the privileged material evidence would substantially impair the ability of a party to pursue a valid defense to the claim or counterclaim.

''§ 4056. Interlocutory appeal

''(a) IN GENERAL.—The courts of appeal shall have jurisdiction of an appeal by any party from any interlocutory decision or order of a district court of the United States under this chapter.

''(b) APPEAL.—

''(1) IN GENERAL.—An appeal taken under this section either before or during trial shall be expedited by the court of appeals.

''(2) DURING TRIAL.—If an appeal is taken during trial, the district court shall adjourn the trial until the appeal is resolved and the court of appeals—

''(A) shall hear argument on appeal as expeditiously as possible after adjournment of the trial by the district court;

''(B) may dispense with written briefs other than the supporting materials previously submitted to the trial court;

''(C) shall render its decision as expeditiously as possible after argument on appeal; and

''(D) may dispense with the issuance of a written opinion in rendering its decision.

''§ 4057. Security procedures

''(a) IN GENERAL.—The security procedures established under the Classified Information Procedures Act (18 U.S.C. App.) by the Chief Justice of the United States for the protection of classified information shall be used to protect against unauthorized disclosure of evidence protected by the state secrets privilege.

''(b) RULES.—The Chief Justice of the United States, in consultation with the Attorney General, the Director of National Intelligence, and the Secretary of Defense, may create additional rules or amend the rules to implement this chapter and shall submit any such additional rules or amendments to the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate. Any such rules or amendments shall become effective 90 days after such submission, unless Congress provides otherwise. Rules and amendments shall comply with the letter and spirit of this chapter, and may include procedures concerning the role of magistrate judges and special masters in assisting courts in carrying out this chapter. The rules or amendments under this subsection may include procedures to ensure that a sufficient number of attorneys with appropriate security clearances are available in each of the judicial districts of the United States to serve as guardians ad litem under section 4052(c)(1).

''§ 4058. Reporting

''(a) ASSERTION OF STATE SECRETS PRIVILEGE.—

''(1) IN GENERAL.—The Attorney General shall submit to the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate a report on any case in which the United States asserts the state secrets privilege, not later than 30 calendar days after the date of such assertion.

''(2) CONTENTS.—Each report submitted under this subsection shall include any affidavit filed in support of the assertion of the state secrets privilege and the index required under section 4054(d)(2).

''(3) EVIDENCE.—Upon a request by any member of the Permanent Select Committee on Intelligence or the Committee on the Judiciary of the House of Representatives or the Select Committee on Intelligence or the Committee on the Judiciary of the Senate, the Attorney General shall provide to that member any item of evidence relating to which the United States has asserted the state secrets privilege.

''(4) PROTECTION OF INFORMATION.—An affidavit, index, or item of evidence provided under this subsection may be included in a classified annex or provided under any other appropriate security measures.

''(b) OPERATION AND EFFECTIVENESS.—

''(1) IN GENERAL.—The Attorney General shall deliver to the committees of Congress described in subsection (a) a report concerning the operation and effectiveness of this chapter and including suggested amendments to this chapter.

''(2) DEADLINE.—The Attorney General shall submit a report under paragraph (1) not later than 1 year after the date of enactment of this chapter, and every year there after until the date that is 3 years after that date of enactment. After the date that is 3 years after that date of enactment, the Attorney General shall submit a report under paragraph (1) as necessary.

''§ 4059. Rule of construction

''Nothing in this chapter—

''(1) is intended to supersede any further or additional limit on the state secrets privilege under any other provision of law; or

''(2) may be construed to preclude a court from dismissing a claim or counterclaim or entering judgment on grounds unrelated to, and unaffected by, the assertion of the state secrets privilege.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part VI of title 28, United States Code, is amended by adding at the end the following:

181. State secrets protection 4051

SEC. 3. SEVERABILITY.

If any provision of this Act, any amendment made by the Act, or the application of such provision or amendment to any person or circumstances is held to be invalid, the remainder of this Act, the amendments made by the Act, and the application of such provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

SEC. 4. APPLICATION TO PENDING CASES.

The amendments made by this Act shall apply to any civil case pending on or after the date of enactment of this Act.

Mr. FEINGOLD. Mr. President, I am proud to join Senators LEAHY, SPECTER, and KENNEDY in introducing the State Secrets Protection Act of 2009. This bill establishes uniform procedures for courts to use when evaluating governmental assertions of the state secrets privilege in civil litigation. It takes an important step toward restoring the rule of law by ensuring that the privilege will be used only to protect true state secrets, and not as a means for the Government to avoid accountability for its actions.

In a democracy, the public should have the right to know what its government is doing. That should be the rule, and secrecy should be the rare exception, reserved for the very few cases in which the national security is truly at stake. Unfortunately, the Bush administration stood that presumption on its head, cloaking its actions in secrecy whenever possible and grudgingly submitting to public scrutiny only when it couldn't be avoided. The ''state secrets'' privilege was a favorite weapon in that administration's arsenal of secrecy.

None of us disputes that information may properly be withheld as a ''state secret'' when disclosing the information would cause grave damage to national security. The problem arises when the privilege is abused and invoked to shield Government wrongdoing. Indeed, that is exactly what happened the first time the Supreme Court recognized the privilege in 1953, in the case of United States v. Reynolds. The Government had been sued after a military aircraft crash killed nine people, and it invoked the ''state secrets'' privilege to shield an internal investigative report. Decades later, when the report was declassified, it revealed nothing that could fairly be characterized as a ''state secret'' but it did reveal faulty maintenance of the aircraft.

Abuses like these can be prevented, but only if the courts fulfill their responsibility to carefully review claims

of privilege. In the Reynolds case, no court actually looked at the supposedly privileged report. That simple step would have prevented the miscarriage of justice that ensued. Yet, despite the fact that courts have the acknowledged authority to order in camera review of the evidence, fewer than one third of courts have actually exercised that option when the Government has asserted the ''state secrets'' privilege. And a host of other tools available to the courts to evaluate and respond to claims of privilege have been employed inconsistently at best, resulting in a confused body of case law that preserves accountability in some cases while granting the government a ''get out of jail free'' card in others.

In the last Congress, Senators KENNEDY, SPECTER, and LEAHY introduced the State Secrets Protection Act to standardize the procedures courts use in cases where the Government asserts the ''state secrets'' privilege and to ensure adequate scrutiny of such claims. The bill was reported by the Judiciary Committee last April after extensive debate. Much of the credit for this legislation goes to Senator KENNEDY, whose unfailing commitment to the rule of law inspired both the concept and the particulars of this bill. I had the honor of working with him to develop this legislation, and it is a pleasure now to cosponsor its reintroduction, with Senator LEAHY as the lead sponsor.

The bill makes use of existing tools that are available to the courts when handling national security information. Perhaps the most fundamental of these is in camera review of the allegedly privileged evidence, which the bill requires. The idea here is simple: Determining what information the evidence contains is the threshold step in determining whether that evidence is privileged. This step is far too important to be left to a party with a built-in conflict of interest. Just as a court would never accept a private litigant's description of his or her evidence in lieu of the evidence itself, the court should not rely solely on the Government's description of the evidence when the Government has a clear interest in the outcome of the case.

That courts may examine sensitive national security information in camera is beyond any serious dispute. Since 1974, the Freedom of Information Act has allowed courts to engage in in camera review of any records that the Government claims are exempt from disclosure under the Act. Courts have also reviewed the most sensitive national security information in criminal cases, pursuant to the Classified Information Procedures Act. In fact, courts handle highly classified information on a regular basis. There is no legitimate justification for skipping this crucial step.

The bill also requires courts to hold in camera hearings on the question of whether the evidence is privileged. Based on the court's previous review of the evidence, the court may conduct the hearing ex parte i.e., without any participation by the plaintiff or the plaintiff's lawyers but only if the court finds that national security cannot adequately be protected through other means. For example, the court may limit attendance at the hearing to attorneys with the requisite clearances, or the court may appoint a guardian ad litem to represent the plaintiff's interests at the hearing. The bill thus preserves the adversarial process to the maximum extent consistent with protecting national security.

That's important, for at least two reasons. First, our justice system is premised on the notion of fairness, and that principle of fairness is undermined any time a party to litigation is excluded from the proceedings. But fairness isn't the only principle at stake. For all its complications and occasional inefficiencies, the adversarial process remains the best system for getting to the truth. If only one party is present at the hearing, the court is more likely to reach the wrong result it's as simple as that.

Taken together, the requirements of in camera review of the evidence and an in camera hearing ensure that the Government's claim of privilege is evaluated fairly and thoroughly. A fair, thorough review is necessary, because the bill makes absolutely clear that once evidence is found to be privileged, it cannot be disclosed, however great the plaintiff's need for the evidence may be. The interest of national security, once the court determines that interest is truly at stake, is given absolute protection.

That may mean the end of the lawsuit but it may not. As Congress recognized when it passed the Classified Information Procedures Act, courts have many tools at their disposal to move litigation forward even when some of the evidence cannot be disclosed. For example, courts can require the Government to submit non-privileged substitutes for the privileged evidence, such as summaries of the evidence, redacted versions, or admissions of certain facts. Under the bill, where the court finds that it would be feasible for the Government to craft a non-privileged substitute for privileged evidence, it may order the Government to do so. Again, however, the court can never compel the production of privileged evidence. If the Government refuses to craft a non-privileged substitute, the remedy is the same one that exists in the CIPA: the court may resolve the relevant issue of fact or law against the Government.

The bill does not allow courts to dismiss lawsuits at the pleadings stage based on a claim of ''subject matter privilege.'' As the Fourth Circuit has explained, ''subject matter privilege'' applies if the case is so pervaded with state secrets, it would be impossible to conduct the lawsuit without revealing them. Such cases undoubtedly exist. But until all of the relevant evidence is identified and the privilege determinations are made, any conclusion that a case will be pervaded with state secrets is simply a prediction. Only by proceeding through discovery and pre-trial hearings can that prediction be replaced with certainty. And this can be done without revealing a single state secret, since the bill allows privilege determinations to be made in camera and ex parte.

The bill does not change the ordinary rules of summary judgment. If a court determines, after discovery and pretrial hearings are completed, that the key evidence is privileged and the plaintiff cannot prove his or her case using non-privileged evidence, then the Government may move for summary judgment and prevail. The bill thus retains the concept of ''subject matter privilege'' it simply requires a more thorough testing of the claim.

Nor does the bill ever put the Government to the ''Hobson's choice'' of either revealing privileged evidence or conceding the lawsuit. Under the bill, even if the plaintiff has made out a prima facie case, the court can and must dismiss the lawsuit if the Government would need to disclose privileged evidence in order to present a valid defense. The Government's interests, as well as the national security, are thus scrupulously protected.

Finally, the bill facilitates congressional oversight by requiring the executive branch to share with the Judiciary and Intelligence Committees the documents it makes available to the courts: the Government affidavit explaining why the evidence is privileged, the index of privileged evidence, and, where requested, the evidence itself. This information will help Congress monitor the Government's use of the privilege and assess the need for any further legislation.

Perhaps even more important, it will provide a means of accountability in those cases where the privilege prevents a court from ruling on allegations of Government wrongdoing. The idea of simply letting such allegations go unaddressed should be profoundly troubling to anyone who respects the rule of law yet for eight years, the response of the Bush administration was little more than a shrug. This bill rejects such a cavalier attitude toward the rule of law. The citizens of this country should never again be told that there is simply no remedy for wrongs their Government has committed. In cases where the courts cannot provide that remedy, then Congress should step in and providing the necessary information to the relevant committees of Congress will enable that to happen.

I am pleased that both the new Attorney General, Eric Holder, and the nominee for Associate Attorney General, Thomas Perrelli, have indicated a willingness to review this bill and work with us on it. I hope that it will be possible to fashion legislation that the Administration can support. The public

deserves to have confidence that the state secrets privilege is not going to be used to cover up Government misconduct. This bill provides the courts a system for resolving claims of privilege that will inspire that confidence.

A country where the Government need not answer to allegations of wrongdoing is a country that has strayed dangerously far from the rule of law. We must ensure that the ''state secrets'' privilege does not become a license for the Government to evade the laws that we pass. This bill accomplishes that goal, while simultaneously providing the strongest of protections to those items of evidence that truly qualify as state secrets. I urge all of my colleagues to support the rule of law by supporting this legislation.

By Ms. KLOBUCHAR (for herself and Mr. HATCH):

S. 418. A bill to require secondary metal recycling agents to keep records of their transactions in order to deter individuals and enterprises engaged in the theft and interstate sale of stolen secondary metal, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. HATCH. Mr. President, I rise today to introduce with my friend from Minnesota, Senator AMY KLOBUCHAR, the Secondary Metal Theft Prevention Act of 2009.

Once again, I am partnering with Senator KLOBUCHAR to combat metal theft in our country. Last Congress we introduced the Copper Theft Prevention Act of 2008, S. 3666, which focused solely on copper theft. Since then, after a series of meetings with industry stakeholders, we concluded that the bill would be more effective if it were expanded to address secondary metal thefts, including those involving copper.

There is no doubt that we are living in difficult economic times. As we witness the unfortunate job losses spreading across the country, I am mindful of those who are struggling to make ends meet. Unfortunately some, motivated by quick profits and a variety of vulnerable targets, are engaging in the fast-growing crime of metal theft.

On the surface, stealing precious metal, like copper, appears to be a relatively small theft. However, metal thieves compromise U.S. critical infrastructure by targeting electrical substations, cellular towers, telephone land lines, railroads, water wells, construction sites, and vacant homes—all for fast cash.

Some argue that there is no need for this legislation because metal is being traded at low prices. I disagree. As we know, the market shifts and prices will eventually increase as demand surges. Moreover, law enforcement officials confirm that thieves are only stealing more metal to offset current metal prices.

On September 15, 2008, the Federal Bureau of Investigation released an unclassified intelligence assessment entitled, Copper Thefts Threaten U.S. Critical Infrastructure.

This assessment states that ''thieves are typically individuals or organized groups who operate independently or in loose association with each other and commit thefts in conjunction with fencing activities and the sale of contraband. Organized groups of drug addicts, gang members, and metal thieves are conducting large scale thefts from electric utilities, warehouses, foreclosed and vacant properties, and oil well sites for tens of thousands of dollars in illicit proceeds per month.''

I am mindful of the hardworking scrap metal dealers in my home state. Recycling secondary metal not only generates revenue but is environmentally friendly and saves energy, it takes a lot less energy to melt down secondary metal and recycle it than it does to produce new metal.

Take for example the City Creek project in downtown Salt Lake City, Utah. It is my understanding that when the construction contractors tore down the downtown malls to make way for the 20-acre retail-office-residential complex, more than half of what came down was reused either in the City Creek development or somewhere else. Steel frames were sold as scrap metal, which was recycled and used for other purposes.

Utah metal recyclers deal with hundreds of people and thousands of pounds of metal on a regular basis. I imagine in some cases it is difficult to tell if the scrap metal is stolen, especially if a customer has, what appears to be, a legitimate story. I know that many of Utah's scrap metal dealers are not turning a blind eye to this problem. In fact, several metal recycling companies have partnered with local law enforcement and use a theft alert system to warn and watch for reported stolen items. I commend them for their efforts and hope that police, prosecutors, and members of the metal recycling industry continue to communicate and work together to combat metal theft along the Wasatch Front.

Yet on the Federal level, we need a baseline from which all states must operate. This is important because many states in the Union do not have metal theft laws and lure thieves across State lines. It should be noted that the proposed bill does not preempt states from enacting their own laws.

I believe the proposed legislation will help tighten-up how secondary metal transactions are performed across the country and, in return, send a clear message that metal theft will be met with serious consequences. The bill calls for enforcement by the Federal Trade Commission and gives state attorneys general the ability to bring a civil action to enforce the provisions of the legislation.

This bill also contains a ''Do Not Buy'' provision wherein specific items listed cannot be purchased by scrap metal dealers unless sellers establish, by written documentation, that they are authorized to sell the secondary metal in question.

Additionally, the bill requires scrap metal dealers to keep records of secondary metal purchases, including the name and address of the seller, the date of the transaction, the quantity and description of the secondary metal being purchased, an identifying number from a driver's license or other government-issued identification and, where possible, the make, model and tag number of the vehicle used to deliver the metal to the dealer.

Secondary metal dealers must maintain these records for a minimum of two years from the date of the transaction and make them available to law enforcement agencies for use in tracking down and prosecuting secondary metal theft crimes.

There is real concern about how easy it is to access cash in scrap metal transactions. For this reason, the bill requires that checks will be the method of payment for transactions over $75. While that may sound low for some, it is important to recognize that it takes a lot of secondary metal to obtain even $75 in return.

To discourage multiple cash transactions from one seller, the bill limits metal dealers from paying cash to the same seller within a 48-hour period. The intent of this provision is not to be a hardship on the honest seller. The purpose is to dissuade some sellers from going around the bill's check payment requirement by making multiple cash transactions. Again, we must remove the incentives for thieves to access fast cash.

I am aware that some scrap metal dealers do not want to issue checks for fear of check fraud or additional transactional costs. Senator KLOBUCHAR and I have given careful consideration to these concerns and have consulted law enforcement officials to determine how best to proceed. We believe that checks are a valuable benefit to law enforcement because they provide trace evidence by creating a paper trail, a signature, and possibly even a fingerprint.

Let me conclude my remarks by saying that considering our country's serious economic situation, I believe we need to ensure that our critical infrastructure is not viewed as a treasure trove for desperate metal thieves.

I am committed to moving this bill forward and hope that my colleagues will join me in perfecting this bill as it moves through the legislative process.

Mr. President, I ask unanimous consent that the support material be printed in the RECORD.

There being no objection, the material was ordered to be placed in the RECORD, as follows:

COPPER THEFTS THREATEN US CRITICAL INFRASTRUCTURE

SCOPE NOTE

The assessment highlights copper theft and its impact on US critical infrastructure. Copper thefts are occurring throughout the United States and are perpetrated by individuals and organized groups motivated by

quick profits and a variety of vulnerable targets. Information for the assessment was developed through May 2008 from the following sources: FBI and Open sources.

SOURCE AND CONFIDENCE STATEMENT

Reporting relative to the impact of copper thefts on US critical infrastructure was derived from the FBI and open sources. The FBI has high confidence that the FBI source reporting used to prepare the assessment is reliable. The FBI also has high confidence in the reliability of information derived from open-source reporting.

KEY JUDGMENTS

Copper thieves are threatening US critical infrastructure by targeting electrical substations, cellular towers, telephone land lines, railroads, water wells, construction sites, and vacant homes for lucrative profits. The theft of copper from these targets disrupts the flow of electricity, telecommunications, transportation, water supply, heating, and security and emergency services and presents a risk to both public safety and national security.

Copper thieves are typically individuals or organized groups who operate independently or in loose association with each other and commit thefts in conjunction with fencing activities and the sale of contraband. Organized groups of drug addicts, gang members, and metal thieves are conducting large scale thefts from electric utilities. warehouses, foreclosed or vacant properties, and oil well sites for tens of thousands of dollars in illicit proceeds per month.

The demand for copper from developing nations such as China and India is creating a robust international copper trade. Copper thieves are exploiting this demand and the resulting price surge by stealing and selling the metal for high profits to recyclers across the United States. As the global supply of copper continues to tighten, the market for illicit copper will likely increase.

COPPER THEFTS THREATEN US CRITICAL INFRASTRUCTURE

Copper thieves are threatening US critical infrastructure by targeting electrical substations, cellular towers, telephone land lines, railroads, water wells, construction sites, and vacant homes for lucrative profits. Copper thefts from these targets have increased since 2006; and they are currently disrupting the flow of electricity, telecommunications, transportation, water supply, heating, and security and emergency services, and present a risk to both public safety and national security.

According to open-source reporting, on 4 April 2008, five tornado warning sirens in the Jackson, Mississippi, area did not warn residents of an approaching tornado because copper thieves had stripped the sirens of copper wiring, thus rendering them inoperable.

According to open-source reporting, on 20 March 2008, nearly 4,000 residents in Polk County, Florida, were left without power after copper wire was stripped from an active transformer at a Tampa Electric Company (TECO) power facility. Monetary losses to TECO were approximately $500,000.

According to agricultural industry reporting, as of March 2007, farmers in Pinal County, Arizona, were experiencing a copper theft epidemic as perpetrators stripped copper from their water irrigation wells and pumps resulting in the loss of crops and high replacement costs. Pinal County's infrastructure loss due to copper theft was $10 million.

CRIMINAL GROUPS INVOLVED IN COPPER THEFTS

Copper thieves are typically individuals or organized groups who operate independently or in loose association with each other and commit thefts in conjunction with fencing activities and the sale of contraband. Organized groups of drug addicts, gang members, and metal thieves are conducting large scale thefts from electric utilities, warehouses, foreclosed and vacant properties, and oil well sites for tens of thousands of dollars in illicit proceeds per month.

According to open sources, as recently as April 2008, highly organized theft rings specializing in copper theft from houses and warehouses were operating in Minneapolis, Minnesota. These rings or gangs hit several houses per day, yielding more than $20,000 in profits per month. The targets were most often foreclosed homes.

Open-source reporting from March 2008 indicates that an organized copper theft ring used the Cuyahoga County Sheriff's foreclosure lists to pinpoint targets in Cleveland, Ohio. Perpetrators had 200 pounds of stolen copper in their van, road maps, and tools. Three additional perpetrators were found to be using the US Department of Housing and Urban Development's list of mortgage and bank foreclosures to target residences in Cleveland, South Euclid, Cleveland Heights, and other cities in Ohio.

GLOBAL DEMAND INCREASING

China, India, and other developing nations are driving the demand for raw materials such as copper and creating a robust international trade. Copper thieves are receiving cash from recyclers who often fill orders for commercial scrap dealers. Recycled copper flows from these dealers to smelters, mills, foundries, ingot makers, powder plants, and other industries to be re-used in the United States or for supplying the international raw materials demand. As the global supply of copper continues to tighten, the market for illicit copper will likely increase.

Open-source reporting from February 2007 indicates that the global copper supply tightened due to a landslide at the Freeport-McMoran Copper and Gold mine in Grasberg, Indonesia in October 2003 and a worker's strike at the El Abra copper mine in Clama, Chile in November 2004. These events contributed to copper production shortfalls and led to an increase in recycling, which in turn created a market for copper.

Open-source reporting from October 2006 indicated that the demand for copper from China increased substantially due to the construction of facilities for the 2008 Olympics.

Open-source reporting indicated that from January 2001 to March 2008, the price of copper increased more than 500 percent. This has prompted unscrupulous and sometimes unwitting independent and commercial scrap metal dealers to pay record prices for copper, regardless of its origin, making the material a more attractive target for theft.

OUTLOOK

The global demand for copper, combined with the economic and home foreclosure crisis, is creating numerous opportunities for copper-theft perpetrators to exploit copper-rich targets. Organized copper theft rings may increasingly target vacant or foreclosed homes as they are a lucrative source of unattended copper inventory. Current economic conditions, such as the rising cost of gasoline, food, and consumer goods, the declining housing market, the ease through which copper is exchanged for cash, and the lack of a significant deterrent effect, make it likely that copper thefts will remain a lucrative financial resource for criminals.

Industry officials have taken some countermeasures to address the copper theft problem. These include the installment of physical and technological security measures, increased collaboration among the various industry sectors, and the development of law enforcement partnerships. Many states are also taking countermeasures by enacting or enhancing legislation regulating the scrap industry—to include increased recordkeeping and penalties for copper theft and noncompliant scrap dealers However, there are limited resources available to enforce these laws, and a very small percentage of perpetrators are arrested and convicted. Additionally, as copper thefts are typically addressed as misdemeanors, those individuals convicted pay relatively low fines and serve short prison terms

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 31—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN submitted the following resolution; from the Committee on Energy and Natural-Resources; which was referred to the Committee on Rules and Administration:

S. RES. 31

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources is authorized from March 1, 2009, through September 30, 2009; October 1, 2009, through September 30, 2010; and October 1, 2010, through February 28, 2011, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2(a). The expenses of the committee for the period March 1, 2009, I through September 30, 2009, under this resolution shall not exceed $3,833,400.

(b) For the period October 1, 2009, through September 30, 2010, expenses of the committee under this resolution shall not exceed $6,740,569.

(c) For the period October 1, 2010, through February 28, 2011, expenses of the committee under this resolution shall not exceed $2,870,923.

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2011, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SENATE RESOLUTION 32—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. LIEBERMAN submitted the following resolution; from the Committee on Homeland Security and Governmental Affairs; which was referred to the Committee on Rules and Administration:

S. RES. 32

Resolved,

SECTION 1. COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules and S. Res. 445 (108th Congress), including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Homeland Security and Governmental Affairs (referred to in this resolution as the ''committee'') is authorized from March 1, 2009, through February 28, 2011, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2009.—The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this section shall not exceed $6,742,824, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2010 PERIOD.—The expenses of the committee for the period October 1, 2009, through September 30, 2010, under this section shall not exceed $11,856,527, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2011.—For the period October 1, 2010, through February 28, 2011, expenses of the committee under this section shall not exceed $5,049,927, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 2. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2009.

SEC. 3. EXPENSES; AGENCY CONTRIBUTIONS; AND INVESTIGATIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), any expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees of the committee who are paid at an annual rate;

(B) the payment of telecommunications expenses provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

(b) AGENCY CONTRIBUTIONS.—There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee for the period March 1, 2009, through September 30, 2009, for the period October 1, 2009, through September 30, 2010, and for the period October 1, 2010, through February 28, 2011, to be paid from the appropriations account for 'Expenses of Inquiries and Investigations' of the Senate.

(c) INVESTIGATIONS.—

(1) IN GENERAL.—The committee, or any duly authorized subcommittee of the committee, is authorized to study or investigate—

(A) the efficiency and economy of operations of all branches of the Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government; and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public;

(B) the extent to which criminal or other improper practices or activities are, or have been, engaged in the field of labor-management relations or in groups or organizations of employees or employers, to the detriment of interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities;

(C) organized criminal activity which may operate in or otherwise utilize the facilities of interstate or international commerce in furtherance of any transactions and the manner and extent to which, and the identity of the persons, firms, or corporations, or other entities by whom such utilization is being made, and further, to study and investigate the manner in which and the extent to which persons engaged in organized criminal activity have infiltrated lawful business enterprise, and to study the adequacy of Federal laws to prevent the operations of organized crime in interstate or international commerce; and to determine whether any changes are required in the laws of the United States in order to protect the public against such practices or activities;

(D) all other aspects of crime and lawlessness within the United States which have an impact upon or affect the national health, welfare, and safety; including but not limited to investment fraud schemes, commodity and security fraud, computer fraud, and the use of offshore banking and corporate facilities to carry out criminal objectives;

(E) the efficiency and economy of operations of all branches and functions of the Government with particular reference to—

(i) the effectiveness of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mounting complexity of national security problems;

(ii) the capacity of present national security staffing, methods, and processes to make full use of the Nation's resources of knowledge and talents;

(iii) the adequacy of present intergovernmental relations between the United States and international organizations principally concerned with national security of which the United States is a member; and

(iv) legislative and other proposals to improve these methods, processes, and relationships;

(F) the efficiency, economy, and effectiveness of all agencies and departments of the Government involved in the control and management of energy shortages including, but not limited to, their performance with respect to—

(i) the collection and dissemination of accurate statistics on fuel demand and supply;

(ii) the implementation of effective energy conservation measures;

(iii) the pricing of energy in all forms;

(iv) coordination of energy programs with State and local government;

(v) control of exports of scarce fuels;

(vi) the management of tax, import, pricing, and other policies affecting energy supplies;

(vii) maintenance of the independent sector of the petroleum industry as a strong competitive force;

(viii) the allocation of fuels in short supply by public and private entities;

(ix) the management of energy supplies owned or controlled by the Government;

(x) relations with other oil producing and consuming countries;

(xi) the monitoring of compliance by governments, corporations, or individuals with the laws and regulations governing the allocation, conservation, or pricing of energy supplies; and

(xii) research into the discovery and development of alternative energy supplies; and

(G) the efficiency and economy of all branches and functions of Government with particular references to the operations and management of Federal regulatory policies and programs.

(2) EXTENT OF INQUIRIES.—In carrying out the duties provided in paragraph (1), the inquiries of this committee or any subcommittee of the committee shall not be construed to be limited to the records, functions, and operations of any particular branch of the Government and may extend to the records and activities of any persons, corporation, or other entity.

(3) SPECIAL COMMITTEE AUTHORITY.—For the purposes of this subsection, the committee, or any duly authorized subcommittee of the committee, or its chairman, or any other member of the committee or subcommittee designated by the chairman, from March 1, 2009, through February 28, 2011, is authorized, in its, his, her, or their discretion—

(A) to require by subpoena or otherwise the attendance of witnesses and production of correspondence, books, papers, and documents;

(B) to hold hearings;

(C) to sit and act at any time or place during the sessions, recess, and adjournment periods of the Senate;

(D) to administer oaths; and

(E) to take testimony, either orally or by sworn statement, or, in the case of staff members of the Committee and the Permanent Subcommittee on Investigations, by deposition in accordance with the Committee Rules of Procedure.

(4) AUTHORITY OF OTHER COMMITTEES.—Nothing contained in this subsection shall affect or impair the exercise of any other standing committee of the Senate of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

(5) SUBPOENA AUTHORITY.—All subpoenas and related legal processes of the committee and its subcommittee authorized under S. Res. 89, agreed to March 1, 2007 (110th Congress), are authorized to continue.

SENATE RESOLUTION 33—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON VETERANS' AFFAIRS

Mr. AKAKA submitted the following resolution; from the Committee on Veterans' Affairs; which was referred to the Committee on Rules and Administration:

S. RES. 33

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Veterans' Affairs is authorized from March 1, 2009, through September 30, 2009; October 1, 2009, through September 30, 2010 and October 1, 2010, through February 28, 2011, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. (a) The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this resolution shall not exceed $1,565,089 of which amount (1) not to exceed $59,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $12,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2009, through September 30, 2010, expenses of the committee under this resolution shall not exceed $2,752,088 of which amount (1) not to exceed $100,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(I) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $20,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2010, through February 28, 2011, expenses of the committee under this resolution shall not exceed $1,172,184, of which amount (1) not to exceed $42,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $8,334 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendation for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2009, and February 28, 2010, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required for (1) the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment stationery supplies purchased through the Keeper of Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2009, through September 30, 2009; October 1, 2009, through September 30, 2010; and October 1, 2010, through February 28, 2011, to be paid from the appropriations account for ''Expenses of Inquiries and Investigations.''

SENATE RESOLUTION 34—AUTHORIZING EXPENDITURES BY THE SELECT COMMITTEE ON INTELLIGENCE

Mrs. FEINSTEIN submitted the following resolution; from the Select Committee on Intelligence; which was referred to the Committee on Rules and Administration:

S. RES. 34

Resolved, That, in carrying out its powers, duties, and functions under Senate Resolution 400, agreed to May 19, 1976 (94th Congress), as amended by Senate Resolution 445, agreed to October 9, 2004 (108th Congress), in accordance with its jurisdiction under section 3 and section 17 of such Senate Resolution 400, including holding hearings, reporting such hearings, and making investigations as authorized by section 5 of such Senate Resolution 400, the Select Committee on Intelligence is authorized from March 1, 2009, through September 30, 2009; October 1, 2009, through September 30, 2010; and October 1, 2010, through February 28, 2011, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2a. The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this resolution shall not exceed $4,151,023, of which amount (1) not to exceed $37,917 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $1,167 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2009, through September 30, 2010, expenses for the committee under this resolution shall not exceed $7,298,438, of which amount (1) not to exceed $65,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $2,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2010, through February 28, 2011, expenses of the committee under this resolution shall not exceed $3,108,302, of which amount (1) not to exceed $27,083 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $833 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2011.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2009 through September 30, 2009; October 1, 2009, through September 30, 2010; and October 1, 2010,

through February 28, 2011, to be paid from the Appropriations account for ''Expenses of Inquiries and Investigations.''

SENATE RESOLUTION 35—HONORING MIAMI UNIVERSITY FOR ITS 200 YEARS OF COMMITMENT TO PUBLIC HIGHER EDUCATION

Mr. VOINOVICH (for himself and Mr. BROWN) submitted the following resolution; which was considered and agreed to:

S. RES. 35

Whereas article III of the Northwest Ordinance, enacted by the Second Continental Congress in 1787, states that: ''Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.'';

Whereas Miami University was chartered on February 17, 1809;

Whereas Miami University is the Nation's tenth oldest public institution of higher learning;

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

Whereas, former 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, who was known as ''School Master to the Nation'' and who wrote and complied the first 4 such 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;

Whereas Miami University is a university committed to 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 global society;

Whereas Miami University has continued to fulfill its mission by attracting some of the Nation's brightest faculty, staff, and students;

Whereas Miami University consistently ranks among the top 25 colleges and universities in the Nation for the number of undergraduate students who study abroad;

Whereas Miami University has a graduation rate that exceeds the national averages for undergraduates, students of color, and athletes;

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 Delta Zeta;

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

Whereas Miami University ranks forty-fourth among all schools for producing Peace Corps volunteers since the inception of the Peace Corps and is ranked seventh on the Peace Corps' 2009 list of the top 25 volunteer-producing, medium-sized schools in the Nation, with 39 alumni currently serving as volunteers and a total of 809 Miami alumni having served as volunteers since the inception of the Peace Corps in 1961;

Whereas Miami University alumni have a history of service to the United States and include a President of the United States, the Honorable Benjamin Harrison; 9 United States Senators, including one sitting Senator, the Honorable Maria Cantwell of Washington; 31 United States Representatives, including two sitting Members, the Honorable Paul Ryan of Wisconsin and the Honorable Steve Driehaus of Ohio, and a former Speaker of the House; the parents of a First Lady; the grandparents of a President; 6 Governors; 11 United States Generals; 6 United States Ministers to foreign governments; and 1 United States Ambassador;

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 reached the pinnacle of their professions, such as a United States Poet Laureate, Pulitzer Prize winners, a National Teacher of the Year, National Institutes of Health Fellows, National Science Foundation award 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 coaches 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, and which led students to earn distinctions that include 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 the United States through the education of men and women who have gone on to lead some of our most august corporations such as AT&T, Proctor & Gamble, the J.M. Smucker Company, and United Parcel Service of America; and

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

Resolved, That the Senate—

(1) congratulates Miami University on the momentous occasion of the university's 200th anniversary;

(2) expresses its best wishes for Miami University's continued success; and

(3) requests that the Secretary of the Senate transmit an official copy of this resolution to Miami University for appropriate display.

SENATE RESOLUTION 36—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID (for Mr. KENNEDY) submitted the following resolution; from the Committee on Health, Education, Labor, and Pensions; which was referred to the Committee on Rules and Administration:

S. RES. 36

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Health, Education, Labor, and Pensions is authorized from March 1, 2009 through September 30, 2009; October 1, 2009, through September 30, 2010, and October 1, 2010, through February 28, 2011, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2(a). The expenses of the committee for the period March 1, 2009, through September 30, 2009, under this resolution shall not exceed $5,973,747 of which amount (1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $25,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2009, through September 30, 2010, expenses of the committee under this resolution shall not exceed $10,503,951 of which amount (1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $25,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period of October 1, 2010, through February 28, 2011, expenses of the committee under this resolution shall not exceed $4,473,755 of which amount (1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $25,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together I with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2010 and February 28, 2011, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the Chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2009, through September 30, 2009; October 1, 2009, through September 30, 2010; and October 1, 2010, through February 28, 2011, to be paid from the Appropriations account for ''Expenses of Inquiries and Investigations.''

SENATE RESOLUTION 37—A BILL CALLING ON OFFICIALS OF THE GOVERNMENT OF BRAZIL AND THE FEDERAL COURTS OF BRAZIL TO COMPLY WITH THE REQUIREMENTS OF THE CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION AND TO ASSIST IN THE SAFE RETURN OF SEAN GOLDMAN TO HIS FATHER, DAVID GOLDMAN

Mr. LAUTENBERG submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 37

Whereas Sean Goldman is the son of David Goldman and Bruna Goldman, and is a United States citizen and a resident of Tinton Falls, New Jersey;

Whereas Bruna Goldman took Sean Goldman to Brazil on June 16, 2004;

Whereas, after Bruna and Sean Goldman arrived in Brazil, Bruna Goldman informed David Goldman that she would remain permanently in Brazil and would not return Sean Goldman to David Goldman in New Jersey;

Whereas, on August 26, 2004, the Superior Court of New Jersey issued a ruling awarding David Goldman physical and legal custody of Sean Goldman and ordering that Sean Goldman be immediately returned to the United States;

Whereas David Goldman initiated judicial proceedings in the Federal Court of Rio de Janeiro, under the Convention on the Civil Aspects of International Child Abduction, done at the Hague October 25, 1980 (TIAS 11670) (the ''Convention''), to which both the United States and Brazil are parties;

Whereas the Convention requires that a child who is a habitual resident of a country that is a party to the Convention, and who has been removed from or retained in a country that is also a party to the Convention in violation of the custodial rights of a parent of that child, be returned to the country of habitual residence;

Whereas, despite the petition filed in the Federal Court of Rio de Janeiro by David Goldman for the return of his child, less than one year after Sean Goldman was taken to Brazil, David Goldman was prevented from exercising his legal custody of Sean Goldman by rulings of the Federal Regional Court and the 3rd Chamber of the Superior Court of Justice of Brazil;

Whereas Bruna Goldman passed away in August 2008, and her new husband filed a petition to replace the name of David Goldman with his own name on the birth certificate of Sean Goldman;

Whereas the new husband of Bruna Goldman filed a petition for custody of Sean Goldman with the 2nd Family Court of Brazil on August 28, 2008;

Whereas the 2nd Family Court of Brazil granted temporary custody to the new husband of Bruna Goldman, despite specific provisions in the Convention that prohibit action by a family court while a case brought under the Convention is pending;

Whereas Sean Goldman remains in the temporary custody of the new husband of Bruna Goldman;

Whereas David Goldman traveled to Rio de Janeiro, Brazil, in October 2008 for court-approved visitation with Sean Goldman;

Whereas the new husband of Bruna Goldman failed to present Sean Goldman for such visitation;

Whereas the Convention requires the Government of Brazil to ''take all appropriate measures to secure within [its territory] the implementation of the objects of the Convention'' and ''to use the most expeditious procedures available'';

Whereas the Federal Court of Rio de Janeiro has failed to comply with the obligations of the Government of Brazil under article 11 of the Convention by failing to expeditiously adjudicate the petition of David Goldman under the Convention;

Whereas it is customary under international law to adjudicate a petition under the Convention within six weeks;

Whereas the Department of State reported in the 2008 report on compliance with the Convention, as required under section 2803 of the Foreign Affairs Reform and Restructuring Act of 1998 (42 U.S.C. 11611), that the judicial authorities of Brazil ''continued to demonstrate patterns of noncompliance with the Convention'';

Whereas the Special Secretariat for Human Rights of the Presidency of the Republic of Brazil, the central authority for carrying out the Convention in Brazil, wrote to the Office of the Attorney General of Brazil to express concern with the manner in which the 2d Family Court of Brazil conducted the case of Sean Goldman and to state that the issuance of temporary custody rights by the 2d Family Court of Brazil was a violation of the Convention;

Whereas Sean Goldman is being deprived of his rightful opportunity to live with and be raised by his biological father, David Goldman; and

Whereas it is consistent with international law that Sean Goldman be reunited with his father, David Goldman, in New Jersey: Now, therefore, be it

Resolved, That the Senate calls on officials of the Government of Brazil and the federal courts of Brazil—

(1) to fulfill the obligations of Brazil under the Convention on the Civil Aspects of International Child Abduction, done at the Hague October 25, 1980 (TIAS 11670); and

(2) to assist in the safe return of Sean Goldman to his father, David Goldman, in the United States.

SENATE CONCURRENT RESOLUTION 6—EXPRESSING THE SENSE OF CONGRESS THAT NATIONAL HEALTH CARE REFORM SHOULD ENSURE THAT THE HEALTH CARE NEEDS OF WOMEN AND OF ALL INDIVIDUALS IN THE UNITED STATES ARE MET

Ms. STABENOW (for herself, Ms. MIKULSKI, Mrs. MURRAY, and Mr. SANDERS) submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. CON. RES. 6

Whereas women often make health care decisions for themselves and their families;

Whereas women have expressed a desire to have affordable health care on which they can depend throughout their lives and through life transitions, including starting a family, changing jobs, working part-time or full-time, divorce, caring for an elderly or sick family member, having a major disease, and retirement;

Whereas women with good health care coverage worry about maintaining such coverage and keeping their health care providers;

Whereas women are more likely than men to seek essential preventive and routine care, to have a chronic health condition, and to take a prescription drug on a daily basis;

Whereas women pay 68 percent more than men for out-of-pocket medical costs, due in large part to reproductive health care needs;

Whereas approximately 53 percent of underinsured individuals, and 68 percent of uninsured individuals, forgo needed care and approximately 45 percent of underinsured individuals, and 51 percent of uninsured individuals, report difficulty paying medical bills;

Whereas in 2004, 1 in 6 women with individual health care coverage reported that they postponed, or went without, needed health care because they could not afford such health care;

Whereas high-deductible health insurance plans often are marketed to young women as an inexpensive health care coverage option, but such plans often fail to cover pregnancy-related care, the most expensive health care event most young families face and the leading cause of hospital stays for young women;

Whereas in 2007, 42 percent of the under-65 population in the United States, approximately 75,000,000 adults, had either no insurance or inadequate insurance, up from 35 percent in 2003;

Whereas nearly 16 percent of people in the United States (approximately 47,000,000 people) are uninsured, including 18 percent of adult women aged 18 to 64 (approximately 17,000,000 women) and 12 percent of children (approximately 9,000,000 children);

Whereas the Institute of Medicine estimated that, in 2000, lack of health care coverage resulted in 18,000 excess deaths in the United States (a number that the Urban Institute estimated grew to 22,000 by 2006) and estimated that acquiring health insurance reduces mortality rates for previously uninsured individuals by 10 to 15 percent;

Whereas women rely on women's health care providers throughout their lives, for comprehensive primary and preventive care, surgical care, and treatment and management of both acute and long-term health problems;

Whereas a ''medical home'' should ensure each woman direct access to women's health care providers and care coordination throughout her lifetime;

Whereas uninsured women with breast cancer are 30 to 50 percent more likely than insured women with breast cancer to die from the disease, and uninsured women are 3 times less likely than insured women to have had a Pap test in the last 3 years, putting uninsured women at a 60 percent greater risk of late-stage cervical cancer;

Whereas 13 percent of all pregnant women are uninsured, making them less likely to seek prenatal care in the first trimester of their pregnancies, less likely to receive the optimal number of prenatal health care visits during their pregnancies, and 31 percent more likely to experience an adverse health outcome after giving birth;

Whereas the lack, or inadequate receipt, of prenatal care is associated with pregnancy-related mortality 2 to 3 times higher, and infant mortality 6 times higher, than that of women receiving early prenatal care, and also is associated with an increased risk of low birth weight and preterm birth;

Whereas heart disease is the leading cause of death for both women and men, but women are less likely than men to receive

lifestyle counseling, diagnostic and therapeutic procedures, and cardiac rehabilitation and are more likely to die or have a second heart attack, demonstrating inequalities between women and men in access to health care;

Whereas persisting health care disparities also are evident in that Hispanic and Native American women and children are 3 times as likely, and African-American women are nearly twice as likely, to be uninsured than non-Hispanic white women;

Whereas in 2005, nearly 80 percent of the female population with HIV/AIDS was African-American or Hispanic, and HIV/AIDS incidence rates are dramatically higher for African-American and Hispanic women and adolescents (60.2 and 15.8 per 100,000, respectively) than for white women and adolescents (3.0 per 100,000);

Whereas women are less likely than men to receive health insurance through their employers and more likely than men to be insured as a dependent, making them more vulnerable than men to insurance loss in the event of divorce or death of a spouse;

Whereas 64 percent of uninsured women are in families with at least 1 adult working full-time;

Whereas health care costs are increasingly unaffordable for working families and employers, with employer-sponsored health insurance premiums having increased 87 percent between 2000 and 2006;

Whereas the approximately 9,100,000 women-owned businesses in the United States employ 27,500,000 individuals, contribute $3,600,000,000,000 to the economy, and face serious obstacles in obtaining affordable health care coverage for their employees;

Whereas the lack of affordable health care coverage creates barriers for women who want to change jobs or create their own small businesses;

Whereas health care professionals, a significant portion of which are women, have a stake in achieving reform that allows them to provide the highest quality of care for their patients;

Whereas 56 percent of all health caregivers are women;

Whereas although the United States spends twice as much on health care as the median industrialized nation, among the 30 developed nations of the Organisation for Economic Co-operation and Development, the health care system of the United States ranks near the bottom on most measures of health status and ranks 37th in overall health performance among 191 nations; and

Whereas the Institute of Medicine estimates that the cost of achieving full health insurance coverage in the United States would be less than the loss in economic productivity from existing coverage gaps: Now, therefore, be it

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

(1) commits to passing, not later than 18 months after the adoption of this resolution by Congress, legislation that guarantees health care for women and all individuals and establishes coverage that enables women to attain good health that they can maintain during their reproductive years and throughout their lives and that—

(A) recognizes the special role that women play as health care consumers, caregivers, and providers;

(B) guarantees a level of benefits and care, including comprehensive reproductive health care, pregnancy-related care, and infant care, that is necessary to achieve and maintain good health throughout a woman's lifetime and lessen the burdens caused by poor health;

(C) promotes primary and preventive care, including family planning, contraceptive equity, and care continuity;

(D) provides a choice of public and private health insurance plans and direct access to a choice of health care providers to ensure continuity of coverage and a delivery system that meets the needs of women;

(E) eliminates health disparities in coverage, treatment, and outcomes on the basis of gender, culture, race, ethnicity, socioeconomic status, health status, and sexual orientation;

(F) shares responsibility for financing among employers, individuals, and the government, while taking into account the needs of small businesses;

(G) ensures that access to health care is affordable;

(H) enhances health care quality and patient safety;

(I) ensures a sufficient supply of qualified providers through expanded medical and public health education and adequate reimbursement;

(J) ensures every woman access to a women's ''medical home'', including direct access to women's health care providers and care coordination, throughout each woman's lifetime;

(K) recognizes and promotes the role of women as providers of health care; and

(L) promotes administrative efficiency, reduces unnecessary paperwork, and is easy for health care consumers and providers to use; and

(2) urges the President to sign such legislation into law.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Thursday, February 26, 2009, at 2:15 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to provide recommendations for reducing energy consumption in buildings through improved implementation of authorized DOE programs and through other innovative federal energy efficiency policies and programs.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to Rosemarie_Calabro@energy.senate.gov.

For further information, please contact Deborah Estes at (202) 224–5360 or Rosemarie Calabro at (202) 224–5039.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, February 11, 2009, at 11:30 a.m., in room SD366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, February 11, 2009, at 2:30 p.m., to hold a roundtable entitled ''Foreign Policy Implications of the Global Economic Crisis.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on Wednesday, February 11, 2009, at 5 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, February 11, 2009, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Ms. STABENOW. 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 ''The Need for Increased Fraud Enforcement in the Wake of the Economic Downturn'' on Wednesday, February 11, 2009, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, February 11, 2009, at 10:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Ms. STABENOW. Mr. President, I ask unanimous consent for the Committee on Veterans' Affairs to be authorized to meet during the session of the Senate on Wednesday, February 11, 2009, to conduct a hearing to review veterans' disability compensation and the appeals process. The Committee will meet in 418 Russell Senate Office Building, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Ms. STABENOW. Mr. President, I ask unanimous consent that the Select

Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, February 11, 2009, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Tom Edwards, a Secret Service fellow in my office, be granted floor privileges during the consideration of the nomination of Mr. William J. Lynn, III, to be the Deputy Secretary of Defense.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING MIAMI UNIVERSITY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 35, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 35) honoring Miami University for its 200 years of commitment to public higher education.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 35) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 35

Whereas article III of the Northwest Ordinance, enacted by the Second Continental Congress in 1787, states that: ''Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.'';

Whereas Miami University was chartered on February 17, 1809;

Whereas Miami University is the Nation's tenth oldest public institution of higher learning;

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

Whereas, former 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, who was known as ''School Master to the Nation'' and who wrote and complied the first 4 such 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;

Whereas Miami University is a university committed to 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 global society;

Whereas Miami University has continued to fulfill its mission by attracting some of the Nation's brightest faculty, staff, and students;

Whereas Miami University consistently ranks among the top 25 colleges and universities in the Nation for the number of undergraduate students who study abroad;

Whereas Miami University has a graduation rate that exceeds the national averages for undergraduates, students of color, and athletes;

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 Delta Zeta;

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

Whereas Miami University ranks forty-fourth among all schools for producing Peace Corps volunteers since the inception of the Peace Corps and is ranked seventh on the Peace Corps' 2009 list of the top 25 volunteer-producing, medium-sized schools in the Nation, with 39 alumni currently serving as volunteers and a total of 809 Miami alumni having served as volunteers since the inception of the Peace Corps in 1961;

Whereas Miami University alumni have a history of service to the United States and include a President of the United States, the Honorable Benjamin Harrison; 9 United States Senators, including one sitting Senator, the Honorable Maria Cantwell of Washington; 31 United States Representatives, including two sitting Members, the Honorable Paul Ryan of Wisconsin and the Honorable Steve Driehaus of Ohio, and a former Speaker of the House; the parents of a First Lady; the grandparents of a President; 6 Governors; 11 United States Generals; 6 United States Ministers to foreign governments; and 1 United States Ambassador;

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 reached the pinnacle of their professions, such as a United States Poet Laureate, Pulitzer Prize winners, a National Teacher of the Year, National Institutes of Health Fellows, National Science Foundation award 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 coaches 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, and which led students to earn distinctions that include 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 the United States through the education of men and women who have gone on to lead some of our most august corporations such as AT&T, Proctor & Gamble, the J.M. Smucker Company, and United Parcel Service of America; and

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

Resolved, That the Senate—

(1) congratulates Miami University on the momentous occasion of the university's 200th anniversary;

(2) expresses its best wishes for Miami University's continued success; and

(3) requests that the Secretary of the Senate transmit an official copy of this resolution to Miami University for appropriate display.

PROVIDING FOR A JOINT SESSION OF CONGRESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 41 at the desk and just received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 41) providing for a joint session of Congress to receive a message from the President.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table, without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 41) was agreed to.

ORDERS FOR THURSDAY, FEBRUARY 12, 2009

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. tomorrow, Thursday, February 12, for the celebration of the 200th anniversary of Abraham Lincoln's birth; 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 permitted to speak for up to 10 minutes each; further, that the Senate recess from 11:30 a.m. to 1 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DURBIN. Mr. President, at 11:30 a.m., there will be a ceremony honoring the 200th anniversary of the birth

of President Abraham Lincoln in the Capitol Rotunda. All Members are encouraged to attend.

ORDER FOR ADJOURNMENT

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator MURRAY.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMERICAN RECOVERY AND REINVESTMENT ACT

Mrs. MURRAY. Mr. President, I recently received a letter from a woman in Sultan, WA, that I want to share with you today as we work to finalize the American Recovery and Reinvestment Act. She wrote to me because her family is going through some very hard times and she doesn't know where else to turn.

Her husband, who is a veteran who received a Purple Heart, lost his job in October. Her own wages have been cut and her daughter and her 3-year-old granddaughter had to move in with them because they can't afford rent and childcare. At the end of this month, they are going to lose their home to foreclosure.

She said her family is living ''both literally and figuratively on the edge.'' As she put it:

> We are the textbook middle class . . . sliding into a jobless, homeless, and hopeless future.

Mr. President, I come this afternoon to share her story with you because the pain she is going through is being felt by millions of Americans who have lost their jobs and their homes in the last couple of years. Families such as hers feel as though their lives are slipping out from under them, and they are looking to us for help.

The House and the Senate have taken a critical step forward by passing the American Recovery and Reinvestment Act. It is going to give our economy the jolt it needs to create jobs and help our country get back on track. But we are not done yet. We still need to get that bill to the President. Every day we wait, the economy gets worse. Every day, more jobs are cut, more small businesses close their doors, more homes are lost, and more families are forced to make new sacrifices just to make ends meet. That is why I have come to the floor this evening.

The American people need action now. They need us to set aside our differences and put a final bill into President Obama's hands so we can start the real work of getting our country moving again. So I urge my colleagues in the House and the Senate to finish this job and give this bill final approval.

We know the bill that is coming out of conference is not perfect, but it makes tried-and-true investments that will help create jobs and get our country back on track. It makes a downpayment on the future by rebuilding our roads and bridges, our water and sewer plants—investments that will put people to work today and strengthen our economy for years to come.

The bill expands our renewable energy options, creating good-paying jobs in a growing industry and helping to end our addiction to oil. It will also help improve health care and cut costs by computerizing health records and boosting research. It invests in education and job training that will help our laid-off workers learn new skills and find new jobs.

Mr. President, our economy is not going to recover overnight. We still have very hard times ahead. But I am confident this is the urgent action we need to begin moving forward again. I want to take a few minutes this evening to talk about what it will mean for families in my home State of Washington.

To begin with, this bill offers a helping hand to thousands of families in Washington State who are struggling to meet their basic needs. In the last couple of months, we have seen a demand for food stamps, Medicaid, and other programs rise dramatically. Food stamp applications are up 15 percent over last year. State workers have said they are having trouble keeping up with the demand. This bill is going to help us meet the needs of the most vulnerable families by extending unemployment insurance benefits, expanding food stamps, and increasing funding to help with Medicaid costs.

This isn't just the moral thing to do, we would not be able to dig ourselves out of this economic crisis until people have money to spend. So this is the right decision economically as well. The money we spend on unemployment and food stamps will go right back into the economy as people use the benefits to pay for things they need. That is the same reason we are working to get money into the hands of working families and small business owners.

Like families all across the country, people in my home State are scared, they are struggling to make ends meet, and they aren't spending. So we include in this bill an income tax cut that will give almost 2½ million Washington workers some extra money in their paychecks every week. Because this bill is about stabilizing our economy and getting our country back on track, we are also including funding to help struggling families pay for critical expenses, such as childcare or health care or college tuition.

I was a working mom. I know that reliable childcare is what makes it possible for millions of parents to go to work every day. This bill increases the childcare development block grant so more parents can afford quality daycare for their kids. It increases Pell grants and higher education tax credits to help thousands of our students stay in college, get their degree, and then qualify for a good-paying job. Importantly, the bill also makes COBRA more affordable so people who have lost their jobs can keep their health insurance while they look for work.

So we are helping working families pay for their basic expenses, stay in school, and keep their jobs and their health care. That is critical to getting our country back on track.

But the biggest jolt to our economy will come from the millions of jobs we are creating in construction, in environmental cleanup, and in energy development. In my State, this bill will help put thousands of people to work fixing our roads and bridges and upgrading our mass transit and ferry systems. These are investments that will also make our communities stronger and more attractive to businesses in the long run. It will help us take a big step toward energy independence and lower energy costs for everyone.

This bill expands the Bonneville Power Administration's existing borrowing authority, and it will help us take advantage of more renewable energy sources and hire hundreds of thousands of new employees who will be trained to update our energy transmission systems. That will allow the new energy we hope to produce, such as wind, get to our homes and our businesses and save all of us money in the future.

This bill will also help create and preserve jobs at Hanford, and it will keep our legal and moral commitment to cleaning up nuclear waste in Washington State and across the country. It will also ensure that we can fulfill our responsibility to our Nation's veterans by making investments in badly needed construction and repair projects at our VA hospitals and medical facilities in Washington State and across the country.

But we are not just creating construction jobs in this bill. We are helping our local and State governments keep critical employees on the job—our police and our firefighters, our teachers, our university employees. This economic crisis has hit State and local governments terribly hard. They have had to make cuts across the board, including in education and emergency response. Local officials have told me they are very worried about what that will mean for their communities. Police chiefs and sheriffs have been warning me that I.D. theft, burglary, bank robbery, fraud, and gang activity are going to increase as jobs vanish and people become more desperate.

In this bill we provide money for Byrne and COPS grants to help keep

our police on the beat and our families safe. Just as important, this bill will help our schools and our colleges and our universities keep their doors open and keep the teachers in the classroom.

School board members from across my home State of Washington told me this week they are struggling to afford everything from salaries to their light bills. Several of them have already started laying off, and they are worried there is more to come. Universities in my home State are looking at hundreds of job cuts.

Education is critical to our communities, especially when the economy is bad. We need strong schools and colleges to train the workforce of the future. We need to make sure they are strong so our current workforce can get the skills and training they need to qualify for better jobs as well. We can't afford to take a step backward. So we are sending billions of critically needed dollars to schools and colleges across the country to keep the lights on, the doors open, teachers on the job, and to make sure we can meet the needs of students who have been hurt by this economic crisis.

Mr. President, let me add one other note. We aren't just helping to make up for State budget cuts. We are adding incentives that make sure schools keep working to increase standards and improve education for all of our students.

Finally, we are also investing in our greatest resource—our workers—so that our communities can stay productive and competitive in the global economy. This bill includes $64 million for training and job research services that will help our laid-off workers in Washington State learn the skills they need so they can begin new careers and stay in the middle class. It also provides incentives to encourage businesses to hire homeless veterans and disadvantaged teenagers who are looking for jobs today.

Mr. President, this isn't just going to help our teens and our veterans find jobs, it is good for the economy too. Teenagers, in particular, as we all know, are more likely to spend the money they earn in their own communities, and some of them also contribute to their families' incomes to help pay rent or put food on the table. So this is a smart investment.

This bill we are going to consider in the next day or so is critical for my home State. In Washington alone it will create thousands of jobs and make investments that will strengthen our communities for years to come. It isn't perfect. It is not a silver bullet that will solve all of our problems, but it certainly is the first of many steps that we are going to have to take to get our country turned around.

As President Obama has outlined, getting our economy back on track is going to take an aggressive three-pronged approach. The first step is to recover and reinvest. We also have to stabilize our financial institutions to fix the credit and banking system. We need to address the housing crisis. But I want to emphasize, we have to do all three if we are going to get this economy moving again. We are starting today with a bold recovery bill. While there are no guarantees with any of this, we can guarantee that if we do nothing, things are going to get worse. As hard as it has been to write and put this bill together, it does not even compare to the pain that is being felt by millions of Americans who are going to wake up tomorrow without a job.

They are watching us now, and they are expecting us to make good on the promises we have made—to bring change to Washington and restore confidence and security in our country. They expect us to work together. They expect us to put our differences aside and make the difficult decisions that will move our country forward. They cannot afford to wait any longer.

When I was growing up, my father was diagnosed with multiple sclerosis and all of a sudden he couldn't work any longer. My family—all seven kids, my mom—had to survive on food stamps. My brothers and sisters and I were able to go to college because of Pell grants and student loans. So I want you to know I understand what a lot of our families are going through today as they struggle in this economy. That is why I am working so hard with so many others to find ways that our Government and our country can help today.

President Obama made it clear Monday night that if we do not act, the economic crisis we are in now could become an economic catastrophe. I urge my colleagues to help pass this bill out of the conference, through the Senate and House, get it signed, get Americans back to work, and get our country on the road to recovery.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until Thursday, February 12, 2009, at 10 a.m.

Thereupon, the Senate, at 5:53 p.m., adjourned until Thursday, February 12, 2009, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF JUSTICE

DAVID S. KRIS, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE J. PATRICK ROWAN, RESIGNED.

DAWN ELIZABETH JOHNSEN, OF INDIANA, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE JACK LANDMAN GOLDSMITH III, RESIGNED.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) JANICE M. HAMBY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) STEVEN R. EASTBURG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) MICHAEL A. BROWN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) THOMAS P. MEEK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) JOSEPH F. CAMPBELL
REAR ADM. (LH) JOHN C. ORZALLI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) TOWNSEND G. ALEXANDER
REAR ADM. (LH) DAVID H. BUSS
REAR ADM. (LH) KENDALL L. CARD
REAR ADM. (LH) NEVIN P. CARR, JR.
REAR ADM. (LH) JOHN N. CHRISTENSON
REAR ADM. (LH) MICHAEL J. CONNOR
REAR ADM. (LH) KENNETH E. FLOYD
REAR ADM. (LH) WILLIAM D. FRENCH
REAR ADM. (LH) PHILIP H. GREENE
REAR ADM. (LH) BRUCE E. GROOMS
REAR ADM. (LH) EDWARD S. HEBNER
REAR ADM. (LH) MICHELLE J. HOWARD
REAR ADM. (LH) WILLIAM E. SHANNON III
REAR ADM. (LH) CHARLES E. SMITH
REAR ADM. (LH) SCOTT H. SWIFT
REAR ADM. (LH) DAVID M. THOMAS
REAR ADM. (LH) KURT W. TIDD
REAR ADM. (LH) MICHAEL P. TILLOTSON
REAR ADM. (LH) MARK A. VANCE
REAR ADM. (LH) EDWARD G. WINTERS III

CONFIRMATION

Executive nomination confirmed by the Senate, Wednesday, February 11, 2009:

DEPARTMENT OF DEFENSE

WILLIAM J. LYNN, III, OF VIRGINIA, TO BE DEPUTY SECRETARY OF DEFENSE.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

HONORING PASTOR EL-YATEEM

HON. MICHAEL M. McMAHON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. McMAHON. Madam Speaker, I am here to pay tribute to a religious leader from my district who is a pillar of our community.

Pastor Khader El-Yateem was born in Beit Jala, a town in the West Bank of Palestine. In 1968, after his graduation from high school, he studied at the Bethlehem Bible College, graduated with a Diploma in Theology, and proceeded to study at the Evangelical Theological Seminary in Cairo, Egypt, where he received his B.A. degree. He was invited by the ELCA to work as a mission developer among the Arab and Middle Eastern community in the United States. He studied at the Lutheran Theological Seminary, Philadelphia, where he graduated with a Master of Divinity degree.

In February 1999, Pastor El-Yateem was called by the Division for Outreach to start the Salam Arabic Lutheran Church in Brooklyn, which became the first official Arabic Lutheran Church in North America. Civic leaders within the Bay Ridge community requested his assistance in October 2000, to help establish a committee to bring the Christian, Jewish and Arabic communities together in a pledge to live in peace. He opened his church to all and successfully helped the committee bring the various groups together. The inter-faith dialogue continues with great success. This endeavor prompted Pastor El-Yateem to ask District Attorney, Charles Hynes to co-chair a Brooklyn wide Unity Task Force, which has also been successful in bringing together various ethnic and religious groups within the borough.

Pastor El-Yateem continues to contribute to the spiritual well being of our community with the support of his lovely wife Grace and children Rowan, Janette, Naim and Isabelle.

I am honored by the work Pastor El-Yateem carries out in my district and for the people of Brooklyn. I congratulate him and his family for the work they have done to make a stronger community.

DUNEDIN, FLORIDA NAMED FLORIDA CITY OF EXCELLENCE

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. YOUNG of Florida. Madam Speaker, The Florida League of Cities has named the city of Dunedin, which I have the privilege to represent, as its 2008 City of Excellence.

The League of Cities honored the City of Dunedin for its commitment to public service by achieving the highest standards of city leadership, citizen outreach and involvement, and the development of innovative programs. Dunedin, a small town feeling city of 37,000, has done all that and more.

Under the leadership of Mayor Bob Hackworth, Vice Mayor Julie Ward Bujalski, Commissioner Deborah Kynes, Commissioner Julie Scales, and Commissioner Dave Eggers, the City of Dunedin has created a family friendly, business friendly, and environmental friendly community along Florida's Gulf Coast. This latest honor is the result of years of hard work by the city, by its many community organizations, and by its residents. Dunedin is home to Dr. Beach's top rated "America's Beach", it is on CNN's list of Best Places to Retire, it has been ranked as a top place for walkers, and it is America's first Purple Heart City.

Dunedin has great parks, great schools, great programs, and most importantly great people. The city government can only do so much without the commitment of the people they represent to create a great place to live, to work, to play, and to raise their families.

Madam Speaker, it is my hope that my colleagues join me in congratulating the people of Dunedin, Florida, their elected leadership, their city staff, the many fine organizations represented by the Dunedin Council of Organizations and the residents themselves for what we have long known, that Dunedin is a Florida City of Excellence.

CELEBRATING THE ALEXANDRIA MARDI GRAS ASSOCIATION

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. ALEXANDER. Madam Speaker, I rise today to commemorate the Alexandria Mardi Gras Association (AMGA) for enhancing economic development and quality of life by unifying and celebrating Louisiana's interests each year.

On March 3, 1994, the 295th Anniversary of the Founding of Louisiana by Iberville, the AMGA was officially established to ensure Alexandria Mardi Gras is among the best cultural and social events in Central Louisiana.

The goal of Alexandria Mardi Gras, or Mardi Gras au Coeur de la Louisiana, which means Mardi Gras in the Heart of Central Louisiana, is to exemplify unity and cohesiveness through family-friendly festivities.

As Mardi Gras in the heart of Louisiana kicks off its 16th year, the goal is truly illustrated through numerous cultural events that appeal to all cross sections of the community, state, and region, while helping stimulate the economy.

Madam Speaker, I ask my colleagues to join me in commending the AMGA for its continued hard work and dedication to ensure that Mardi Gras in Central Louisiana retains the charm and spirit of the first official celebration 16 years prior.

TRIBUTE TO BRIGIT STORHOFF

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. LATHAM. Madam Speaker, I rise today to recognize the excellence in education in the 4th Congressional District of Iowa, and to specifically congratulate Brigit Storhoff of Decorah Community School District, who earned the National Board Certification—the highest level of certification in the teaching profession.

National Board Certification is a voluntary assessment program designed to recognize and reward great teachers. National Board Certified Teachers (NBCTs) have successfully demonstrated advanced teaching knowledge, skills and practices. Certification is achieved through a rigorous, performance-based assessment that typically takes one to three years to complete. Certification is offered in 25 different subjects, covering 97 percent of the subjects taught in K–12 schools.

I congratulate Brigit Storhoff on her well-deserved certification, and I'm certain that she will continue to touch the lives of many youth in her community. It is a great honor to represent Brigit in the United States Congress, and I wish her continued success.

HONORING THE NAACP ON ITS 100TH ANNIVERSARY

SPEECH OF

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor the National Association for the Advancement of Colored People on its 100th Anniversary. In 1909 the founders of the NAACP came together with the purpose of promoting the rights guaranteed under the 13th, 14th, and 15th Amendments to the Constitution.

Today, the NAACP works to ensure that all individuals have equal rights and to end racial hatred and discrimination. The NAACP has influenced some of the greatest civil rights victories of the last century, including: the integration of our nation's schools and the Brown v. Board decision; the Voting Rights Act; striking down segregation; and the Equal Employment Opportunity Act.

It is particularly notable that this year's 100th anniversary also marks the first time in the history of the United States that we have an African-American President. The NAACP helped pave the way for this landmark achievement, and continues to lay the groundwork for future accomplishments in minority communities.

Despite the advancements of the past 100 years under the leadership of the NAACP, there is still much work to be done. The

NAACP continues to promote new ideas and leadership in the fields of educational and employment opportunities, ending health care disparities, and economic empowerment.

The NAACP instilled in America a sense of consciousness, and it continues to do so today. I commend the NAACP on this anniversary and the thousands of individuals who continue to fight for equality and justice.

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

SPEECH OF

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

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 nonviolent 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 nonviolent 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 nonviolent success led King to commit himself in his philosophical entirety to the principle of meeting hate and injustice with persistent nonviolence.

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 "nonviolent 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 nonviolence 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.

DTV DELAY ACT

SPEECH OF

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2009

Mr. RANGEL. Mr. Speaker, I rise today to bring attention to the impending transition our nation will be facing on their television broadcasts from analog to digital. Despite efforts that have been made by the government to advise the public as to what steps would be necessary to prepare for the transition such as continuous advisory commercials and convertor box coupons, there are still those who are not prepared.

Whether it is because of a lack of accessibility to applying for the coupons or a delay in receiving the coupons, no one should be left "in the dark" when the transition occurs. The government to this point has been doing what it can to help those upon whom this transition is being forced by offering coupons to offset the cost of the converter boxes needed to continue receiving television broadcasts. Nonetheless, with the transition date of February 17, 2009, only a few days away, there are still more than 2 million households that are on a government waiting list to receive assistance in purchasing the converter boxes.

It is for this reason that I am urging Members to support the DTV Delay Act, S. 352, sponsored by Senator JOHN D. ROCKEFELLER, which seeks to delay the transition date from February 17, 2009 to June 13, 2009 and it would also extend the deadline of applying for government converter box coupons to July 31, 2009, provided that funding is available. This bill would also provide extra time for those who have not applied or received converter box coupons to still do so. Although this bill would not prevent stations from transitioning from analog to digital and letting others use the recovered air waves, it does allow for these same analog channels to have an extension in their broadcasting license on analog channels thus allowing people to continue viewing television broadcasts with their regular antennas.

NATIONAL SILVER ALERT ACT OF 2009

SPEECH OF

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 20, 2009

Mrs. MILLER of Michigan. Mr. Speaker, I rise today in strong support of H.R. 632, the National Silver Alert Act.

This legislation will provide federal grants to states to assist them in the development or improvement of an alert system for seniors.

I believe that a society can be judged by the compassion it shows to the most vulnerable in that society. And in America those are our children and our seniors.

We all know that our society is aging and many in our community are facing the challenges posed by dealing with aging parents and loved ones.

We worry about the safety of our seniors, particularly those who suffer from either Alzheimers or dementia. And our first concern is to ensure that our loved ones get the care they need.

Many times those seniors when going about everyday tasks like going to the store or walking their dog can wander or drive off and become lost.

Statistics show that as many as 60% of patients with Alzheimers or dementia will wander at some point during their illness. Those same statistics also show that if they are not found within the first 24 hours that as many as 50% will suffer serious injury or death.

That is enough to elicit serious concern from any loved one or care provider.

We have experienced similar issues with young children who wander away or are taken by someone.

To combat that problem we established the Amber Alert system.

Amber Alert ensures that the information concerning that child is shared with law enforcement and with the general public through the media and signs along our roadways.

We have all seen these reports when they are issued and we all keep an extra keen eye to provide any assistance we can to return those children to safety.

The Amber Alert System works and it works well.

Our seniors deserve no less support, particularly those suffering from Alzheimers or dementia.

They too often can become confused and travel far distances or to areas of danger with little ability to find their way home.

That is why I strongly support the National Silver Alert Act. I am hopeful that we can quickly pass this important legislation and urge all of my colleagues to support this measure.

HONORING ANDREW SHEPARD

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Ms. WOOLSEY. Madam Speaker, I rise with sadness today to honor my friend Andrew Shepard who passed away on January 20, 2009, in Santa Rosa, California. Andy was a

longtime executive with Exchange Bank who devoted himself to his family, his community, and his fly fishing.

Born in Chicago in 1924, Andy grew up in Omaha, Nebraska, and Pebble Beach, California. He joined the Army in 1943 and distinguished himself fighting in France where he won numerous honors including the Combat Infantryman's Badge 1st Award and the Bronze Star. After his discharge in 1946, Andy attended Stanford University, graduating in 1949 with a degree in Economics. He soon joined Exchange Bank as a teller, working his way up to CEO in a career that spanned 60 years.

By 1969, Andy was appointed CEO and President of the bank, a position he held until 1991 when he was named Chairman of the Board. Upon his retirement in 2003, Andy served as Chairman Emeritus and continued to visit his office until a few months ago, despite being debilitated by a bone marrow disorder.

Andy was known as a banker's banker, and his years of leadership at Exchange Bank were marked by solid investments that assured good dividends combined with innovations such as being one of the first banks in the community to introduce ATMs and drive-through tellers. He also set a priority on personable customer and employee relations, which he exemplified with his own ready smile and kind words. During his tenure the bank grew from three offices to 19, with a focus on small account-holders.

But it is his promotion of Exchange Bank's greatest gift to the community—the Frank P. Doyle Scholarships—that truly marked Andy's banking career. The scholarship program, founded by Frank Doyle almost 60 years ago, provides bank dividends for a fund which assists students at Santa Rosa Junior College. Over the years, $78 million has been awarded to more than 112,000 students. Unfortunately, the bank has recently had to suspend these dividends, but Andy was confident that, with the bank's long-term stability, they will be restored. He also founded and/or served on the boards of numerous community organizations such as the Community Foundation Sonoma County, Santa Rosa Symphony, Memorial Hospital, Heart Association of the Redwood Empire, and United Way.

Andy also had active leadership roles in two key banking organizations, the California Bankers Association and the American Bankers Association as well as the Independent Bankers of Northern California, the American Institute of Banking and the Conference of State Bank Supervisors. Among his numerous awards are the California Human Development Corporation Aztec Award, Pacific Coast Banking School Hall of Fame, Santa Rosa Junior College Floyd Bailey Award and President's Medallion, and the Junior Chamber of Commerce Boss of the Year.

In 1993, Andy married Mardi Casebolt who shared his passions for golf and fly fishing. Andy was proud of his chairmanship of the Ladies Professional Golf Association and enjoyed his time at a fly fishing lodge he co-founded in Colorado which has been featured on national television fishing shows. In addition to Mardi, Andy is survived by daughters Marcy Lyons and Susan Ball, stepdaughters Debbie Bird and Trece O'Donnell, four grandchildren, and five step grandchildren.

Madam Speaker, Andrew Shepard's life leaves a deep imprint on the banking industry, on the Sonoma community, and on his many friends and family. He was an inspiration to me, and I will miss him so much. Thank you, Andy, for all your wonderful work and commitment and for your friendship.

HONORING THE NAACP ON ITS 100TH ANNIVERSARY

SPEECH OF

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 10, 2009

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. and 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, it is hard to say where this great country would be.

In fact, it is hard to imagine 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.

PERSONAL EXPLANATION

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Ms. BERKLEY. Madam Speaker, I was unable to vote on rollcall Nos. 54 through 59. Had I been present, I would have voted "aye" on each.

TRIBUTE TO DAWN REMSBURG

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. LATHAM. Madam Speaker, I rise today to recognize the excellence in education in the 4th Congressional District of Iowa, and to specifically congratulate Dawn Remsburg of Ames Community School District, who earned the National Board Certification—the highest level of certification in the teaching profession.

National Board Certification is a voluntary assessment program designed to recognize and reward great teachers. National Board Certified Teachers (NBCTs) have successfully demonstrated advanced teaching knowledge, skills and practices. Certification is achieved through a rigorous, performance-based assessment that typically takes one to three years to complete. Certification is offered in 25 different subjects, covering 97 percent of the subjects taught in K–12 schools.

I congratulate Dawn Remsburg on her well-deserved certification, and I'm certain that she will continue to touch the lives of many youth in her community. It is a great honor to represent Dawn in the United States Congress, and I wish her continued success.

EXPRESSING REGRET FOR AUSTRALIA'S LOSSES AS A CONSEQUENCE OF WILDFIRES

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. HASTINGS of Florida. Madam Speaker, I rise today to express my deep regret for the loss of life and destruction of property that is occurring in Australia as a consequence of wildfires, and to extend my condolences to the Australian people.

Although wildfires are common during the Australian summer, strong winds, extreme temperatures and dry conditions have combined in recent days to fuel fires, which have ravaged Australia's southern State of Victoria with unparalleled force. Despite the prompt and earnest efforts of rescue crews and firefighters, 181 deaths have been confirmed and, according to yesterday's edition of Australia's Sydney Morning Herald, police fear that as many as 300 people have already passed. More than 750 properties spanning 350,000 hectares of land have been destroyed. Whole communities have been decimated; in the town of Marysville, which was hit by a 60-mile-long fire front, it is feared that 100 of the 519 residents have been killed. Tragically, these numbers are likely to deteriorate further, there being approximately 23 fires which remain uncontained.

Encouragingly, the size of the tragedy has been matched by the size and speed of the response. I extend my sincere appreciation to the emergency rescue crews, firefighters and Australia's Federal and Victorian Governments for their well-coordinated response to this calamity. The loss suffered would have been far

greater were it not for the skill, dedication, compassion and sacrifice of these emergency responders.

I also extend my best wishes to law enforcement authorities as they investigate the causes of this tragedy. Unfortunately, preliminary investigations indicate that some of the fires may have been deliberately lit. I have full confidence that the Australian authorities will bring anyone responsible for this death and destruction to justice, and take such other action as is necessary to minimize the likelihood of future calamities of this nature.

Madam Speaker, the fires that continue to burn in Southeast Australia have caused loss and destruction on a catastrophic scale. The Australian people will truly be in my thoughts and prayers over the coming weeks. I wish the affected communities the very best as they fight to retain and rebuild their lives, and encourage my colleagues to do so as well.

CONGRESSIONAL PAY RAISE

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. MITCHELL. Madam Speaker, I rise today to thank Speaker PELOSI for agreeing to bloc the next scheduled congressional pay raise.

As government acts to cap executive compensation, and as millions of Americans watch their incomes shrink, a pay raise for Members of Congress would have seemed glaringly out of touch.

If we are going to talk the talk of fiscal discipline, we must also walk the walk of self-restraint. The American people are not getting a raise this year. Neither should Congress.

I also wish to thank Dr. RON PAUL and 107 of our colleagues—Republicans and Democrats—who were willing to support H.R. 156, the Stop the Congressional Pay Raise Act. Without the leadership of these Members—so many of them new Members—we may not have taken this important step.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. JOHNSON of Illinois. Madam Speaker, unfortunately last night, February 10, 2009, I was unable to cast my votes on the Motion to Instruct Conferees on H.R. 1, H. Res. 114, H. Res. 60, H. Res. 143, H. Res. 128, and H. Res. 134 and wish the record to reflect my intentions had I been able to vote.

Had I been present for rollcall No. 54, on the Motion to Instruct Conferees to H.R. 1, stating that the Economic Stimulus bill must be made available for 48 hours before a final vote, I would have voted ''aye.'' It is unbelievable to me that we are more than likely going to be asked to vote on an $800 billion piece of legislation, that will be drafted behind closed doors, after having less than 24 hours to review it. We owe it to our constituents to take our time with this bill, study it extensively and ensure that the stimulus will actually create jobs.

Had I been present for rollcall No. 55, on suspending the rules and passing H. Res. 114, Supporting the goals and ideals of ''National Girls and Women in Sports Day,'' I would have voted ''aye.''

Had I been present for rollcall No. 56, on suspending the rules and passing 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, I would have voted ''aye.''

Had I been present for rollcall No. 57, on a motion to table H. Res. 143, the personal resolution offered by Rep. JOHN CARTER to ensure that Chairman CHARLIE RANGEL steps aside during his ethics investigation, I would have voted ''no.'' Over the past couple of years we have had an unbelievable number of ethics violations by Members of Congress that have deteriorated the trust that the American people had for its Representatives and it is about time we took a hard line on ethics violations. Rep. RANGEL has admitted that he has made mistakes and the House ethics committee is currently investigating him on numerous separate cases. To make clear to the American people that this is a House of integrity, I must ask Chairman RANGEL to step aside until the ethics committee can complete its work.

Had I been present for rollcall No. 58, on suspending the rules and passing H. Res. 128, Honoring Miami University for its 200 years of commitment to extraordinary higher education, I would have voted ''aye.''

Had I been present for rollcall No. 59, on suspending the rules and passing 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 Moement, I would have voted ''aye.''

TRIBUTE TO JUDITH MONGIN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. LATHAM. Madam Speaker, I rise today to recognize the excellence in education in the 4th Congressional District of Iowa, and to specifically congratulate Judith Mongin of Ames Community School District, who earned the National Board Certification—the highest level of certification in the teaching profession.

National Board Certification is a voluntary assessment program designed to recognize and reward great teachers. National Board Certified Teachers (NBCTs) have successfully demonstrated advanced teaching knowledge, skills and practices. Certification is achieved through a rigorous, performance-based assessment that typically takes one to three years to complete. Certification is offered in 25 different subjects, covering 97 percent of the subjects taught in K–12 schools.

I congratulate Judith Mongin on her well-deserved certification, and I'm certain that she will continue to touch the lives of many youth in her community. It is a great honor to represent Judith in the United States Congress, and I wish her continued success.

CONGRATULATING THE ''MISS MADISON''

HON. BARON P. HILL

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. HILL. Madam Speaker, on Saturday, February 14, 2009, the *Miss Madison* will be crowned the 2008 National Championship Winner by the American Boat Racing Association in Madison, Indiana. I regret that I will not be able to attend the event, but want to reiterate my heartfelt congratulations to those responsible for the win and the entire Madison community.

Miss Madison is a real source of pride to Southern Indiana, and rightfully so. As the only city-owned hydroplane race boat, the *Miss Madison* is not only this year's champion, but holds the record for most consecutive seasons run at 47. *Miss Madison* has been racing since 1961 and can boast of a Turbine Engine motor capable of reaching about 19000 rpms.

Congratulations, again, to the *Miss Madison*, its fans and supporters. I look forward to attending award banquets in the future for this powerful boat.

INTRODUCTION OF THE FREE FLOW OF INFORMATION ACT OF 2009

HON. RICK BOUCHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. BOUCHER. Madam Speaker, I rise today to join with Congressman MIKE PENCE in introducing the Free Flow of Information Act of 2009. We are joined by Judiciary Committee Chairman JOHN CONYERS, Judiciary Committee Vice Ranking Member BOB GOODLATTE, and 35 other original cosponsors.

Our bipartisan legislation provides a privilege in federal court proceedings for reporters to refrain from revealing their confidential sources of information.

The privilege is similar in nature to that currently offered by 36 states and the District of Columbia. Such broad-based support for assuring the confidentiality of journalists' sources at the state level lays bare the glaring lack of similar protection at the federal level.

The ability to assure confidentiality to people who provide information is essential to effective news gathering and reporting on highly sensitive and important issues.

Typically, the best information about corruption in government or misdeeds in a private organization will come from someone on the inside who feels a responsibility to bring the information to light.

But that person has a lot to lose if his or her identity becomes known. In many cases, the person responsible for the corruption or the misdeeds can punish the source through dismissal or more subtle forms of punitive action if the source's identity becomes known.

It is only by assuring anonymity to the source that a reporter can gain access to the information in order to bring it to public scrutiny.

I have long thought that the ability to protect the confidentiality of sources is so essential to

effective news gathering that a privilege to refrain from revealing sources should be interpreted to be extended to reporters by the 1st Amendment.

Unfortunately, to date the 1st Amendment has not been so interpreted. Furthermore, in the past few years more than thirty reporters have been subpoenaed or questioned in federal court proceedings about confidential sources, and several have been handed or threatened with jail sentences. The time has clearly arrived for the Congress to enact this statutory privilege to address the increasing use of subpoenas to extract confidential source information from reporters.

Our legislation sets criteria which must be met to compel the disclosure of information from reporters in any federal criminal or civil matter, with heightened protection for the identities of confidential sources. While extending a broad privilege, we have included some exceptions for instances in which source information can be disclosed where a strong public interest compels the disclosure. Provisions have been incorporated to allow disclosure to prevent imminent death or significant bodily harm, to determine who has disclosed trade secrets or personal health or personal financial information in violation of law, and to assure that national security interests are protected.

An exception to the privilege will only apply if the court determines that the public interest in disclosing the information outweighs the public interest in the gathering and dissemination of news and information.

The bill is a carefully constructed measure which will provide a broad new and much needed privilege for reporters to refrain from revealing confidential sources.

The measure protects the public's right to know, and its passage should be a priority in this Congress. The measure we are reintroducing today is identical to the measure which passed the House in 2007 by a large, bipartisan majority of 398 to 21.

I want to commend MIKE PENCE who has devoted substantial personal time and attention to this effort.

He has done much to bring the need for the privilege to public attention, and he is a highly effective advocate for the cause.

It was a pleasure coauthoring a similar bill with MIKE in the last two Congresses and in writing with him the bill we are introducing today.

I also want to thank Chairman CONYERS for his helpful suggestions and his support in moving the bill through the Judiciary Committee.

Given the broad bipartisan support this measure enjoys, I am optimistic that we will be able to enact the legislation into law during the course of this Congress.

I hope my colleagues will join with us in enacting into law the Free Flow of Information Act of 2009.

REMEMBERING THE LIFE AND CONTRIBUTIONS OF ROBERT (BOB) NESTA MARLEY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. RANGEL. Madam Speaker, I rise today to commemorate the life and contributions of Robert (Bob) Nesta Marley and the impact that he has had on the world. This is a man whose music has inspired the world over and whose lyrics began a movement of revolution not just in actions and words but in the core being of individuals and he made his contribution and achieved his wonderful legacy in a short life cut off by cancer at the age of thirty-six. On his birthday on February 6th of this year he would have been only sixty-four.

Bob Marley's humble beginnings in a small town in Jamaica instilled in him an appreciation of the various stations in life and especially that of the most unfortunate. His early life influenced the majority of his music which heralded the strength of the worker and denounced the unfortunate plight of the disenfranchised. Throughout his life Bob Marley strove to create music that would inspire people for generations to come. His music was born in a time of turmoil and heavy racial prejudice throughout the world and his music absorbed the hatred and bigotry only to release lyrics that spoke of reconciliation and harmony.

One of his most celebrated songs, ''One Love'' is a perfect example of his music that seeks to find the beauty in the midst of darkness. He sings of a nation with ''one love'' and ''one heart'' that is united towards the achievement of harmony and peace. This song is rightfully acclaimed as a global anthem and recognized as one of the most influential songs of the 20th century. Bob Marley asks ''Let's get together and feel all right, I'm pleading to mankind'', and in so doing, he challenges us all to respond to our better selves.

HONORING WILLIAM BERLINER

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Ms. WOOLSEY. Madam Speaker, I rise with sadness today to honor a friend of the Petaluma Community, William ''Bill'' Berliner, who passed away at his home in Petaluma, California, on January 21, 2009.

Bill was a central figure in his adopted community of Petaluma, California, while remaining true to his Chicago roots. After visiting his brother Andy in Petaluma, Bill moved to town in 1973 and noticed the absence of any place serving a good deep-dish pizza, a style invented in Chicago. In 1978 he opened Old Chicago Pizza in the heart of downtown where it has provided locals with an authentic and tasty food in a warm and family-friendly environment.

The restaurant has also provided opportunities for jobs for young people and long-term work for trusted employees. My son Michael worked at Old Chicago as a youth learning his way in the workforce, as did my daughter-in-law Lisa. Happily the restaurant, under the ownership of two employees who have been with the restaurant for well over 20 years, will continue in business.

Bill was active in the Petaluma Downtown Association and supported nonprofits such as the Carousel Fund which assists children battling serious illnesses. He always spoke his mind about the issues of the day in Petaluma, while he continued to root for Chicago sports teams. As a former drag racer and pianist in a jazz ensemble, Bill used his wide-ranging interests and hands-on style to create a special place and a special spirit for the community.

Madam Speaker, Bill Berliner's passing has left an empty space in our town and in his family. He is survived by twin daughters Angela and Jordana and his mother Clarice Saltiel as well as his brother Andy Berliner. Petaluma will miss Bill's involvement, but we are grateful for his imprint on our community, as well as for the delicious Old Chicago pizza.

TRIBUTE TO JENNIFER PARSONS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. LATHAM. Madam Speaker, I rise today to recognize the excellence in education in the 4th Congressional District of Iowa, and to specifically congratulate Jennifer Parsons of Ames Community School District, who earned the National Board Certification—the highest level of certification in the teaching profession.

National Board Certification is a voluntary assessment program designed to recognize and reward great teachers. National Board Certified Teachers (NBCTs) have successfully demonstrated advanced teaching knowledge, skills and practices. Certification is achieved through a rigorous, performance-based assessment that typically takes one to three years to complete. Certification is offered in 25 different subjects, covering 97 percent of the subjects taught in K–12 schools.

I congratulate Jennifer Parsons on her well-deserved certification, and I'm certain that she will continue to touch the lives of many youth in her community. It is a great honor to represent Jennifer in the United States Congress, and I wish her continued success.

INTRODUCTION OF THE NORTHERN ROCKIES ECOSYSTEM PROTECTION ACT (NREPA) OF 2009

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mrs. MALONEY. Madam Speaker, today, along with my friend Mr. GRIJALVA, I am pleased to reintroduce the Northern Rockies Ecosystem Protection Act, NREPA, in the 111th Congress.

NREPA differs from traditional state-by-state wilderness bills by offering a variety of designations that work in concert to achieve one goal: the protection of entire functioning ecosystems on federal public lands. These are lands that belong to all American taxpayers, and we have a right and responsibility to protect our precious resources.

First, NREPA protects over 24 million acres of America's premiere roadless lands as wilderness. It also protect the rivers and streams that are the last habitats for many of America's wild trout stocks, by protecting 1800 miles of river and streams as wild and scenic rivers.

Importantly, NREPA emphasizes that all of these wild places are linked together in the most vital ways possible. By protecting natural

biological corridors, NREPA connects the region's core wildlands into a functioning ecological whole. NREPA also creates jobs by putting people to work restoring the land in wildland restoration and recovery areas designated in the bill.

Finally, I want to be very clear about what NREPA doesn't do. NREPA does not impact private landowners. It impacts only federal public lands—lands owned by all Americans.

Some years ago, two NREPA supporters from Manhattan, Montana wrote to me and said "We feel that there is a little ray of hope for the incredible but dwindling wildlands we are so lucky to live near and love." All of us have a responsibility to sustain that hope.

PERSONAL EXPLANATION

HON. ADAM H. PUTNAM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. PUTNAM. Madam Speaker, on Tuesday, February 10, 2009, I was not present for six recorded votes. Had I been present, I would have voted the following way: roll No. 54—"yea"; roll No. 55—"yea"; roll No. 56—"yea"; roll No. 57—"nay"; roll No. 58—"yea"; roll No. 59—"yea."

FREE FLOW OF INFORMATION ACT OF 2009

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. PENCE. Madam Speaker, in October 2007, the House of Representatives overwhelmingly passed the Free Flow of Information Act, legislation that would provide a qualified privilege to journalists to shield confidential sources from compelled disclosure by a federal court. I am pleased to join over 30 of my colleagues today in reintroducing that same legislation that previously garnered 398 votes here on the House floor. Today, we take up the mantle and renew the push to make this bill law.

I am honored to be joined by my distinguished colleague Congressman RICK BOUCHER, who is such a tireless advocate for the First Amendment. Also, we are pleased to have Chairman CONYERS and Reps. COBLE, WALDEN, BLUNT, GOODLATTE, LOFGREN, WEXLER, YARMUTH and many others as original cosponsors. This is truly a bipartisan issue. It is a First Amendment issue, and I thank these Members for their leadership. They are truly champions for a free press.

Enshrined in the First Amendment are these words: "Congress shall make no law . . . abridging the freedom of speech, or of the press."

As a conservative who believes in limited government, I know the only check on government power in real time is a free and independent press. The Free Flow of Information Act is not about protecting reporters; it is about protecting the public's right to know. Our Founders did not enshrine the freedom of the press in the Constitution because they got good press. And, I am certainly not advocating a free and independent press because I always get good press.

We all remember when not long ago a confidential source brought to light abuses at the highest levels of government in the long national nightmare of Watergate. History records that W. Mark Felt never would have come forward without the assurance made to him of confidentiality.

But, thirty-plus years later the press cannot make that assurance to sources, and we face the real danger that there may never be another Deep Throat. The protections provided by the Free Flow of Information Act are necessary so that members of the media can bring forward information to the American public without fear of retribution or prosecution.

In recent years, we have famously seen reporters such as Judith Miller jailed and David Ashenfelter, Mark Fainaru-Wada and Lance Williams threatened with jail sentences. They are a few names among many who have been subpoenaed for taking a stand for the First Amendment and refusing to reveal confidential sources.

Compelling reporters to testify, and in particular, compelling them to reveal the identity of their confidential sources, is a detriment to the public interest. Without the promise of confidentiality, many important conduits of information about our government will be shut down. The dissemination of information by the media to the public on matters ranging from the operation of our government to events in our local communities is invaluable to the operation of our democracy. Without the free flow of information from sources to reporters, the public is ill-equipped to make informed decisions.

Thirty-six states and the District of Columbia have various statutes that protect reporters from being compelled to testify or disclose sources and information in court. Thirteen states have protections for reporters as a result of judicial decisions. The Free Flow of Information Act would set national standards similar to those that are in effect in the states.

The Free Flow of Information Act closely follows existing Department of Justice guidelines for issuing subpoenas to members of the news media. It simply makes the guidelines mandatory and provides protection against compelled disclosure of confidential sources. In doing so, this legislation strikes a balance between the public interest in the free flow of information against the public interest in compelling testimony in highly limited circumstances such as situations involving grave risk to national security or imminent threat of bodily harm.

Abraham Lincoln said, "Give the people the facts and the Republic will be saved." The Free Flow of Information Act is designed to ensure that the American people have the facts that they need to make choices as an informed electorate.

A free and independent press is the only agency in America that has complete freedom to hold government accountable. Integrity in government is not a Democratic or Republican issue, and corruption cannot be laid at the feet of one party. When scandal hits either party, any branch of government, or any institution in our society, it wounds our nation.

As a conservative, I believe that concentrations of power should be subject to great scrutiny. The longer I serve in Congress, the more firmly I believe in the wisdom of our Founders—especially as it pertains to the First Amendment and freedom of the press. It is imperative that we preserve the transparency and integrity of American government, and the only way to do that is by preserving a free and independent press.

Thomas Jefferson warned that, "Our liberty cannot be guarded but by the freedom of the press, nor that limited without danger of losing it."

This Congress would be wise to take those words to heart. Now is the time to heed the advice of Mr. Jefferson.

I believe there are bipartisan majorities in the House and Senate sufficient to enact this bill this year. President Obama pledged his support for a federal media shield during his service in the Senate.

With the bipartisan support of my colleagues in Congress and the President, I believe the time has come to stitch this tear in the First Amendment freedom of the press.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Ms. WOOLSEY. Madam Speaker, on February 10, 2009, I was unavoidably detained and was not able to record my vote for rollcall Nos. 54–56.

Had I been present I would have voted: rollcall No. 54—"yes"—On Motion to Instruct Conferees; rollcall No. 55—"yes"—Supporting the goals and ideals of "National Girls and Women in Sports Day"; rollcall No. 56—"yes"—Recognizing and commending University of Oklahoma quarterback Sam Bradford for winning the 2008 Heisman Trophy and for his academic and athletic accomplishments.

EARMARK REFORM

HON. ADAM H. PUTNAM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. PUTNAM. Madam Speaker, on January 28, 2009, I introduced a resolution, H. Res. 100, to amend the Rules of the House of Representatives to provide for earmark reform. The bill that I introduced will not only promote accountability and transparency in Congress, but push its Members in a direction that better serves their constituents.

All too frequently, Congressional spending requests are funding embarrassing and unworthy projects. This institution has lost credibility because earmarks fund "monuments-to-me," bizarre private enterprises, or even projects to subsidize their family. This growing trend is unacceptable and, as guardians of taxpayer dollars, we owe it to the citizens of the United States to be good stewards of their money.

Congressional spending requests deserve to be scrutinized and publicly debated, that is why I introduced this commonsense approach to reform the earmark process. This resolution will prohibit earmarks from being used for non-public entities, except for institutions of higher education. Likewise, this bill will prohibit any earmark for any entity named after an individual serving in Congress, which will eliminate controversial "monuments-to-me."

With regard to Congressional spending requests, proper disclosure of earmarks has come to the forefront of this debate. In an effort to encourage accountability and transparency, this bill will also require Members of the House to disclose earmark requests within 24 hours to the Clerk of the House of Representatives. The Clerk will then be tasked with publicly posting all earmark requests on the website designated for the Office of the Clerk in a uniform and searchable format.

As a reflection of my own principles in government spending, I have also included a provision to require certification that non-federal recipients will provide matching funds of at least 10 percent of the earmark request. Recipients of federal funds are more likely to spend their federal financial support efficiently and effectively if they too have a vested interest in the final project.

Lastly, H. Res. 100 will require that Members requesting earmarked funds certify that no family member is a beneficiary of the funding. This earmark reform measure will bring an end to deplorable family payouts.

Earmark abuse not only wastes taxpayer money, but it also erodes the credibility of this legislative body. It is time for Congress to regain the trust of the American people and bring integrity back to Capitol Hill through substantive earmark reform.

PERSONAL EXPLANATION

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. HINOJOSA. Madam Speaker, I regret that I was unavoidably detained yesterday evening. Had I been present, I would have voted ''yea'' on rollcall votes 57, 58, and 59.

IN RECOGNITION OF SHELLY O'NEILL STONEMAN

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. ROTHMAN. Madam Speaker, I rise to recognize the outstanding contributions and dedication of my Deputy Chief of Staff, Shelly O'Neill Stoneman, as she leaves my office to work in the Office of Legislative Affairs for President Barack Obama. Shelly served on my staff for more than 5 years, and during that time she advised me expertly on issues of defense and foreign policy. Shelly continuously demonstrated extraordinary intellect, grace under pressure, and the highest ethical and professional standards. Shelly's vast sphere of knowledge and her friendship will genuinely be missed in my office.

Shelly was born in Newport Beach, California, and later moved to Orlando, Florida where she attended Dr. Phillips High School. She attended Vassar College in Poughkeepsie, New York, and graduated with a Bachelor of Arts in Political Science. She has also earned a Master of Arts in National Security Studies from the United States Naval War College, as well as a Master of Arts in International Relations from the University of Oklahoma's Program in Europe.

Prior to joining my office, Shelly worked as an intern in the White House Office of Legislative Affairs in 1997 during the Clinton Administration. This is the same office which Shelly will now be joining as a staffer within the Obama Administration. In 1999, Shelly joined the United States Senate Governmental Affairs Committee's Subcommittee on International Security, Proliferation, and Federal Services under Senator DANIEL AKAKA (D–HI), and later worked as a research consultant for the Small Arms Survey, evaluating the arms export control systems of Central, Eastern, and Southeastern European countries. Her previous experience has served her well and helped make her an extraordinarily effective member of my staff, and I know those same capabilities will serve her well in the White House.

While serving long hours as the brilliant Deputy Chief of Staff for my office, Shelly directed my legislative agenda and staffed me on the House Appropriations Committee's Subcommittee on State and Foreign Operations, as well as the Subcommittee on Defense. In addition to her work within my office, Shelly founded the Democratic Legislative Directors Study Group, a wonderful support and networking system for Democratic senior staff on Capitol Hill.

Madam Speaker, over the past 5 years, my office has come to know Shelly O'Neill Stoneman well and we will remember her as a conscientious and dedicated colleague, a gifted writer, and a loyal friend to her fellow coworkers. Shelly is a passionate advocate for the protection of human rights and international aid, and has used her well-honed skills as a policy-maker to help ensure that these vital aspects of United States foreign policy are maintained. Throughout her tenure with my office, Shelly provided me with thoughtful and accurate counsel, which has allowed me to better serve the people of New Jersey's Ninth District. She is now, and forever, an honorary ''Jersey Girl'', and has my deep respect and appreciation for all of the contributions she has made to my office and the work she has done. While I will miss her dearly, I wish Shelly the very best and know that she has a bright future ahead of her. The White House is lucky to have her.

INTRODUCTION OF THE CONSUMER FAIRNESS ACT OF 2009

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. GUTIERREZ. Madam Speaker, I rise today to announce the introduction of my bill, the Consumer Fairness Act of 2009. In the last decade, too many of our nation's consumers have been subjected to abusive payday lending and increasingly relied on high-cost credit cards and predatory mortgage loans. To make matters worse, a consumer's ability to fight back against predatory lenders or to challenge unfair credit card fees and rates has been severely constrained by consumer contracts that require binding, mandatory arbitration to settle disputes between the borrower and the lender. We cannot allow these unfair practices to compound our economic challenges.

Mandatory arbitration clauses undermine existing consumer protections. They prohibit class action lawsuits by requiring consumers to waive their right to access a court of law and by forcing them into an arbitration system that has been set up for the benefit and expediency of corporate America. In many cases, individual consumers are required to pay thousands of dollars in arbitration fees that they cannot afford before their case is even heard. If this strikes my colleagues as unfair, then I ask them to support my bill, the Consumer Fairness Act of 2009.

The Consumer Fairness Act of 2009 would prohibit binding arbitration clauses in any consumer contract by recognizing these clauses as an unfair and deceptive trade practice. This legislation will help to level the playing field in the fight against predatory lending practices by giving consumers access to the courts and to class action lawsuits in order to address these unfair practices in an environment free of bias. When our constituents suffer through the worst recession in decades, the very least we can do is to give them a fair environment to defend themselves against predatory practices.

TRIBUTE TO HAMILTON COUNTY, NEBRASKA

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. SMITH of Nebraska. Madam Speaker, I rise today to congratulate Hamilton County, Nebraska, for being named Progressive Farmer's Best Place to Raise a Family.

Anyone who has ever visited Nebraska has seen first hand it is a wonderful place to raise a family. It looks like the message is getting out.

Founded in 1867 and named after the first Secretary of the Treasury Alexander Hamilton, and anchored by the city of Aurora, this area of my district truly lives up to the moniker ''The Good Life.''

This designation wasn't an accident. Hamilton County is a strong community of people who care for each other, who help out during hard times, and who live up to the benchmarks set by our forefathers.

So, congratulations to the good people of Hamilton County for representing Nebraska and making us proud.

HONORING MARTIN DELANEY

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Ms. WOOLSEY. Madam Speaker, I rise today to honor Mr. Martin Delaney who passed away in his home in San Rafael, California, on January 23, 2009, of liver cancer. Mr. Delaney, who was 63, was a leader in AIDS activism, especially the movement to represent the needs of HIV patients in the drug approval process.

Although not HIV positive himself, Martin's experience with experimental treatments for his Hepatitis B infection and his dismay at the

devastating spread of AIDS (including the death of his partner), led him to found Project Inform in 1985. Based in San Francisco, Project Inform soon became the leading national advocacy organization focusing on ensuring that promising anti-retroviral medications reached patients quickly and expeditiously. He worked with government officials to develop accelerated approval for the drugs as well as to implement policies ensuring that those most seriously ill had access to treatments before approval.

Martin served as the director of Project Inform until 2008 and also led the Fair Pricing Coalition which negotiates affordable rates for HIV medications with the industry. He dedicated himself to educating and shaping public policy as well, working with everyone from AIDS patients to research scientists to government officials. He is credited with saving thousands of lives.

For his work, Martin was recently given the Director's Special Recognition Award from the National Institute of Allergy and Infectious Diseases, a division of the National Institutes of Health. The award was for "extraordinary contributions to framing the HIV research agenda," and the Institute's Director, Dr. Anthony S. Faud, M.D. stated that Martin "is a formidable activist and a dear friend. It is without hyberbole that I call Marty Delaney a public health hero."

Madam Speaker, Martin Delaney is truly a hero. He not only saved lives; he also forged a path with his heart, his head, and his conviction that he could take action to fight the suffering he witnessed. I join people all over this country in mourning his passing.

PAYING TRIBUTE TO A LEADER IN NEW YORK STATE POLITICS AND JOURNALISM: M. PAUL REDD

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. RANGEL. Madam Speaker, I rise today to pay tribute to a fixture in New York State politics and journalism, M. Paul Redd—the strong-willed publisher of the country's only black-owned newspaper, the Westchester County Press. The weekly celebrated its 80th anniversary last year, just a few months prior to the passing of its longtime publisher and muse. Redd was an African American leader whose foray into journalism and politics made him a premier advocate for equality and fairness. With a seriousness of purpose, outpouring of passion, and great eloquence, he and his paper prodded politicians towards responsible, progressive stances and held them accountable to the people and communities they served. He traversed the world of media and public service, blurring the line that separates them and serving as vice chairman of the state Democratic Party for a number of years.

A voice—when as clear, cogent, and powerful as his was—cannot be silenced, even in death, as the following WVOX radio tribute titled "M. Paul Redd Dies Suddenly" makes clear. He will continue to reverberate and resound in the minds of those he touched, in the words of those he influenced, in the work we public servants have yet to do for our constituencies, our state, and our country.

M. PAUL REDD DIES SUDDENLY

One of Westchester's most prominent and durable African-American leaders has died.

Word came within the hour from the office of NYS Assemblyman George Latimer that M. Paul Redd died suddenly last night of a massive heart attack. He was in his mid-80's.

Paul Redd published the Westchester County Press which last month at Manhattanville College celebrated its 80th anniversary as the county's only black-owned newspaper.

Paul Redd purchased the weekly many years ago from the late Dr. Alger Adams. In addition to his publishing activities . . . M. Paul Redd was very active in New York State and Westchester politics serving as Vice Chairman of the State Democratic Party for many years. He was married to political activist Orial Redd and their daughter Paula Redd Zeeman is the County's Director of Human Resources.

He was also a fixture at many WVOX broadcasts. For almost 40 years, Mr. Redd attended this station's St. Patrick's Day salute broadcasts. (WVOX is dedicating this year's broadcast to Mr. Redd).

One of the features of his newspaper—the Westchester County Press—was the "Snoopy Allgood" column which tweeked politicians in a good natured, if occasionally pointed, way. Mr. Redd never revealed who actually wrote those Snoopy Allgood columns.

He was also a frequent guest on our radio and tv talk shows and discussion programs.

STATEMENT OF WILLIAM O'SHAUGHNESSY

The legendary publisher Roy Howard used to say: "You can't have a great newspaper unless you have one man or woman who has something to say."

Paul Redd had a lot of things to say . . . and he said them passionately, clearly and with great eloquence.

His Westchester weekly had influence far beyond its circulation area . . . mostly because of that one man.

He went all the way back in this county to the time of Bill Luddy . . . Max Berking . . . Sam Fredman . . . Mario Cuomo . . . Al DelBello . . . Miriam Jackson . . . Andy O'Rourke . . . John Flynn . . . Edwin Gilbert Michaelian . . . Ossie Davis . . . Malcolm Wilson . . . Richard Ottinger . . . Joe Shannon . . . Napoleon Holmes . . . Milt Hoffmann . . . Paul Dennis . . . Whitney Young . . . Hugh Price . . . Guido Cribari . . . Nancy Q. Keefe . . . Ogden Reid . . . Vinnie Rippa . . . Tony Gioffre . . . Dennis Mehiel . . . Franklyn Richardson . . . Dr. Lester Cousin . . . Anthony J. Colavita . . . Bobby & Jack Kennedy . . . Ernie Davis . . . Ed Brady . . . Jack Javits . . . Vin Draddy . . . Bill Butcher . . . Fred Powers . . . Brother Jack Driscoll . . . Al Sulla . . . Tony Veteran . . . Francis X. O'Rourke . . . Wellington Mara . . . B.J. Harrington . . . William Congdon . . . Alvin Richard Ruskin . . . Angelo Martinelli . . . Bob Abplanalp . . . Kirby Scollon . . . Ed Hughes . . . Daniel Patrick Moynihan . . . Hugh Carey . . . and our magnificent neighbor Nelson Aldrich Rockefeller.

He amplified all their voices.

And we will miss his . . .

STATEMENT OF GOVERNOR MARIO M. CUOMO

I've just learned of Paul Redd's passing . . . and I am saddened by it.

Paul Redd had an awful lot of strength . . . and a whole lot of strong opinions. He had a strong voice, and a strong will that inspired him to use that voice . . . speaking the truth, and spreading it, as he saw it . . . about politics, about politicians . . . and even beyond, whether politicians liked it or not.

He was a proud owner of the only Black newspaper in the county . . . for . . . I think it was . . . eighty years.

And he spoke in that paper all he could on all these truths. And in doing it . . . the color of what he was saying was not black . . . it wasn't white . . . and it certainly wasn't yellow, as in "yellow journalism."

The color of what he was saying and writing and believing was red, white and blue . . . as American as it could be.

It really was as basic as red, white and blue . . . because what he was talking about . . . all the time . . . was equality and fairness . . . the same thing Lincoln talked about . . . and the same thing the Declaration of Independence talks about.

We're going to miss him.

IRAN CONTINUES SYSTEMATIC PERSECUTION OF BAHA'IS

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. WOLF. Madam Speaker, I would like to bring to my colleagues' attention some deeply disturbing news coming out of Tehran. Tehran's deputy prosecutor recently announced that the revolutionary court will hear the cases of seven members of the Baha'i faith accused of spying for Israel. The continued systematic persecution of the Baha'is by the tyrannical government of President Mahmud Ahmadinejad is unacceptable and must stop. I ask that a report from the Agence France Press be inserted into the RECORD, as well.

IRAN TO TRY BAHAIS FOR SPYING FOR ISRAEL

TEHRAN (AFP)—Iran will soon try seven members of the banned Bahai religion on charges including "espionage for Israel," the ISNA news agency reported on Wednesday.

"The charges against seven defendants in the case of the illegal Bahai group were examined . . . and the case will be sent to the revolutionary court next week," deputy Tehran prosecutor Hassan Haddad was quoted as saying.

Haddad said the charges included "espionage for Israel, insulting religious sanctities and propaganda against the Islamic republic."

Iran and Israel are arch-enemies, and Iranian President Mahmud Ahmadinejad has repeatedly called for the Jewish state to be wiped off the map.

In late January, judiciary spokesman Ali Reza Jamshidi said Iran had arrested six adherents of the Bahai faith on the same charges.

Earlier last month, the Fars news agency said the ex-secretary of Nobel laureate Shirin Ebadi's office was detained for links with an organisation of the Bahai faith, adding that the ex-staffer was a Bahai herself.

Haddad did not say if the seven being charged were the same as those arrested in January.

Followers of the Bahai faith, founded in Iran in 1863, are regarded as infidels and have suffered persecution both before and after the 1979 Islamic revolution.

Bahai teachings emphasise the underlying unity of major religions, with history having produced a succession of divine messengers, each of which founded a religion suitable for the times.

Bahais consider Bahaullah, born in 1817, to be the last prophet sent by God. This is in direct conflict with Islam, the religion of the vast majority of Iranians, which considers Mohammed to be the last prophet.

In late 2008, Iran reported the hanging of a Bahai man for rape and adultery.

The European Union has expressed ''serious concern about the continuing systematic discrimination and harassment of the Iranian Bahais on the grounds of their religion.''

PERSONAL EXPLANATION

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mrs. BACHMANN. Madam Speaker, I was detained and unable to cast a vote for rollcall vote No. 57, the motion to table the privileged resolution, H. Res. 143. I would have voted "nay" on that motion.

A TRIBUTE IN HONOR OF THE SALESIAN SISTERS OF ST. JOHN BOSCO ON THE OCCASION OF THEIR 100 YEARS OF SERVICE TO YOUTH IN THE UNITED STATES

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Ms. ROYBAL-ALLARD. Madam Speaker, I rise today to pay tribute to the Salesian Sisters of St. John Bosco for their 100 years of dedicated service to young people across the country, and particularly in our communities of Boyle Heights, Bellflower and Bell Gardens in the 34th Congressional District of California.

The Salesian Sisters, also known as the Daughters of Mary Help of Christians, were founded by one of the great Italian educators of the 19th century, Saint John Bosco, with the collaboration of Saint Mary Domenica Mazzarello. During that time, Northern Italy was becoming increasingly industrialized and both of these religious leaders recognized the great need to establish schools for the disadvantaged, as well as the many abandoned youth in working class communities.

The history of the Salesian Sisters in this country begins in July of 1908 when four Sisters made the voyage from Northern Italy to the United States, setting out to replicate the good work they had accomplished in Italy. Like millions of others who emigrated to our shores at that time, the Sisters arrived at Ellis Island in the port of New York. Knowing no English and with limited resources, these pioneering women made a living taking in orders of sewing and embroidery while ministering to the Italian immigrants at St. Michael's parish in Paterson, New Jersey.

Gradually, the Sisters began to broaden their work in this country by opening an orphanage and a small school. As more and more young women joined the Sisterhood, the reach of their mission expanded to New Jersey, New York, Pennsylvania, and Florida. In time, the Sisters opened centers in other parts of the country, including Louisiana, Texas, Colorado, Arizona, and California.

In 1921, the first Salesian Sisters arrived in California where they took over the care of an orphanage and, later, the care of the boys in the junior seminary operated by the Salesian Fathers and Brothers in the Central Coast area of California. They eventually established several schools throughout the state, and in 1950, the Sisters opened St. Margaret Mary School in Lomita in Southern California.

In the 34th Congressional District, the first educational center established by the Sisters was St. Dominic Savio School in Bellflower, opened in 1956. By 1960, the nearby aerospace plant employed thousands of workers—many of them school parents—and the school population was at a maximum. When the plant closed, many families relocated. The local population was replaced by different ethnic groups, making the area today one of the most diverse in the United States. The school adapted well to the demographic changes, and continues to thrive today serving the spiritual and educational needs of the community.

Another school in the 34th District administered by the Salesian Sisters is St. Mary's Catholic School in Boyle Heights. St. Mary's was established in 1907 by the Holy Name Sisters. During that time, Boyle Heights became highly industrialized and many people moved in from various countries seeking new opportunities. After World War II, much of the non-Latino population moved to outlying areas, and the community became increasingly populated by Mexican immigrants. By 1990, school enrollment at St. Mary's dropped significantly and the Holy Name Sisters could no longer provide personnel for the school. The Salesian Sisters were then asked to take over the school, and they have been there to this day.

The Salesian Sisters also operated St. Gertrude's School in Bell Gardens in the 34th District for 30 years.

Madam Speaker, on a personal note, I attended St. Mary's Catholic School prior to the coming of the Salesian Sisters, and I am very pleased the school continues to serve local youth today under the Sisters' devoted guidance. I might also add that my father, the late Congressman Edward R. Roybal, was a committed supporter of Salesian schools. He was instrumental in helping establish the Bishop Mora Salesian High School for young men in Boyle Heights, which many area boys attend today following their 8th grade graduation from St. Mary's.

Madam Speaker, I ask my colleagues to please join me in honoring the noble mission of the Salesian Sisters in the United States in educating our youth over the past 100 years, and I extend to all of them my fondest wishes for many more years of dedicated service.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, February 12, 2009 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 24

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine the semi-annual monetary policy report to the Congress.

SH–216

2 p.m.

Veterans' Affairs

To hold joint hearings to examine the legislative presentation of the Disabled American Veterans.

345, Cannon Building

FEBRUARY 25

10 a.m.

Judiciary

To hold hearings to examine ensuring television carriage in the digital age.

SD–226

FEBRUARY 26

2:15 p.m.

Energy and Natural Resources

To hold hearings to examine recommendations for reducing energy consumption in buildings through improved implementation of authorized Department of Energy (DOE) programs and through other innovative federal energy efficiency policies and programs.

SD–366

MARCH 5

10 a.m.

Veterans' Affairs

To hold joint hearings to examine the legislative presentations of veterans' service organizations.

SD–106

MARCH 12

10 a.m.

Veterans' Affairs

To hold joint hearings to examine legislative presentations of veterans' service organizations.

SD–106

MARCH 18

9:30 a.m.

Veterans' Affairs

To hold joint hearings to examine the legislative presentation of the Veterans of Foreign Wars.

334, Cannon Building

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2091–S2168

Measures Introduced: Ten bills and eight resolutions were introduced, as follows: S. 409–418, S. Res. 31–37, and S. Con. Res. 6. **Pages S2143–44**

Measures Reported:

S. Res. 31, authorizing expenditures by the Committee on Energy and Natural Resources.

S. Res. 32, authorizing expenditures by the Committee on Homeland Security and Governmental Affairs.

S. Res. 33, authorizing expenditures by the Committee on Veterans' Affairs.

S. Res. 34, authorizing expenditures by the Select Committee on Intelligence.

S. Res. 36, authorizing expenditures by the Committee on Health, Education, Labor, and Pensions.

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''. **Page S2143**

Measures Passed:

Honoring Miami University: Senate agreed to S. Res. 35, honoring Miami University for its 200 years of commitment to public higher education. **Page S2166**

Joint Session of Congress: Senate agreed to H. Con. Res. 41, providing for a joint session of Congress to receive a message from the President. **Page S2166**

Recess—Agreement: A unanimous-consent agreement was reached providing that the Senate recess from 11:30 a.m. until 1 p.m., on Thursday, February 12, 2009, for a ceremony honoring the 200th Anniversary of the birth of President Abraham Lincoln in the Capitol Rotunda. **Page S2166**

Nomination Confirmed: Senate confirmed the following nomination:

By 93 yeas 4 nays (Vote No. EX. 62), William J. Lynn III, of Virginia, to be Deputy Secretary of Defense. **Pages S2103–23, S2168**

Nominations Received: Senate received the following nominations:

David S. Kris, of Maryland, to be an Assistant Attorney General.

Dawn Elizabeth Johnsen, of Indiana, to be an Assistant Attorney General.

26 Navy nominations in the rank of admiral. **Page S2168**

Messages From the House: **Page S2140**

Measures Referred: **Pages S2140–41**

Executive Communications: **Pages S2141–43**

Executive Reports of Committees: **Page S2143**

Additional Cosponsors: **Page S2144**

Statements on Introduced Bills/Resolutions: **Pages S2144–65**

Additional Statements: **Page S2140**

Notices of Hearings/Meetings: **Page S2165**

Authorities for Committees To Meet: **Pages S2165–66**

Privileges of the Floor: **Page S2166**

Record Votes: One record vote was taken today. (Total—62) **Page S2123**

Adjournment: Senate convened at 10 a.m. and adjourned at 5:53 p.m., until 10 a.m. on Thursday, February 12, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S2166–67.)

Committee Meetings

(Committees not listed did not meet)

DEVILS LAKE REGION

Committee on Appropriations: Subcommittee on Energy and Water Development concluded a hearing to examine protecting residents of the Devils Lake region from rising water, after receiving testimony from Colonel Jon L. Christensen, District Commander, Saint Paul District, Army Corps of Engineers, Department of Defense; Scott Dummer, Hydrologist-in-

Charge, North Central River Forecast Center, National Weather Service, National Oceanic and Atmospheric Administration, Department of Commerce; Dale Frink, North Dakota State Engineer, Bismarck, on behalf of the North Dakota Water Commission; Mayor Fred Bott, Devils Lake, North Dakota; and Mayor Dennis Walaker, Fargo, North Dakota.

FINANCIAL AND HOUSING MARKETS

Committee on the Budget: Committee concluded a hearing to examine the crises in financial and housing markets, after receiving testimony from Timothy F. Geithner, Secretary of the Treasury.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported an original resolution authorizing expenditures by the Committee.

Also, committee announced the following subcommittee assignments:

Subcommittee on Energy: Senators Cantwell (Chair), Dorgan, Wyden, Landrieu, Menendez, Sanders, Bayh, Stabenow, Udall (CO), Shaheen, Risch, Burr, Barrasso, Brownback, Bennett, Bunning, Sessions, and Corker.

Subcommittee on Public Lands and Forests: Senators Wyden (Chair), Johnson, Landrieu, Cantwell, Menendez, Lincoln, Udall (CO), Shaheen, Barrasso, Risch, McCain, Bennett, Sessions, and Corker.

Subcommittee on National Parks: Senators Udall (CO) (Chair), Dorgan, Landrieu, Menendez, Lincoln, Sanders, Bayh, Stabenow, Burr, Barrasso, Brownback, McCain, Bunning, and Corker.

Subcommittee on Water and Power: Senators Stabenow (Chair), Dorgan, Johnson, Cantwell, Lincoln, Sanders, Bayh, Shaheen, Brownback, Risch, McCain, Bennett, Bunning, and Sessions.

GLOBAL ECONOMIC CRISIS

Committee on Foreign Relations: Committee concluded a hearing to examine foreign policy implications of the global economic crisis, after receiving testimony from Niall Ferguson, Harvard Business School, Cambridge, Massachusetts; and David Gordon, The Eurasia Group, Desmond Lachman, American Enterprise Institute, Sebastian Mallaby, Council on Foreign Relations, and Douglas Rediker, The New America Foundation, all of Washington, DC.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the following business items:

S. 160, to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives, with an amendment in the nature of a substitute;

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".

Committee ordered favorably reported an original resolution authorizing expenditures by the Committee.

Also, committee adopted its rules of procedure for the 111th Congress andannounced the following subcommittee assignments:

Permanent Subcommittee on Investigations: Senators Levin (Chair), Carper, Pryor, McCaskill, Tester, Bennet, Coburn, Collins, McCain, and Ensign.

Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia: Senators Akaka (Chair), Levin, Landrieu, Burris, Bennet, Voinovich, and Graham.

Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security: Senators Carper (Chair), Levin, Akaka, Pryor, McCaskill, Burris, McCain, Coburn, Voinovich, and Graham.

Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration: Senators Pryor (Chair), Akaka, Landrieu, Tester, Bennet, Ensign, Voinovich, and Graham.

Ad Hoc Subcommittee on Disaster Recovery: Senators Landrieu (Chair), McCaskill, Burris, and Graham.

Ad Hoc Subcommittee on Contracting Oversight:* Senators McCaskill (Chair), Levin, Carper, Pryor, Tester, Coburn, and McCain.

* The Ranking Member for the Ad Hoc Subcommittee on Contracting Oversight has not been appointed, pending designation of another Republican member to the committee. In the interim, Senator Collins will serve as the ex-officio ranking member of the subcommittee.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following business items:

An original resolution authorizing expenditures by the Committee; and

The nomination of Hilda L. Solis, of California, to be Secretary of Labor.

FRAUD ENFORCEMENT

Committee on the Judiciary: Committee concluded a hearing to examine the need for increased fraud enforcement in the wake of the economic downturn, after receiving testimony from John Pistole, Deputy Director, Federal Bureau of Investigation, and Rita Glavin, Acting Assistant Attorney General, Criminal Division, both of the Department of Justice; and Neil Barofsky, Special Inspector General, Troubled Asset Relief Program, Department of the Treasury.

BUSINESS MEETING

Committee on Rules and Administration: Committee adopted its rules of procedure for the 111th Congress.

VETERANS' DISABILITY COMPENSATION

Committee on Veterans' Affairs: Committee concluded a hearing to examine veterans' disability compensation, focusing on the appeals process, after receiving testimony from Bruce E. Kasold, United States Judge for the Court of Appeals for Veterans Claims; James P. Terry, Chairman, Board of Veterans' Appeals, Department of Veterans Affairs; Kerry Baker, Disabled American Veterans, Cold Spring, Kentucky; and Richard Paul Cohen, National Organization of Veterans' Advocates, Inc., and Barton F. Stichman, National Veterans Legal Services Program, both of Washington, DC.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported an original resolution authorizing expenditures by the Committee.

BUSINESS MEETING

Select Committee on Intelligence: Committee ordered favorably reported the nomination of Leon E. Panetta, of California, to be Director of the Central Intelligence Agency.

Committee ordered favorably reported an original resolution authorizing expenditures by the Committee.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 32 public bills, H.R. 977–1008; 1 private bill, H.R. 1009; and 10 resolutions, H.J. Res. 21; H. Con. Res. 47–48; and H. Res. 154–156, 159–162, were introduced. **Pages H1246–48**

Additional Cosponsors: **Pages H1248–49**

Reports Filed: Reports were filed today as follows:

H. Res. 157, providing for consideration of motions to suspend the rules (H. Rept. 111–14) and

H. Res. 158, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 111–15). **Page H1246**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Honoring John D. Dingell for holding the record as the longest serving member of the House of Representatives: H. Res. 154, to honor John D. Dingell for holding the record as the longest serving member of the House of Representatives, by a ⅔ yea-and-nay vote of 423 yeas with none voting "nay" and 1 voting "present", Roll No. 61; **Pages H1165–75, H1196**

Recognizing the historical significance of the Merced Assembly Center to the Nation: H. Res. 129, to recognize the historical significance of the Merced Assembly Center to the Nation and the importance of establishing an appropriate memorial at that site to serve as a place for remembering the hardships endured by Japanese Americans, so that the United States remains vigilant in protecting our Nation's core values of equality, due process of law, justice, and fundamental fairness; **Pages H1175–80**

National Nanotechnology Initiative Amendments Act of 2009: H.R. 554, to authorize activities for support of nanotechnology research and development; **Pages H1180–88**

Water Use Efficiency and Conservation Research Act: H.R. 631, to increase research, development, education, and technology transfer activities related to water use efficiency and conservation technologies and practices at the Environmental Protection Agency; and **Pages H1188–91**

Produced Water Utilization Act of 2009: H.R. 469, to encourage research, development, and demonstration of technologies to facilitate the utilization

of water produced in connection with the development of domestic energy resources. **Pages H1193–95**

Adjournment Resolution: The House agreed to H. Con. Res. 47, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate, by a yea-and-nay vote of 238 yeas to 181 nays with 1 voting ''present'', Roll No. 60. **Pages H1195–96**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and pass the following measure which was debated on Tuesday, February 10th:

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, by a ⅔ yea-and-nay vote of 397 yeas to 25 nays, Roll No. 62. **Page H1197**

Moment of Silence: The House observed a moment of silence in honor of the victims of the tornadoes that struck Oklahoma on February 10, 2009. **Pages H1196–97**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Supporting the goals and ideals of National Engineers Week: H. Res. 117, to support the goals and ideals of National Engineers Week. **Pages H1191–93**

Senate Message: Message received from the Senate today appears on page H1227.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H1195–96, H1196, and H1197. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:55 p.m.

Committee Meetings

AIR FORCE NUCLEAR ENTERPRISE; CONTRACT SERVICES/ACQUISITION MANAGEMENT

Committee on Appropriations: Subcommittee on Defense met in executive session to hold a hearing on Air Force Nuclear Enterprise. Testimony was heard from the following officials of the U.S. Air Force: Michael Donley, Secretary; and GEN Norton Schwartz, USAF, Chief of Staff.

The Subcommittee also held a hearing on Contract Services and Acquisition Management. Testimony was heard from Gene Dodaro, Acting Comptroller General, Department of the Treasury.

TEEN ABUSE PREVENTION; COMMITTEE'S OVERSIGHT PLAN

Committee on Education and Labor: Ordered reported H.R. 911, Stop Child Abuse in Residential Programs for Teens Act of 2009.

The Committee also approved its Oversight Plan for the 111th Congress.

SALMONELLA OUTBREAK

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''The Salmonella Outbreak: The Continued Failure to Protect the Food Supply.'' Testimony was heard from Stephen Sundlof, D.V.M., Director, Center for Food Safety and Applied Nutrition, FDA, Department of Health and Human Services; Oscar Garrison, Assistant Commissioner, Consumer Protection Division, Department of Agriculture, State of Georgia; and public witnesses.

In failing to respond to questions, the following officials of the Peanut Corporation of America invoked constitutional privileges: Stewart Parnell, President; and Sammy Lightsey, Plant Manager.

TARP FUNDS USAGE

Committee on Financial Services: Held a hearing entitled ''TARP Accountability: Use of Federal Assistance by the First TARP Recipients.'' Testimony was heard from the following: Lloyd C. Blankfein, CEO and Chairman, Goldman Sachs & Co.; James Dimon, CEO, JPMorgan Chase & Co.; Robert P. Kelly, Chairman and CEO, Bank of New York Mellon; Ken Lewis, Chairman and CEO, Bank of America; Ronald E. Logue, Chairman and CEO, State Street Corporation; John J. Mack, Chairman and CEO, Morgan Stanley; Vikram Pandit, CEO, Citigroup; and John Stumpf, President and CEO, Wells Fargo & Co.

COMMITTEE FUNDING

Committee on House Administration: Held a hearing on Committee Funding for the 111th Congress. Testimony was heard from various Committee Chairmen and Ranking Members.

YOUTH VIOLENCE

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on Youth Violence: Trends, Myths and Solutions. Testimony was heard from Irving Bradley, Jr., Director (Chief), Police Department, Trenton, New Jersey; and public witnesses.

OFFSHORE DRILLING: ENVIRONMENTAL AND COMMERCIAL PERSPECTIVES

Committee on Natural Resources: Held an oversight hearing entitled, ''Offshore Drilling: Environmental and Commercial Perspectives.'' Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES; COMMITTEE ORGANIZATION

Committee on Oversight and Government Reform: Ordered reported the following measures: H.R. 854, amended, 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. 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;'' H. Res. 139, Commemorating the life and legacy of President Abraham Lincoln on the bicentennial of his birth; and H.R. 131, amended, Ronald Reagan Centennial Commission Act.

Prior to this action, the Committee met for organizational purposes. The Committee also approved its Oversight Plan for the 111th Congress.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES, AND FOR OTHER PURPOSES

Committee on Rules: Granted, by voice vote, a rule authorizing the Speaker to entertain motions that the House suspend the rules at any time through the legislative day of February 13, 2009. The rule also provides that the Speaker or her designee shall consult with the Minority Leader or his designee on the designation of any matter for consideration under suspension of the rules pursuant to the resolution.

The resolution also provides that H. Res. 10 is amended to change the hour of daily meeting of the House to 9 a.m. for Fridays and Saturdays.

WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

Committee on Rules: Granted, by record vote of 7–3, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any resolution reported through the legislative day of February 13, 2009, providing for consideration or disposition of any measure relating to H.R. 1, the American Recovery and Reinvestment Act of 2009.

ELECTRONIC WASTE RECYCLING

Committee on Science and Technology: Held a hearing on Electronic Waste: Investing in Research and Innovation to Reuse, Reduce, and Recycle. Testimony was heard from public witnesses.

SBA ENTREPRENEURIAL DEVELOPMENT

Committee on Small Business: Held a hearing entitled ''The State of SBA's Entrepreneurial Development Programs and Their Role in Promoting an Economic Recovery.'' Testimony was heard from public witnesses.

SMALL BUSINESSES MEDICAL EQUIPMENT BIDDING

Committee on Small Business: Subcommittee on Rural Development, Entrepreneurship and Trade held a hearing entitled ''The Impact of Competitive Bidding on Small Businesses in the Durable Medical Equipment Community.'' Testimony was heard from Laurence D. Wilson, Director, Chronic Care Policy Group, Center for Medicare and Management, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and public witnesses.

FAA REAUTHORIZATION

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing on the FAA Reauthorization Act of 2009. Testimony was heard from Representative Thompson of California; the following officials of the Department of Transportation: Nancy LoBue, Acting Assistant Administrator, Aviation Policy, Planning, and Environment, FAA; and Calvin L. Scovel III, Inspector General; Gerald Dillingham, Director, Physical Infrastructure Issues, GAO; and public witnesses.

GSA'S ECONOMIC RECOVERY ROLE

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing on

GSA's Economic Recovery Role: Job Creation, Repair, and Energy Efficiency in Federal Buildings and Accountability. Testimony was heard from Paul Prouty, Acting Administrator, GSA; and a public witness.

COMMITTEE ORGANIZATION

Committee on Ways and Means: Met for organizational purposes.

The Committee also approved its Oversight Plan for the 111th Congress.

Joint Meetings

AMERICAN RECOVERY AND REINVESTMENT ACT

Conferees met to resolve the differences between the Senate and House passed versions of 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 continued in evening session.

COMMITTEE MEETINGS FOR THURSDAY, FEBRUARY 12, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: organizational business meeting to consider pending committee organizational matters for the 111th Congress, 9:30 a.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine consumer protection in the financial regulatory system, focusing on strengthening credit card protections, 10 a.m., SD–538.

Committee on the Budget: to hold hearings to examine Senate procedures for consideration of the budget resolution/reconciliation, 10 a.m., SD–608.

Committee on Commerce, Science, and Transportation: organizational business meeting to consider an original resolution authorizing expenditures for committee operations, and committee's rules of procedure for the 111th Congress; to be followed by a hearing to consider the nominations of Jane Lubchenco, of Oregon, to be Under Secretary for Oceans and Atmosphere, and John P. Holdren, of Massachusetts, to be Director of the Office of Science and Technology Policy, both of the Department of Commerce, 10 a.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine the Department of Energy Loan Guarantee Program, authorized under Title 17 of the Energy Policy Act of 2005, and how the delivery of services to support the deployment of clean energy technologies might be improved, 10 a.m., SD–366.

Committee on Environment and Public Works: organizational business meeting to consider an original resolution authorizing expenditures for committee operations, and committee's rules of procedure for the 111th Congress, 10 a.m., SD–406.

Committee on Foreign Relations: to hold hearings to examine United States relations with Sudan, 2 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine structuring national security and homeland security at the White House, 10 a.m., SD–342.

Committee on Indian Affairs: to hold an oversight hearing to examine matters relating to Indian affairs, 9:30 a.m., SD–628.

Committee on the Judiciary: organizational business meeting to consider subcommittee assignments, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: organizational business meeting to consider an original resolution authorizing expenditures for committee operations, and committee's rules of procedure for the 111th Congress, 9:30 a.m., SR–428A.

Select Committee on Intelligence: to hold hearings to examine the world threat, 2:30 p.m., SH–216.

House

Committee on Agriculture, to consider the Derivatives Markets Transparency and Accountability Act of 2009, 1 p.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Defense, hearing on Army Contracting, 10 a.m., H–140 Capitol.

Committee on Armed Services, hearing on addressing U.S. Strategy in Iraq and Afghanistan: Balancing Interests and Resources, 10:30 a.m., 2118 Rayburn.

Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on Strategies for Countering Violent Extremist Ideologies, 1 p.m., 2212 Rayburn.

Committee on the Budget, hearing on Building a Foundation for Families: Fighting Hunger, Investing in Children, 10 a.m., 210 Cannon.

Committee on Education and Labor, hearing on Examining Workers' Rights and Violence Against Labor Union Leaders in Colombia, 10 a.m., 2175 Rayburn.

Subcommittee on Higher Education, Lifelong Learning and Competitiveness, hearing on New Innovations and Best Practices, Under the Workforce Investment Act, 2:30 p.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Environment, hearing on The Climate Challenge: National Security Threats and Economic Opportunities, 10 a.m., 2123 Rayburn.

Committee on Financial Services, to mark up the Committee's Oversight Plan for the 111th Congress, 11 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Asia, the Pacific, and the Global Environment, hearing on Smart Power: Remaking U.S. Foreign Policy in North Korea, 1 p.m., 2172 Rayburn.

Subcommittee on the Middle East and South Asia, hearing on Gaza After the War: What Can Be Built on the Wreckage?, 9:30 a.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, hearing on Libel Tourism, 11 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Energy and Mineral Resources, hearing on H.R. 493, Coal Ash Reclamation, Environment, and Safety Act of 2009, 10 a.m.,1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on National Security and Foreign Affairs, hearing on Training and Equipping Afghan Security Forces: Unaccounted Weapons and Strategic Challenges, 10 a.m., 2154 Rayburn.

Committee on Science and Technology, Subcommittee on Technology and Innovation, hearing on an Overview of Transportation R&D: Priorities for Reauthorization, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, to consider the following: H.R. 608, ''Smithsonian Institution Facilities Authorization Act of 2009;'' H.R. 813, To designate the Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, as the ''J. Herbert W. Small Federal Building and United States Courthouse;'' H.R. 837, To designate the Federal building located at 799 United Nations Plaza in New York, New York, as the ''Ronald H. Brown United States Mission to the United Nations Building;'' H.R. 842, To designate the United States Courthouse to be constructed in Jackson, Mississippi, as the ''R. Jess Brown United States Courthouse;'' H.R. 869, To designate the Federal building and United States courthouse located at 101 Barr Street in Lexington, Kentucky, as the ''Scott Reed Federal Building and United States Courthouse;'' H.R. 887, To designate the United States courthouse located at 131 East 4th Street in Davenport, Iowa, as the ''James A. Leach United States Courthouse;'' H. Con. Res. 37, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; H. Con. Res. 38, authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service, 11 a.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Oversight, to meet for organizational purposes, 10 a.m., 1100 Longworth.

Subcommittee on Social Security, to meet for organizational purposes, 1 p.m., 1105 Longworth.

Permanent Select Committee on Intelligence, executive, to meet for organizational purposes, 10 a.m., 304 HVC.

Next Meeting of the SENATE

10 a.m., Thursday, February 12

Senate Chamber

Program for Thursday: Senate will be in a period of morning business.

(Senate will recess from 11:30 a.m. until 1 p.m. for a ceremony honoring the 200th Anniversary of the birth of President Abraham Lincoln in the Capitol Rotunda.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, February 12

House Chamber

Program for Thursday: To be announced.

Extensions of Remarks, as inserted in this issue

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