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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mrs. TAUSCHER).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 13, 2009.

I hereby appoint the Honorable ELLEN O. TAUSCHER to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

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

To open the Bible, Lord, and just read a few lines offers such consolation. The message may not be advice or command an action. It is just rewarding to know You are not silent. You have words to speak. I simply need to take the time, open the Book, and listen.

If I open my heart and listen intently, I can hear Your love behind every word. I sense Your presence, and it is enough for me. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. KUCINICH led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

VOTE FOR THE STIMULUS

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

Mr. KUCINICH. Madam Speaker, we learned today that more Americans are applying for jobless benefits. We also learned that, according to Moody's Economy.com, that the measure that is before us may not create as many jobs as we had hoped, perhaps only 2.2 million jobs by the end of 2010, leaving unemployment hovering around 10 percent.

Look, I understand the limitations of this bill, but we have to recognize something: Government spending is stimulative. We have to stimulate our economy. We have to do everything we can right now to try to lift America up.

Now we can debate the details of this bill, and they should be debated, but one thing for sure, we need to pass this stimulus. And we are probably going to have to come back here and pass another stimulus, which I hope will focus on putting millions of people back to work, rebuilding America, rebuilding and building a new energy infrastructure, and making massive investments and moving our health care system in a new direction. Vote for the stimulus.

SAMMY MAHAN: ''OPT ME OUT''

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

Mr. POE of Texas. Madam Speaker, this morning I was talking to my friend Sammy Mahan. He is from Baytown, Texas. He is a wrecker driver, and has five wreckers under his service. He was asking me about the stimulus bill. And he said, ''How are we going to pay for it?'' And I said, ''Well, we don't have the money, so we are probably going to have to borrow it maybe from the Chinese. Eventually there is going to be a tax increase.''

And he said, ''How much is it going to cost?'' And I said, ''$790 billion.'' Then he said, ''No. How much is it going to cost me?'' I said, ''It is about $10,000 per family, is what they say.''

Then he said, ''Well, I don't have $10,000; and unlike you government boys, I can't spend money I don't have. So I want you to opt me out of this deal.'' And I said, ''What do you mean, 'opt me out'?'' He replied, ''Give me a form. I want to sign it. You take $10,000 off that $790 billion, and I don't want to pay it because I don't have the money.''

Madam Speaker, I suspect that if most Americans read this bill and they realized how much it was going to cost them personally, they would want to opt out of this deal. We need to come up with a plan, but this isn't the deal. And since people I represent can't opt out, I am going to opt out for them.

And that's just the way it is.

ECONOMIC RECOVERY PACKAGE

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

Mr. PALLONE. Madam Speaker, last month the unemployment rate increased from 7.2 percent to 7.6 percent. If these increases continue, we will hit double digits this summer and would

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reach our highest unemployment number since the Great Depression. But this unemployment number does not tell the complete story.

Last month alone, 731,000 people simply gave up looking for work out of frustration with the lack of employment prospects, and today 13.9 percent of Americans, or more than 21 million of our neighbors, have either given up looking for a job or are working in a job that is no longer full time. These workers are underemployed.

These numbers are a stark reminder of how important it is for us to get these people back to work, and that is why we need to pass the economic recovery package today without delay.

Madam Speaker, we have an opportunity to create or save 3.5 million jobs. Let's do the right thing and get these people back to work.

THE JOBS BILL HAS TURNED INTO A SPENDING BILL

(Mr. TIM MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, a couple of months ago, the talk from congressional leadership was to produce legislation that was about providing jobs for America's families and small businesses, with lots of opportunities for our needed investments.

Sadly, what was supposed to be a jobs bill has turned into a spending bill that is going to provide about a $7.70 tax break for workers while adding $9,400 of debt, plus or minus some, with interest, for each family that is going to have to be paid by our children and grandchildren. I think if you have got one person working in that family, it is going to take a few years of saving up all those tax credits in order to pay for this bill.

Plus, unfortunately, we still never got guarantees that the billions of dollars worth of automobiles, buses, furniture, computers, and everything else here even has to be made in the United States of America. I am not very happy about that, and I don't think Americans should be, either.

RECOVERY AND REINVESTMENT ACT

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

Mr. PERLMUTTER. Madam Speaker, we just can't ignore the facts. The facts are, we lost 600,000 jobs last month and the prior month and the prior month, and some 3.6 million jobs last year. Banks have failed. We have had a real contraction in the economy. My friends on the Republican side of the aisle, their position is, ''Just say no. We like the status quo.''

We can't afford the status quo anymore, ladies and gentlemen. We must act. This is a time for bold action, and in the Recovery and Reinvestment Act we will maintain or create somewhere between 3 million and 4 million jobs in the construction industry and the energy industry; we will maintain jobs of teachers and firefighters and policemen. We will pass this bill today in the House of Representatives, and I am glad, because in Colorado we need this effort, we need these jobs, and so does the rest of the Nation.

KEEP OUR COMMITMENT TO THE AMERICAN PEOPLE

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

Mr. COLE. Madam Speaker, I rise today to ask that we all uphold the honor of the House and keep our commitment to the American people.

Less than 3 days ago, my good friend and colleague, Mr. LEWIS of California, asked this House to instruct our conferees not to record their approval of the conference agreement on the stimulus bill until the text of that agreement had been made available in an electronic, searchable, and downloadable form for at least 48 hours. That motion passed unanimously.

Essentially, we gave our word, the word of the people's House, to all Americans, guaranteeing them that they would have ample opportunity to review this proposed legislation.

This bill was filed last night. It is over 1,000 pages long. And, with the exception of omnibus legislation, it is the largest spending bill this House has ever considered. Madam Speaker, I must confess, I haven't had time to read the legislation; my staff hasn't had time to read the legislation; I doubt my colleagues have had time to read the legislation; and, most importantly, the American people have had no time to read the legislation.

So now, less than 10 hours since we could first see this 1,000-page bill, we are poised to break our commitment to the American people and to pass this legislation with little or no time to even read it.

ECONOMIC RECOVERY PLAN

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

Mr. INSLEE. Madam Speaker, one of the attributes of this economic recovery plan is it is not based on yesterday; it is based on tomorrow.

It is not your grandmother's recovery plan where we just built asphalt and concrete; it is built on the new high-tech green collar jobs that can truly give us a prolonged burst of economic recovery. And that is why, when I vote for this today, I am going to be proud that we are launching a new Apollo clean energy project to give this country the thousands of green collar jobs, to start selling high-tech clean energy products to China, to start making lithium ion batteries so that we can make electric cars right here in America and start selling them across the world. And I hope some of my brethren across the aisle will not vote against research so we can find a way to burn coal cleanly, against research to make electric cars more affordable to Americans, against research to make our houses more efficient.

This is a plan to start an economic energy revolution. We should pass it and be proud of it today.

VOTE ''NO'' ON THE STIMULUS BILL

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

Mr. COFFMAN of Colorado. Madam Speaker, buried in the stimulus bill that we will be voting on today is a provision that will gut the welfare reform measures that the Congress passed in 1996. The legislation will move us down a path that will take us away from welfare reform that required work, training, and education in exchange for benefits, back to the old system that says to single young women that, as long as you don't get married, don't get a job, and keep having children, that we will continue to subsidize you at taxpayers' expense.

The old system that this legislation moves us to kept generations of American families in poverty, and I urge a ''no'' vote on the stimulus bill.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 1, AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

Mr. PERLMUTTER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 168 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 168

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany 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. All points of order against consideration of the conference report are waived except those arising under clause 9 of rule XXI. The conference report shall be considered as read. All points of order against the conference report are waived. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) 90 minutes of debate and (2) one motion to recommit if applicable.

POINT OF ORDER

Mr. DREIER. Madam Speaker, I make a point of order against the resolution.

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

Mr. DREIER. Madam Speaker, I make a point of order against this resolution because the resolution is in violation of section 426(a) of the Congressional Budget Act.

The resolution before us violates the provisions of 426(a) because it contains a waiver of all points of order against the conference report, including a waiver of section 425 of the Congressional Budget Act which prohibits the consideration of a conference report in violation of the Unfunded Mandates Reform Act.

We got this 1,000-page package online after midnight, totally in violation of the 48-hour commitment that was made by every Member to support that period of time during which it could be read; and we have no idea, Madam Speaker, as to whether or not there are in fact unfunded mandates in this measure.

The SPEAKER pro tempore. The gentleman from California makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentleman has met the threshold burden to identify the specific language in the resolution on which the point of order is predicated. Such a point of order shall be disposed of by the question of consideration.

The gentleman from California and the gentleman from Colorado each will control 10 minutes of debate on the question of consideration.

After that debate the Chair will put the question of consideration, to wit: Will the House now consider the resolution?

The Chair recognizes the gentleman from California.

Mr. DREIER. Madam Speaker, let me begin by saying I see my friend from Colorado (Mr. PERLMUTTER) here. It was announced late last night when we were in the Rules Committee that the distinguished Chair of the Committee on Rules, Mrs. SLAUGHTER, would be managing this rule; and I can only surmise that she is not here due to the very tragic news that we got overnight of the loss of 48 lives in the Continental plane crash that took place just outside of Buffalo.

Mr. PERLMUTTER. Will the gentleman yield?

Mr. DREIER. Yes, I am happy to the yield to my friend.

□ 0915

Mr. PERLMUTTER. Yes, the plane crash is why she is not here today. And it is a tragedy that we all feel this morning.

Mr. DREIER. Reclaiming my time, that is exactly what I wanted to say. As we begin this debate, our thoughts and prayers go to all of the victims and the families and Mrs. SLAUGHTER whom I know is dealing with that issue, Madam Speaker.

Let me say, as we now focus on this very, very important debate, we had a unanimous vote here in the House, a unanimous vote, that called for 48 hours to be provided for Members of Congress and the American people to see this measure before we would have a chance to vote on it. We all know, as Speaker PELOSI said yesterday, that this is both transformational and historic. And for that reason, I believe that if we have a measure before us that is historic and transformational, we should comply with the vote that was cast by every single Member who was present at the time saying that 48 hours should be provided. And unfortunately, there was virtually no time provided. We had a copy of the bill placed before us in the Rules Committee very late last night. And it is my understanding that the online measure at that point, which was touted by Members who were in the Rules Committee, actually omitted three sections of the bill and that it was not placed online as we're going to be voting on it today until after midnight; after midnight. So that means earlier this morning is when it was placed online.

Now, Madam Speaker, I have a statement here from our good friend, the distinguished majority leader, Mr. HOYER, who said, ''The House is scheduled to meet at 9 a.m. tomorrow and is expected to proceed directly to consideration of the American Recovery and Reinvestment conference report. The conference report text will be filed this evening, giving Members enough time to review the conference report before voting on it tomorrow afternoon.''

Madam Speaker, the American people are hurting. We are going through one of the most difficult economic challenges that we've faced in modern history. There is no doubt about it. In fact, if one looks at the economic downturn, we suffered in 1991 and 2001 very, very shallow economic recessions. The early 1980s was the last time we faced a challenge as difficult as the one we are in the midst of today. We have put forward a very pro-growth economic package that I know that the American people would be able to support. And I'm convinced, based on the empirical evidence that we have of what took place in 1961 and 1981, it would unleash the potential of the American people, because we are the most productive worker on the face of the Earth. We are the people who are the most innovative in the world. And for us to, in any way, constrain that growth potential is, I believe, wrong.

And what we have before us is a 1,000-page bill. This is 1,000 pages, Madam Speaker. And I'm reminded when Ronald Reagan was delivering a State of the Union message when he held up a document that was just about like this, and he dropped it right there on the lectern. And he said that he would never sign anything like that again. And here we are on Friday the 13th of 2009, we are in the midst of considering a measure following a campaign that promised transparency, disclosure, accountability and hope. And as we listened to the debate last night in the Rules Committee, which went on for quite a while, I have to say that there is a lot of hope involved in this 1,000-page bill. But there are things about it that we know. It is approaching $1 trillion when you take interest in consideration. I know it is $790 billion, but when you take into consideration the interest that will be shouldered, it is a $1 trillion package. We know that.

The hope is that people are saying it is this or nothing else, Madam Speaker, this or nothing else. And I have got to tell you that that is not the case. That is not the case. We, as Republicans, have come forward with a package from our economic stimulus working group which I believe would prevent us from having to deal with anything like this whatsoever. And the point of order that I'm raising, Madam Speaker, has to do with the fact that we don't know what is in here. I don't think that anyone knows whether or not there are unfunded mandates in here that have been imposed on the private sector, on the American people, or on local governments.

And so with that, I would like to, at this juncture, reserve the balance of my time, Madam Speaker.

Mr. PERLMUTTER. Madam Speaker, I yield myself such time as I might consume.

Technically, this point of order is about whether or not to consider the rule and ultimately the underlying bill. But we know what it is really about, and that is about trying to block the bill without any opportunity for debate and without any opportunity for an up-or-down vote on the legislation itself. And that is just plain wrong.

I sincerely hope my colleagues will vote ''yes'' so we can consider this critical legislation today on its merits and not kill it on a procedural motion. We have a long day ahead. Let's not waste any more time on trying to stop this legislation from being debated or enacted. Those who oppose the bill can vote against it on final passage. That is their prerogative. We must consider this rule, and we must pass this conference report for the American Recovery and Reinvestment Act today.

I have the right to close. But in the end, I will urge my colleagues to vote ''yes'' to consider the rule.

And with that, Madam Speaker, I reserve the balance of my time.

Mr. DREIER. Madam Speaker, may I inquire how much time is remaining on the debate on the point of order.

The SPEAKER pro tempore. The gentleman from California has 4 minutes remaining.

Mr. DREIER. At this time I would like to yield 1 minute to my good friend from Texas (Mr. POE).

Mr. POE of Texas. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, procedure is important. Procedure rules are important because they are placed there for a reason. This House unanimously voted that there should be 48 hours after a bill is filed before we voted on it. The

reason for that is to give us time to read it. It is unconscionable that we would vote on a 1,000-page bill without at least reading the bill. But we didn't get 48 hours. I guess the motion really meant 4 to 8 hours, because that is all we've really received, 4 to 8 hours to decide whether or not to proceed.

We need more time to read the bill. Let's stay here until tomorrow or Sunday or Monday. But let's read the bill, regardless of our position on it, and then we can be knowledgeable to vote on this $1-trillion package one way or the other. The idea that we're going to vote on a bill we haven't read because we didn't get time to do it is absurd, Madam Speaker.

Mr. DREIER. Madam Speaker, I yield myself the balance of my time to say this saddens me greatly. President Obama has come forward and talked about the issue of transparency, disclosure and accountability, and he has talked about hope, and he has talked about change. And we've all been very inspired by the words of President Obama. And we've been inspired by many of his actions and his effort to reach out and work with us in a bipartisan way to deal with the challenge of getting our economy back on track. It is something that I believe is terrific. It's wonderful. And it's what is needed at this time.

But I will say, Madam Speaker, that as we look at what has been put before us, a 1,000-page bill, and we are told by so many that if we don't vote for this bill, we're choosing to do nothing, in fact, I will say that I did not like it when the President said that there are some out there who want to do nothing. And Madam Speaker, I will say that I know of no Republican, no Democrat, I know of no one in this country who wants to do nothing. Because just the other night when I had a telephone town hall meeting and listened to a number of people, including a small contractor, a small businessman who is a building contractor, having trouble getting access to credit so that he can get to work, I was struck with the fact that he told me, looking at a $1-trillion measure is not only not going to help him, but in fact, it will exacerbate, it will worsen the challenges that he has. We talked about our alternative.

In fact, in this town hall meeting, Madam Speaker, one of my constituents asked me at the outset to support President Obama and his package. And when I began explaining the difficulty with this package and the alternative that we have that is focused on small businesses, entrepreneurs, the self-employed and families across this country, focusing on marginal rate reduction, focusing on encouraging responsibility so that people can gain equity in their homes by incentivizing them to make a greater down payment on that home and to take up the inventory that exists there, as I walked through these provisions, this person who began saying to me that it was imperative that I support this package then said, your alternative makes much more sense.

And so, Madam Speaker, I want to disabuse any of my colleagues of this notion that we want to do nothing. We very much want to work diligently to ensure that we can get our economy back on track. And we have a pro-growth package which is modeled after what John F. Kennedy did in 1961 and what Ronald Reagan did in 1981.

And with that, I yield back the balance of my time.

Mr. PERLMUTTER. Madam Speaker, again I want to urge a ''yes'' vote so that we can consider this rule and consider the legislation today. It is not a time for delay. It is not a time for inaction. For 8 years, we've had continued deferred maintenance, we've had continued problems in the economy to the point we are now required to move forward and move forward in a bold way. That is the purpose of the American Recovery and Reinvestment Act. It has been discussed and debated over the course of the last month in full view of the American people. And it is time to take it up here in the Congress and pass it.

And with that I urge a ''yes'' on the consideration of the rule.

The SPEAKER pro tempore. The question is, Will the House now consider the resolution?

The question of consideration was decided in the affirmative.

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

Mr. PERLMUTTER. Madam Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded for consideration of the rule is for debate only.

And I yield myself such time as I may consume.

GENERAL LEAVE

Mr. PERLMUTTER. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 168.

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

There was no objection.

Mr. PERLMUTTER. Madam Speaker, America is in a tough spot today. Today we face one of the greatest economic challenges we've seen in the history of this Nation. With this great economic crisis comes great responsibility for this body which is vested to represent the best interests of the American people. Madam Speaker, the Bush administration left us with the worst economy we've faced since World War II. Like President Franklin D. Roosevelt did over 75 years ago, we must build a floor under our economic downward spiral and set America on a new, more prosperous course.

Since this recession began, 3.6 million Americans have lost their jobs. Last month alone, the country lost nearly 600,000 jobs, the equivalent of losing every job in the State of Maine. Even more troubling is the news that our Nation is expected to lose another 3 to 5 million jobs within the next year if we don't take action now. And it must be taken now. In fact, 2008 was the worst year for job loss since 1945, while unemployment has skyrocketed to the highest level in 26 years.

Madam Speaker, Americans are worried. Nothing is on the minds of American workers and families more than the troubled state of our economy.

□ 0930

At dinner tables across this Nation, American families are concerned, not only about our country's economy, but about their own futures and their own well-being. Will they have a job next week? Will they be able to retire when they plan to? Will they be able to afford their mortgage? Can they sell their house? What about the rent and the child's education?

We must act now to turn things around. If nothing is done, our economy will continue its downward spiral, jeopardizing the futures of all Americans.

As President Roosevelt once said, ''In our seeking for economic and political progress, we all go up, or else we all go down.''

And, Madam Speaker, I join my colleagues here today determined to make sure that all Americans go up, each and every one of us. We are here to take swift, bold action to boost our economy and put Americans back to work. Our actions today may determine the prosperity and well-being of Americans for generations to come.

This compromise of the American Recovery and Reinvestment Act is a major victory for the American people. It will help strengthen our economy and help Americans hurt by this recession today, as well as investing in our shared future.

This bill will create and save nearly 4 million jobs, jump-start our economy, and bring the process of transforming it for the 21st century with carefully targeted priority investments. We will also provide immediate direct tax relief to over 95 percent of all Americans.

Madam Speaker, for our future, we will significantly increase clean, renewable energy production, invest in a new smart power grid, put people to work in the short-term, while freeing us from our dependence on foreign oil in the long run.

We'll renovate buildings and homes to make them more energy efficient, and create jobs that can't be sent overseas, while helping to curb global warming at the same time. We will rebuild our crumbling infrastructure and improve our roads, bridges, and schools, and in doing so, we will strengthen our path forward.

We will invest in our health care system, cutting red tape and ensuring broader coverage, while saving countless lives and dollars.

Finally, this legislation will assist those who have been impacted most by

this crisis, by increasing food stamp and unemployment benefits, and making it easier for those who lose their jobs to keep their health insurance. These are just a few highlights of this comprehensive bill.

Madam Speaker, the American people are hurting and they demand action. But they are also justifiably concerned about government spending in such difficult times. I want them to know that this bill contains strict transparency and accountability measures. It is open and visible and will be for people to look on the Web for each dollar that is spent. Americans will be able to go on-line to see how their tax dollars are being spent and provide comment.

The bill contains no earmarks, and provides important protections to State whistleblowers who report fraud and abuse.

Furthermore, this legislation does not waste any time. It will immediately help put people to work, maintain their jobs, and begin to stabilize our economy. Just this week the CEO of Google said his company would ''absolutely'' hire new people if we pass this bill.

Additionally, economists and elected officials from across the ideological spectrum have broadly endorsed this bill, and beseech us to pass it, because they agree we need bold action to turn our economy around.

President Roosevelt told us that ''One thing is sure, we have to do something. We have to do the best we know how at the moment. If it doesn't turn out right, we can modify it as we go along.''

Madam Speaker, it took us many years to get into this situation. We know this bill alone will not solve all of our economic woes overnight. We know that the road back to economic stability and prosperity will require hard work over time. But this bill is the right size and scope necessary to truly help us turn things around. I'm proud to say that America has faced great challenges before and turned crisis into opportunity.

This legislation gives us the means to address this crisis immediately, and the opportunity to build the foundation for long-term prosperity. Like it has in the past, the ingenuity of American workers will be the engine of growth and prosperity if we just give them a chance to get back on the job.

I urge my colleagues to support the conference report on the American Recovery and Reinvestment Act and, by doing so, restore confidence, strengthen our economy, and ensure a brighter future for our citizens from coast to coast.

I now reserve the balance of my time.

Mr. DREIER. Madam Speaker, I yield myself such time as I might consume to begin by expressing my great appreciation to my friend from Colorado for yielding me the customary 30 minutes.

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

Mr. DREIER. Let me begin, as I did at the outset of the debate on the unfunded mandate point of order, Madam Speaker, by saying that we are all saddened with the very tragic news that Ms. SLAUGHTER and her constituents have faced with the tragic plane crash which has taken place just outside of Buffalo with, reportedly, 48 people killed, and our thoughts and prayers continue to be with all of them.

Let me say, at the beginning of this, Madam Speaker, I asked my friend who's managing this rule to yield to me, because I find it—I will associate myself with many of the points that he made. I will associate myself with certainly his closing remarks about the ability of the United States of America to take on great challenges that we face.

But, Madam Speaker, to stand here and somehow talk about the great degree of transparency, when we, at midnight, were sitting in the Rules Committee, and the questions being posed to us could not be answered; that we were posing could not be answered, number one. And number two, we had before us a bill that we were told was exactly what the gentleman had said, made available on-line so that the American people could see it, and then I arrived just a few hours later, had come in early this morning to find that the measure was not even available on-line until well after midnight because three sections of the bill were, in fact, missing.

And so, my point is that we all know how much pain there is right now across this country. When you look at the people who have lost their jobs, if you look at people who are losing their homes, if you look at the tragic loss of life that is taking place, I talked to a good friend of mine yesterday who told me that his son's best friend's father had just committed suicide because of the economic downturn that we are facing.

Madam Speaker, we know how personal this is. We know how terrible the situation that we face is. And that's why I believe that the commitment that has been made overwhelmingly, across the board, by Democrats and Republicans alike, that we would spend time deliberating over this issue to ensure that we get it right, that we would work in a bipartisan way, as President Obama repeatedly has promised, from his inaugural address right here on the west front of the Capitol to speech after speech that he's delivered, and through many of his actions.

Now, last night, as we sat approaching midnight in the Rules Committee, my very good friend, the distinguished chair of the Committee on Appropriations was before us, talking about the fact that every single day, since the election, save two, he and members of his staff have been working to try and put this bill together. He referred to the fact that members of his staff, for the second time in a week or two, have gone 2 days without any sleep, working to put this bill together.

We all understand, Madam Speaker, the urgency that is there. No one wants to delay action. No one wants to delay action on this very important bill because of the fact that the American people are hurting.

But we do know this: What we've been able to see in this measure, in fact, goes way beyond the goal that is stated, that being stimulating our economy. We understand that important infrastructure spending cannot only play an important role in creating jobs, but it also can deal with the very important issue of goods movement, ensuring that our constituents are able to move around. We know that the grid and broadband infrastructure development is critical if we are going to remain competitive in this global marketplace. And yet, that is a very small fraction of this nearly $1 trillion measure, Madam Speaker.

Now, as we listened to the testimony that was delivered in the Rules Committee, an exchange took place between the distinguished chair of the Committee on Appropriations and our new Rules Committee colleague, the gentlewoman from North Carolina (Ms. FOXX). And in that exchange, the question that was asked by Ms. FOXX was, how many jobs are going to be created by this measure?

And I congratulate the distinguished chair of the Committee on Appropriations for pointing to the fact that he has no idea how many jobs are going to be created. And he correctly said that we can all find our own economists who support the notion of a certain number of jobs being created.

Now, I will say that the chairman of the Council of Economic Advisers, Christina Romer, under President Obama, has, based on her study, found that the alternative proposal that we Republicans offered would create nearly twice as many jobs in half the amount of time than this package that is before us. So using one of his economists, Madam Speaker, I will say it buttresses our argument to ensure that we put into place our package for commission growth, as opposed to a massive spending bill.

So the chairman of the Committee on Appropriations said he has no idea how many jobs are going to be created.

And what is it that we have before us? We have before us a package that is indicative of what I describe as the ideological baggage of the past. It is nothing but throwing money at the problem, without the kind of oversight that is necessary, without the kind of scrutiny that is necessary.

And as my friend from Texas, Judge POE, said earlier, one of his constituents wants to opt out of this plan because the estimates are that it will cost $10,000 per family. Well, unfortunately, that's not an option that we have before us right now, because this is the measure that people are going to be voting on and I suspect will pass.

I believe that it's a mistake. I believe it's a mistake, and I will tell you who

else I believe if he were alive would conclude that it's a mistake. And we've used this quote repeatedly. It first came to my attention by our friend from St. Louis, TODD AKIN, who told me that his 88-year-old father who obviously lived during the time of the Great Depression found this quote. Henry Morgenthau was the Treasury Secretary under Franklin Delano Roosevelt, and he testified before the House Ways and Means Committee in 1939. And in that testimony, Madam Speaker, the Secretary of the Treasury, under Franklin Roosevelt, obviously, not some right-wing conservative economist, the Treasury Secretary under Franklin Roosevelt said: ''We have tried spending money. We are spending more than we have ever spent, and it does not work. I say, after 8 years of this Roosevelt administration, we have just as much unemployment as when we started, and an enormous debt to boot.''

Now, that was in 1939, Madam Speaker. We are making a mistake if we proceed with this measure. I believe that.

The American economy is going to get stronger because, as I said earlier, we are the most productive, we are the most innovative people on the face of the earth. We're going to get stronger. My fear is that this measure will, in fact, slow the economic recovery that we all would like to see take place soon.

I reserve the balance of my time.

Mr. PERLMUTTER. Madam Speaker, just two points and then I would like to recognize my friend from Massachusetts (Mr. MCGOVERN).

But I think the really sad story, Mr. DREIER, that you related about the suicide underscores the urgency of this bill and the reason that it needs to be handled without delay.

The second point I wanted to respond to is Christina Romer said that the Republican House analysis is flat wrong in its claim that the House Republican stimulus is much more effective. ''No matter what your analytical assumption,'' she says, ''the plan that the President supports would result in substantially greater job creation than the House Republican plan.''

And with that I would yield 3 minutes to my friend from Massachusetts (Mr. MCGOVERN).

□ 0945

Mr. MCGOVERN. Madam Speaker, on January 20, President Obama and his administration inherited the worst economy since the Great Depression.

A record budget deficit and a worsening economy, an economy that is now losing 600,000 jobs a month, was the result of failed economic policies. For too long, the previous administration allowed the deficit to rise through wasteful spending, including unpaid wars and tax cuts for the wealthiest Americans, while ignoring the challenges facing our economy.

Let me be clear: This economy did not go bad overnight. No, Madam Speaker. It took years of neglect to bring us to this position.

As a result, we are here today, trying to help our economy with a bold and historic recovery package. Economists ranging from conservative to liberal all agree that a recovery package is needed and that such a package must be bold. Any recovery package, they say, must provide a real shot in the arm to the economy, and that is what we have before us today. We have a package that will provide immediate funding to help the economy, but it is also designed to prevent an economic lull like the one we saw a few years after the Great Depression.

Madam Speaker, we have people in our country who are going hungry, and there is money in this package for food stamps—the most effective and immediate stimulus available—and there is money for unemployment. There is money for roads and for bridges and for other important shovel-ready infrastructure programs. Yes, there are targeted tax cuts that will allow middle- and low-income families to receive tax relief during these trying times. Is it perfect? No. This is not the package I would draft if it were solely up to me, but it is the package that came through a bipartisan and open process.

Now, my Republican friends had the opportunity to address this problem. Former President Bush could have acted on these programs before he left office, but he chose not to do so, allowing the recession to worsen. When Republicans decided to put forth an alternative plan, it was simply comprised of the failed policies of yesterday. When economists said there should be money for food stamps, my Republican friends on the other side of the aisle said ''no.''

When economists said there should be money for transportation and infrastructure, my Republican friends said ''no.'' When economists said there should be money for unemployment and for aid to States for school construction, my friends on the other side of the aisle said ''no.''

Madam Speaker, it is not enough to say ''no'' and to simply revert to the failed policies of the past. My friends offered their package. We had a vote and it failed miserably. People have had it with the failed economic policies of George W. Bush. Yet, instead of trying to work with President Obama and this Congress on a real recovery package, they continued to defy the needs of the American people and continued saying ''no.''

Saying ''no'' is easy. Saying ''no'' means you don't have to take responsibility for anything, but that is not what the American people want, and that is not what the American people voted for in the November elections.

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

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

Mr. MCGOVERN. Madam Speaker, the bill before us will save or create more than 3 million jobs, and it will help people put food on their tables and receive health care as they try to make it through this recession.

We need to fix this economy, and Democrats, with or without the Republicans, are going to do what is necessary to help the American people. Enough of politics as usual. We need to move forward. The American people are looking to us for help, and this package provides the help that they need.

I congratulate the Speaker and the leadership and the chairman who worked on this recovery package. I urge my colleagues to support the rule and to support H.R. 1.

Mr. DREIER. Madam Speaker, I yield myself 15 seconds.

As I listen to my good friend from Worcester, I would say, my gosh, we certainly have seen a change in the level of debate around here. It is fascinating to see.

Madam Speaker, as I listen to my friend from Colorado, I have got to tell you that, when I was quoting Dr. Christina Romer, chief of the Council of Economic Advisers, it was her methodology that was used that created twice as many jobs at half the cost.

With that, I am happy to yield 3 minutes to my very hardworking Rules Committee colleague, the gentleman from Miami, Florida (Mr. LINCOLN DIAZ-BALART).

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, it is not petty when we say that each Member of this House should have the opportunity to read this legislation. We are the people's House. Every Member is elected. We are all cognizant of the great difficulty being suffered by the American people, of the jobs being lost, of the very, very sad stories facing each of our districts. So it is not petty to say that, as the House requested, we should have 48 hours to review this legislation.

With regard to the substance, what we have been able to gauge is in the legislation. I remember when we first started discussing this package and, really, the tone of bipartisanship that was engulfing the Nation at the time. I was pleased because I believed that we would be able to modernize with this legislation. I believed we would see a modernization of the infrastructure—of the roads and bridges—of the United States.

When I saw the first $800 billion bill that was passed on January 28, including $30 billion for shovel-ready infrastructure projects, I thought that was most unsatisfactory, that a great opportunity was being lost. Since we are going to burden the American people with all of this debt, I thought at least we would modernize our infrastructure. I thought, well, maybe when the bill comes back it will be improved, and we will see more of the $800 billion, more than $30 billion within the $800 billion for our roads and bridges and for the modernization of our infrastructure.

When I saw the bill returning and that instead of $30 billion there was $29

billion to modernize our infrastructure, I realized that this opportunity lost is more than sad, because the American people believed that this was sacrifice for modernization, for higher productivity, for the creation of jobs. That is not what it is.

So, with sadness, I rise not only to oppose the rule but to say that this is an unsatisfactory package and that we can do better. We all believe that we need to act. I hope that we all come to the conclusion that we must, that we can do better.

Mr. PERLMUTTER. Madam Speaker, I would like to yield 3 minutes to the gentlewoman from California (Ms. MATSUI), a member of the Committee on Rules.

Ms. MATSUI. Madam Speaker, it is clear that our economy is in peril. For months, the House of Representatives has been working to develop solutions to revive the job market, to keep people in their homes and to restore faith in the American economy. We have held substantive hearings and markups. We have debated the merits of different proposals. We have listened to nonpartisan expert testimony on what the Federal Government can do to save the jobs we have and to create millions more.

I have listened to and have participated in this debate, and I have weighed the opinions of the experts, but when I consider the package before us today, I think mainly of the people in my district who are suffering.

I think of families in my district who are living on food stamps. I think of seniors who can no longer afford to see a doctor when they're sick. I think of the new mother who has just been laid off and who is not sure if she can pay her mortgage next month.

I think of Francisca Monterjano. Francisca lost most of her 401(k) when the stock market crashed last year. She lined up outside of Raley Field earlier this month, along with thousands of my constituents, eager for part-time work even though she is retired.

Francisca and the rest of my constituents have spoken, Madam Speaker. They have told me clearly:

We need this package. We need the unemployment benefits and the increased access to health care that it represents. We need the nearly 4 million jobs it will save or create. 7,800 of those jobs will be in my district alone, and many of these will be in the clean energy industry that will drive our future economy. We need the public transit and flood protection infrastructure that the bill will provide. We need the investment in primary and secondary education that will help train our children for work in the jobs of the future, and we need the tax relief that this bill contains.

Today's package is a product of compromise and of negotiation. It is not perfect. Yet the state of our economy is too bleak not to act now. Millions of people across our country are suffering too much for this House to shy away from its responsibility to lead. Now is not the time for partisan bickering or for political gain. Now is the time for action, for leadership.

So today, Madam Speaker, I choose to lead by casting my vote in favor of the American Recovery and Reinvestment Act. I urge my colleagues to do the same.

Mr. DREIER. Madam Speaker, at this time, I am happy to yield 1½ minutes to my very distinguished colleague from Tulare, California (Mr. NUNES).

Mr. NUNES. Madam Speaker, this legislation is not about creating jobs. If jobs were the priority of Democrats, leaders would have listened to my pleas to help California.

I had asked Democrat leaders to include a provision that would not have cost one penny. It would have simply brought water to my constituents, and it would have saved 60,000 jobs.

Folks may ask: Why didn't the Democrat leaders put this in? Well, it is because their friends in the radical environmental community have decided that 2-inch minnows are more important than the people in my district. Just listen to a California deputy attorney general who moonlights as a radical environmentalist. Here is what he said about my constituents:

''What parent raises their child to be a farm worker? These kids are the least educated people in America . . . They turn to lives of crime. They go on welfare. They get into drug trafficking, and they join gangs.''

This is pathetic. You are spending $1 trillion, and you will not put in one provision that would create or save 60,000 jobs. This is an insult to my constituents, an absolute insult.

Vote ''no'' on this rule. Vote ''no'' on this bill.

Mr. PERLMUTTER. Madam Speaker, how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from California has 16 minutes remaining; the gentleman from Colorado has 17½ minutes remaining.

Mr. PERLMUTTER. Madam Speaker, I would like to yield 2 minutes to the gentleman from Colorado (Mr. POLIS), a member of the Committee on Rules.

Mr. POLIS of Colorado. Madam Speaker, I rise in support of the American Recovery and Reinvestment Act of 2009. I want to thank Speaker PELOSI, Chairman OBEY, Chairman MILLER, and all of my colleagues for doing what this crisis demands and for doing what the American people have asked us to do.

This is no ordinary economic downturn. It is a rapid meltdown that threatens the very foundations of our capitalist system. The Bush administration took a record budget surplus and left us the largest deficit in U.S. history. Our national debt has doubled, and the amount we owe to foreign countries has tripled. Five million Americans no longer have health insurance, and 7.6 million families have fallen into poverty. The laundry list of mistakes from the previous administration's failed policies has left us no choice but to take swift and decisive action to tackle these challenges head on.

This landmark legislation represents a new chapter and a new direction for our great Nation. By creating 3.5 million jobs and by investing in our infrastructure—physical and human—we are taking immediate action to restore growth and prosperity to the American people. Americans understand that a healthy environment goes hand in hand with a healthy economy.

This bill gives States and renewable energy producers the tools they need to green our energy infrastructure. It promotes a green workforce, spurs green innovation and invests heavily in our public lands. It does this while creating new and long-lasting jobs that will make our country the economic, scientific and environmental leader that it once was and once again will be.

Madam Speaker, we can and will regain the world's confidence in our economy. We will retain our global competitiveness, and we will, indeed, save capitalism and free enterprise with one of the largest tax cuts ever.

With its robust commitment to our education system, this legislation invests in our children's future and paves the way for generations of success. Education is the only meaningful, long-term investment we can make to stimulate the American economy, and there is no better way to remain the world's leader in innovation.

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

Mr. PERLMUTTER. I yield the gentleman an additional 15 seconds.

Mr. POLIS of Colorado. I applaud President Obama and my colleagues in both Chambers for working hard to ensure that education from early childhood through college is an important part of the recovery package.

Again, I applaud the tireless efforts of all those involved in the crafting and in the negotiation of this historic legislation.

□ 1000

Mr. DREIER. Madam Speaker, it's not often that we have the opportunity to hear the brilliance of both DIAZ-BALART brothers in the same debate.

Now I would like to yield 1 minute to our good friend from Miami, the other DIAZ-BALART.

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, we clearly need a stimulus bill, a bill that creates jobs. Unfortunately, the only thing that this is going to stimulate is more government bureaucracy and government bureaucrats. This will not help the economy.

Let me add some ammunition.

Only $3 billion, which is one-third of 1 percent to help the job creators to stimulate small businesses. One-third of 1 percent for small businesses that are the job creators? And yet, it's going to add $9,400 for all of our American families in debt; $9,400. Less than

7 percent of the money goes to infrastructure. That's shameful.

You know, this House debated recently the TARP bill to try to cover itself for the embarrassment, the embarrassment and lack of accountability of that TARP bailout bill. This is just the ''Son of TARP.'' We're going to be embarrassed. It's not going to help the economy like it's supposed to, and we're going to read about the scandals.

Please vote this bill down.

Mr. PERLMUTTER. Madam Speaker, I would like to yield to the chairman of the Transportation Committee, the gentleman from Minnesota (Mr. OBERSTAR), 3 minutes.

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

Mr. OBERSTAR. This bill provides $64.1 billion for transportation and infrastructure investments under the jurisdiction of our committee. What is included in this bill from the jurisdiction of our committee will create and sustain 1.8 million jobs, real jobs, construction jobs, professional journeymen, career apprentice, brick layers, cement finishers, backhoe operators. Real jobs in the U.S. economy for people who will be paying taxes, not being paid unemployment compensation for not working. They will get a working day's wage, and they will pay taxes on it and their companies will pay taxes on it.

We'll generate $322 billion of total economic activity over the next 2 years.

And we are going to ensure that the States, departments of transportation, the municipal metropolitan planning organizations, the individual city and regional and metropolitan area planning organizations, and the transit organizations, and the airport authorities do what they have told this committee they will do: deliver jobs, half of that funding in the first 90 days. And we will hold hearings every 30 days with reports, according to a schedule we've laid out for the State agencies, on delivery of those jobs putting the money under contract.

The Portland Cement Association testified before our committee in January saying 45 companies had 130 million metric tons of Portland cement produced and invested in the marketplace in 2007. Last year it was 95 million metric tons. For this year they project 9 million metric tons. They can ramp up to over 90 million metric tons of cement produced for ready-mix concrete to put people to work in the marketplace.

In the transit sector, over 5,500 options are now on call for the producers who can go from their now 5,000 to over 7,000 transit vehicles ramping up in 30 days. I've been to one of the transit producers in this country, they are ready to move.

And 82 percent of their purchases are U.S. suppliers, all final manufacturers in the United States, and all steel. All cement in our surface transportation program will be made in America, produced in America, invested in America.

We can do this. We will put people to work. We will oversee the implementation of this program, and we will put that on our Web site so the American people will know that this program is working.

Madam Speaker, I am pleased to rise in strong support of the Conference Report on H.R. 1, the ''American Recovery and Reinvestment Act of 2009''.

According to the employment statistics released by the Department of Labor last week, as of January 2009, there are 11.6 million unemployed persons in the U.S., for all sectors of the economy combined. In addition, when part-time and discouraged workers who want full-time jobs are included, the number of unemployed/under-employed workers increases to 22.3 million.

The construction sector has been particularly hard-hit—it has the highest unemployment rate (18.2 percent) of any industrial sector. As of January 2009, there were 1,744,000 unemployed construction workers in the nation.

This bill is urgently needed to put Americans back to work. The infrastructure investments funded by this bill will create good, family-wage jobs—jobs that cannot be outsourced to another country, because the work must be done here in the U.S. on our roads, bridges, transit and rail systems, airports, waterways, wastewater treatment facilities, and Federal buildings.

For more than a year now, I have worked to ensure that infrastructure investment plays a key role in our nation's economic recovery.

I thank Chairman OBEY for working so closely with me in this effort. We consulted extensively on the transportation and infrastructure provisions in the bill. Through his efforts and those of his staff, we were able to retain many of the good provisions in the House bill that were not in the Senate bill, and to develop good compromises where the bills differed. I particularly appreciate the hard work of Beverly Pheto, Staff Director, and Kate Hallahan and David Napoliello of the Transportation Subcommittee.

The legislation before us today does not include everything I had proposed. While I would have preferred increased funding levels, and tighter use-it-or-lose-it deadlines, I do not intend to let ''perfect'' become the enemy of ''good''.

This is a ''good'' bill. It is desperately needed by the American people, and it deserves our support.

This bill provides $64.1 billion for Transportation and Infrastructure Committee infrastructure investments. This funding will create or sustain 1.8 million jobs and generate $322 billion of economic activity. It will get construction workers off the bench and back on the job.

To ensure that the purpose of this legislation is achieved, the Committee on Transportation and Infrastructure will exercise vigorous oversight over the economic recovery funds within its jurisdiction. Federal agencies and grant recipients within our Committee's jurisdiction must understand that ''business as usual'' is not good enough anymore, and they will be held accountable to a high standard. We will insist that States, cities, and transit agencies live up to their assurances that they will be able to have contracts in place in 90 days for a substantial portion of the funding authorized by this bill. We will insist that projects under this bill be new projects, not simply replacements for projects which States were planning to carry out under existing programs. We will insist that Federal agencies expedite the process of approving projects and awarding grants.

With aggressive action by Federal agencies and grant recipients, the infrastructure funds provided by this bill can produce a substantial number of jobs by June, while also improving our deteriorating infrastructure and laying the foundation for our future economic growth.

I thank Speaker PELOSI, Chairman OBEY, Chairman of the Committee on Appropriations, Chairman OLVER, Chairman of the Subcommittee on Transportation, Housing and Urban Development, and Independent Agencies, and our colleagues for working with me and other Members of the Committee on Transportation and Infrastructure throughout the development of this legislation.

I strongly urge my colleagues to join me in supporting the Conference Report on H.R. 1, a true investment in America's future.

Mr. DREIER. Madam Speaker, at this time I am happy to yield 1 minute to our hardworking new colleague from Tequesta, Florida (Mr. ROONEY).

Mr. ROONEY. Madam Speaker, I can't tell you how disappointed I am as a new Member of this body as to the process that we are deliberating here today having only received this bill late last night and now we are voting on it today. What happened to the open and transparent Congress that I promised my constituents and that the President asked us to do when I was elected here not too long ago? The Democrats say that there has been transparency, but we know that this is not true.

What about the backroom deals? What about reaching across party lines? The minority has been left out of the discussion, and the people of my district expect and deserve better. I cannot vote for such a large bill that levies our economic future on the backs of my children.

Where is the help for more take-home pay for Martin County? Thirteen dollars a week? Where is the foreclosure relief for St. Lucie County? It's been cut in half. And what about jobs? I couldn't find one specific job for St. Lucie County which unemployment rates are now rivaling Detroit, Michigan.

The majority says it's their plan or nothing, and we are the party of ''no.'' But we had a plan. It was a good plan. And I sincerely hope in the future we will be able to work together as the people expect us to do.

Mr. PERLMUTTER. Madam Speaker, at this time I would yield 4 minutes to the gentleman from California, the chairman of Education and Labor, Mr. MILLER.

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

Mr. GEORGE MILLER of California. Madam Speaker and Members of the

House, we all know, and the people know, that the American economy is in a crisis. It's not that this bill in and of itself will fix the American economy, but this bill takes a major step to fill in the huge gap, and that is the loss of spending at the local level among our school districts, our water districts, our cities, our counties, and our States. Why is that happening? Because they're hemorrhaging a huge loss. And over the next couple of years, over $2 trillion will be missing in economic activity. This is a bill that's designed to stimulate those local economies.

In the education area, there's $56 billion that's available to local school districts for the rehabilitation, the repair, and the renovation of school buildings so that children will go to school in safe, well-lighted, modern facilities so that they will be green. They can put in new heating, new air conditioning systems, $600 million for new technologies so every school in this country will be connected to the best technology in the world. They will be able to engage in curriculums that now are impossible for them. They can have modern labs. That's the promise of America in this.

And who will do those jobs? Local contractors, heating contractors, electricians, plumbing contractors, building contractors from our local communities who will hire other people in our local communities. That's what will happen with this legislation. That's the promise of this legislation.

It will help school districts from keeping to lay off teachers. In the matter of a few weeks, California will start issuing its advanced pink slips. Hundreds of thousands of teachers across this nation will be in this same situation. Now, school districts will know that they're going to get $13 billion in title I in IDA money that will help them reduce the number of people who will be unemployed if we do nothing.

If we do nothing, unemployment will continue, and we know that it will continue for the next few months. But we're trying to mitigate against the increased unemployment through school construction, through highway construction, making sure the students can stay in college as their families are under pressure because of the loss of jobs, the diminished work hours, the loss of pay. We want to make sure that they can stay there so we provide an additional increase in the Pell Grant.

This is very important to this Nation. It's very important to our students, and it's very important that we have an opportunity to create in this economic crisis a 21st century education plan.

You know, it's just amazing. We always hear that history repeats, and here we see it again. And if you go back and you look at Arthur Schlesinger's study of the failures of the Hoover administration leading up to the elected of 1932, this book, ''Crisis of Old Order,'' we see that today, history is repeating itself.

Today, when this country cries out to help this economy, to help America's families who are unemployed, who are losing income, who are losing jobs, President Obama stepped forth with the American Recovery Act. The Republicans stepped forth with saying ''no.'' That was reflected when Minority Leader JOHN BOEHNER gave instructions to his colleagues to oppose the bill. Even as President Obama was traveling the Hill to meet with them and discuss this bill with them, they decided in advance of that meeting they would say ''no.''

Minority Whip ERIC CANTOR of Virginia has said that ''no'' is going to be the Republican strategy on this economic crises. ''No'' is going to be their strategy, he said.

The Republican national spokesman of late, radio host Rush Limbaugh, added that ''no'' is the strategy by asserting on the air that he wants President Obama to fail. Does he understand if President Obama fails that the American families lose income, they lose their jobs, and the crisis continues? And here we see the repeating of ''no.''

It was President Hoover in the midst of the Depression with his policy that the Federal Government could do nothing to help this Nation, and he was so wrong. He asked Will Rogers to think up a joke that would stop hoarding by the American public. He asked Rudy Vallee, Can you sing a song that would make people forget the Depression? I will give you a medal. He asked Christopher Morley, Perhaps what this country needs is a poem.

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

Mr. PERLMUTTER. Madam Speaker, I yield the gentleman 30 seconds.

Mr. GEORGE MILLER of California. This economic crisis will not be solved by a song, a poem, or a good joke. It will be solved by this Congress going to work with this new President to meet this crisis head on. It will be solved when we provide jobs in this country, when we free up the credit markets, when we force the banks to lend as they should be doing, and we provide this stimulus bill.

All Members of Congress should be very proud to vote ''aye'' on this legislation and yield to the cries and the needs of American families and workers.

Mr. DREIER. Madam Speaker, we share the goal of getting our economy back on track. One of the most compelling stories came from a town hall meeting in the hometown of our great friend, the distinguished chair of the Republican Conference, the gentleman from Columbus, Indiana (Mr. PENCE). I yield him 3 minutes.

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

Mr. PENCE. I thank the gentleman for yielding and for his kind remarks.

The American people know and House Republicans know our Nation is facing a serious recession. American families are hurting. Many have lost their jobs. Many million more are worried they will be next. House Republicans know that Congress must do something. But it's important that we do the right thing.

As this debate begins today, we just heard moments ago from a distinguished colleague and others that somehow Republicans are about saying ''no.'' Well, let me say with great respect to the gentleman, this is not about saying ''no.'' This is about saying ''yes'' to solutions that will put Americans back to work.

Republicans have brought forward such solutions built on the time honored experience of President John F. Kennedy, of President Ronald Reagan, and the experience of this Nation with the impending recession that followed September 11. We didn't go on a spending spree on Capitol Hill. We didn't offer Americans a $13-a-person tax cut. John F. Kennedy, Ronald Reagan, and this Congress and this government after September 11, under George W. Bush, cut taxes across the board for working families, small businesses, and family farms; and the economy grew.

But what has the majority brought to the floor today? The truth is this stimulus bill will do nothing to stimulate this economy in the long term. The only thing the Democrats' stimulus bill will do is stimulate more government and more debt.

The American people are asking, what's 13 bucks a week going to do to get this economy moving again for the average American? What's $2 billion for community organizing to organizations like ACORN going to do to get Americans from the unemployment line to the factory line or millions to begin rationing health care or to purchase green golf carts going to do to put families back to work in Indiana?

As the gentleman said, I had a town hall meeting Monday, myself, in Indiana. A 13-year-old girl stood up, told me that her dad, raising her and her sister, alone as a single parent had lost half of his hours at work. He'd gone from 40 hours to 24 hours. And she stood up bravely in front of 300 Hoosiers, and she said, Anything in that bill, Congressman, that can help my dad get back to full-time? And I looked at little Hillary, congratulated her for her courage, and I said, Hillary, because I can't answer ''yes'' to your question that there is anything in this bill that's going to help get your dad back to full time, I can't vote ''yes'' on this bill. And the 300 Hoosiers in that room exploded in agreeing applause.

The American people know what's going on here. The American people know that this administration and this Congress are about to pass a bill that will not grow our economy. It will merely grow our government. We can do better. We must do better. This Congress owes the American people no less.

□ 1015

Mr. PERLMUTTER. Madam Speaker, how much time does each side have remaining?

The SPEAKER pro tempore. The gentleman from Colorado (Mr. PERLMUTTER) has 7¾ minutes remaining, and the gentleman from California (Mr. DREIER) has 11¾ minutes remaining.

Mr. PERLMUTTER. I reserve my time so we can kind of even up.

Mr. DREIER. At this time, Madam Speaker, I'd like to yield 2 minutes to our very dynamic new member of the Rules Committee, the gentlewoman from Grandfather Community, North Carolina (Ms. FOXX).

Ms. FOXX. I thank my colleague for yielding me time, Madam Speaker.

I'm highly insulted by the comments of the Deputy Attorney General from California that were shared with us a few minutes ago. As a lifetime farmer and a representative of many farmers, this is another indication of the atmosphere of arrogance within the majority party. It's an arrogance also expressed here this morning that only the President of this country can save us. Well, thank you very much, the American people have done very well by themselves over the last 200-plus years, and we haven't needed any President to save us.

The majority says saying ''no'' is easy. Republicans aren't saying ''no'' to the needs of the American people. We have a better alternative that's not being considered. For the majority, spending other people's money is easy. That's what this bill does. It's generational abuse.

Last night, Mr. OBEY said that the bill had been worked out with the White House. So I asked him to show us the accountability the President's been promising, show me how the spending leads to job creation section by section. He could not. I ask you, where's the beef?

Then he said, it's irrelevant what we think about this bill. The first article in the Constitution is about the Congress. It's not irrelevant what we think about this bill. My constituents don't like this bill. I don't like the bill.

I urge my colleagues to vote ''no'' on the rule, vote ''no'' on the bill and say to the majority, we're not going to take your arrogance and we are not going to take your stealing the money from us, our children and our grandchildren.

Mr. PERLMUTTER. I continue to reserve.

Mr. DREIER. Madam Speaker, I was just congratulating Ms. FOXX on her thoughtful statement. At this time, I'm happy to yield 2 minutes to our good friend from Westminster, South Carolina (Mr. BARRETT).

Mr. BARRETT of South Carolina. Madam Speaker, I rise in opposition to the rule to this conference report between Democrats to H.R. 1. This backroom-written Democrat spending bill costs too much money, doesn't fix the problem fast enough, and fails to make enough good jobs.

In the long run, Madam Speaker, this bill will cost working families over $1 trillion. After today, each American household will owe $100,000 to pay for government debt. What's even scarier, in this conference report Democrats took what little bit of tax relief was in there away from families and small businesses so they could increase spending on pet projects like $50 million to the National Endowment of the Arts and $300 million for green golf carts.

The Congressional Budget Office has estimated that less than half the money in the Democrat stimulus plan will be spent in the next 2 years. Madam Speaker, folks in South Carolina and across this country are losing their jobs today. American families are struggling to make ends meet and cannot afford to wait 2 years to see a potential improvement in their economy.

The real problem, Madam Speaker, is Democrats have lost their faith in the American people. They don't see what I see. I look at the people back home in South Carolina, and I know that they are the key to moving America forward. The barbershop on the corner, the hardware store down the street, they're the driving force of the economy, not the bureaucrats in Washington.

And it's because of my faith in the American people that I support the House Republican economy recovery plan. This plan allows small businesses, the heart and soul of our economy, to take a tax deduction equal to 20 percent of their income, a deduction that will allow small businesses to hire new employees, to grow. In South Carolina, this plan will create 34,000 jobs more than the Democrat plan and will cost half.

It's my sincere hope that the spending bill fails, and we in Congress can debate a bill that won't put a crushing burden on our children, won't take 2 years to work, and will rely on our small businesses. Vote ''no'' on this plan.

Mr. PERLMUTTER. I'd like, Madam Speaker, to yield 1 minute to my friend from New York, Mr. BISHOP.

(Mr. BISHOP of New York asked and was given permission to revise and extend his remarks.)

Mr. BISHOP of New York. Madam Speaker, let me start by taking this opportunity to commend both the House and Senate conferees on crafting this compromise legislation that will create and preserve nearly 3.5 million jobs here in America and will set our Nation on a course toward economic recovery.

It is imperative that we plug the holes in our job market that lost 600,000 jobs last month alone, and these holes will not be plugged by a strategy of saying ''no'' nor will they be plugged by a strategy of returning to the failed policies of the past, which is all our friends on the other side of the aisle are offering.

Through investing in our infrastructure and investment in our children's education and preserving the ability of our States to provide essential services, this bill will create jobs for millions of Americans, even as we better prepare the next generation for the challenges they will face.

Madam Speaker, I look forward to working with my colleagues on both sides of the aisle to ensure that this historic effort will return our Nation to economic prosperity and provide hope to the millions who have suffered as a result of the failed policies of the past.

Mr. DREIER. Madam Speaker, at this time, I'm happy to yield 1 minute to a former Rules Committee member, the gentleman from Marietta, Georgia (Mr. GINGREY).

Mr. GINGREY of Georgia. Madam Speaker, I had some prepared remarks, but I'm going to set those aside because I saw an article this morning in The Hill newspaper by Cheri Jacobus, and I think it says it all and I want to quote an excerpt.

''Congress should throw this greasy pile of pork into the grinder. Instead, give every American household a $10,000 stimulus check to spend as we please. With approximately 100 million households nationwide, we hit that magic number of $1 trillion. This, along with a 2-year moratorium on capital gains taxes, will get the economy off life support.

''Instead of condoms, green golf carts, mouse habitats and government-run health care, Americans would spend based on individual priorities, thus spurring competition, resulting in higher-quality goods and services. Good banks succeed; bad banks fail. Well-priced, quality automobiles hit the streets; lemons fade away. Capitalism lives to fight another day and the greatest country on Earth narrowly survives its near-death experience with socialism.''

Mr. PERLMUTTER. At this time, Madam Speaker, I'd like to yield 1½ minutes to the gentlewoman from California, Ms. BARBARA LEE.

Ms. LEE of California. Madam Speaker, let me thank the gentleman for yielding and applaud our Speaker and President Obama and our leadership for a fair and balanced bill.

The disastrous economic policies of the previous administration, including the irresponsible tax cuts for the wealthy, the war in Iraq and a regulated financial services industry, have left our Nation in shambles. Many more people, millions more, are living in poverty, without health insurance, and unemployment is through the roof.

Recognizing this urgency, I established the Congressional Black Caucus Economic Recovery Task Force, chaired by Congressman CLEAVER, to help guide our response to the economic crisis.

Historically, the role of the Congressional Black Caucus has been to act as the conscience of the Congress and ensure that no American is left behind.

This is our moral responsibility. That was our overriding goal with this bill, as we sought to create more jobs for more people.

This package will help working families by expanding food stamps, unemployment insurance, and health coverage for the uninsured, and investing in education and job training, infrastructure, foreclosure relief, and assistance.

It's not perfect. It should have been much, much bigger, but it's a critical first step. It reflects our values as a Nation.

Although the American dream has turned into a nightmare for many during this economic crisis, many people, many people have been living this nightmare for years. So we've got to continue to fight on their behalf, and we will.

I urge my colleagues to support this bill.

Mr. DREIER. Madam Speaker, at this time, I'm happy to yield 1 minute to our good friend from Roswell, Georgia (Mr. PRICE).

Mr. PRICE of Georgia. I appreciate my friend for yielding.

Madam Speaker, you really can't be serious. You can't be serious. This would be humorous if it wasn't so sad. Got this at 11 o'clock last night, over 1,000 pages. What's in it? Have you read it? We found $30 million for mice. Got $30 million for mice. You can't be serious. What a joke. $30 million for mice. Does that create jobs?

Imagine what we could do with $30 million, Madam Speaker. Imagine what we could do with $1 trillion, Madam Speaker, if we worked together for real solutions.

We understand that people are hurting, but this majority is only interested in paying off and buying political friends like $2 billion for ACORN and $300 million for golf carts for bureaucrats. What a joke.

But the American people aren't laughing. This bill is selfish because it robs from future generations. It's irresponsible because it won't work. What a joke. The American people aren't laughing.

Mr. PERLMUTTER. Madam Speaker, I yield 1 minute to the gentlewoman from Texas, Ms. SHEILA JACKSON-LEE, and as she's getting ready, I would say to my friend, Dr. PRICE from Georgia, there's not anything in that bill about mice, $30 million for mice. We talked about it yesterday. It's not in there, and I challenge him.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentleman will suspend.

The Chair will ask Members to refrain from interrupting another in debate after that Member has expressed a refusal to yield.

Ms. JACKSON-LEE of Texas. Let me thank the distinguished gentleman from Colorado and the Rules Committee for the heavy lifting, along with the Appropriations Committee and Financial Services Committee, and all of those who have joined the leadership in this heavy responsibility of governance.

I'm proud to be part of the governing party, if you will, the Democratic caucus that has the responsibility of leading this Nation, and we accept the burden and responsibility of making sure that there is a credible answer to America's problems.

Someone needs to talk to the unemployed construction worker or the young woman laid off in the retail industry or retiree who wants to come back to work. This bill is a responsible bill, $64 billion in transportation and infrastructure, 1.8 million jobs; the construction worker back to work; $800 payment for a couple, $400 payment for a single person. It's not $13 a week, as they'd like to say. It's a lump sum that people are desperately in need of.

This is an important and responsible act. We're putting together in my office task forces to ensure that Houston communities get this relief. It's important to vote for this bill. America needs this bill. It's time to answer the call of America. I support the Rules Committee and economic recovery bill.

Mr. DREIER. Madam Speaker, at this time, I'm happy to yield 1 minute to our friend from Mesa, Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

A lot has been said about the process here, and it needs to be said. To receive a bill that's over 1,000 pages at 11 o'clock last night and expect to vote on it with any knowledge of really what's in it today is simply absurd. So the process is wrong, but we need not lose sight of the broader picture here. We know enough about this legislation to know that it is bad legislation. First and foremost, the process is bad, but it's bad legislation.

Now, some will say, well, you're just not a Keynesian, you don't believe in Keynesian economics. Keynes would be embarrassed by this legislation. If you believe in Keynesian economics, then certainly you would spend money in a way that stimulates the economy. I doubt that John Maynard Keynes would believe that $50 million for the National Endowment for the Arts would be stimulative. All that it stimulates is more spending later.

And the problem here is we're creating hundreds of new Federal programs that will continue in perpetuity, that will become a drag on the economy, not bolster it.

Vote against this legislation.

Mr. PERLMUTTER. I'd like to yield 1 minute to my friend from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Thank you very much.

Madam Speaker, this is no joke. To my friends on the other side of this aisle, this is a very serious matter. We've lost 3,673,000 jobs in the last year alone. Madam Speaker, that is 10,000 jobs every day.

Now, what we have here is plain and simple. Our economy has leaks and holes in it all throughout. That's why you've got 1,000 pages there because it's big. Our economy is big.

You say you haven't read it. I would say you have read it. You've come down here and poked holes about it, said this is what's wrong with it and that's what's wrong with it. How do you know that if you haven't read it?

□ 1030

The other point is this, Madam Speaker: last November the people of the United States made a decision and that decision was to put Barack Obama as President, because they wanted a new direction. He has pleaded, he has cajoled, he's gone all across this country asking for help. I say, Madam Speaker, let us give him the help, let us come together, and let us go ahead and pass this bill without delay. The American people are counting on us.

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

Mr. DREIER. Will the gentleman yield?

I would yield my friend 30 seconds. Has his time expired, Madam Speaker?

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

Mr. DREIER. Madam Speaker, I yield myself 15 seconds to simply say to my friend, who unfortunately wouldn't yield, we do have a thousand pages here. This was put online after midnight. We all voted in favor of 48 hours—you voted in favor of 48 hours—to allow the American people and our colleagues to see this. We all understand the urgency of this matter. Has my colleague read this? Many of us have been trying to go through it since after midnight in the Rules Committee.

Mr. SCOTT of Georgia. I was up until 3 o'clock this morning reading it. If you had done this, Mr. DREIER, you were here debating it last week——

The SPEAKER pro tempore. The gentleman will suspend.

Mr. DREIER. Two-and-a-half hours, and you went through a thousand pages.

The SPEAKER pro tempore. The gentleman will suspend.

Mr. DREIER. Madam Speaker, at this time I am happy to yield——

The SPEAKER pro tempore. The gentleman will suspend.

The time of the gentleman has expired.

Mr. PERLMUTTER. I would like to inquire how much time remains, Madam Speaker.

The SPEAKER pro tempore. The gentleman from Colorado has 3 minutes remaining. The gentleman from California has 4½ minutes remaining.

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

Mr. DREIER. Madam Speaker, at this time I am happy to yield 1 minute to a former Rules Committee member, one of our new appropriators, the gentleman from Moore, Oklahoma (Mr. COLE).

Mr. COLE. I thank the gentleman for yielding.

Madam Speaker, I rise to oppose the rule and the underlying legislation, H.R. 1. This underlying bill is unfocused, it's bloated, and it's self-defeating. It won't stimulate our economy. It will certainly stimulate growth in the size of government.

The bill fails in four basic areas:

First, its tax cuts are too small, too temporary and simply don't encourage people to purchase products or employers to hire people.

Second, much of the spending in the bill is recurring and will add to the size of government and ultimately slow future growth.

Third, our country is at war and yet nothing in this bill helps those protecting our freedom. And by ignoring legitimate procurement issues, we fail to take a measure that would actually stimulate the economy.

Finally, Madam Speaker, this bill is sold as an infrastructure bill, yet only 7 percent of the spending is actually on infrastructure. We can do better than this. We can have a bipartisan, open process and pass legislation we can all be proud of.

Mr. PERLMUTTER. I would like to yield 1 minute to my friend from Ohio (Mr. BOCCIERI).

Mr. BOCCIERI. Madam Speaker, the United States of America is in a great recession and we will be judged as a United States Government by two measures—by action or inaction.

And I tell my friends on the other side of the aisle who are not going to vote for this measure today, you are walking away from America and Americans in her greatest time of need. I remember as a C–130 pilot flying missions in and out of Iraq how much money we were spending over there to rebuild roads and bridges in Iraq and to make sure every man, woman and child in Iraq had universal health care coverage. You didn't bat an eye to vote for them. You didn't bat an eye to bail out $700 billion for Wall Street. This is about investing in America and Americans in their greatest time of need. We have to be measured by what we're going to do. Are we going to be leaders or are we going to be blockers? Are we going to act or are we not? Are we going to vote for Iraqis or Americans?

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members seated in the Chamber will refrain from shouting interjections out during debate, and Members should address their remarks to the Chair.

Mr. DREIER. Madam Speaker, at this time I am happy to yield a minute to my good friend from Tyler, Texas (Mr. GOHMERT).

Mr. GOHMERT. Madam Speaker, this rule is so cynical. The biggest spending bill in the history of the world and the rule says we can't even have the bill read out loud here on the floor so the American people really know what we're doing to future generations.

And to hear my colleagues across the aisle, Madam Speaker, talk about the jobs, 600,000 jobs being lost in the last month, it breaks my heart for every job. We lost 1200 in east Texas yesterday. Why? Because the hope and the change that people voted for in the President has come to doom and gloom. They have held on to avoid letting their workers go, but now for the last month they've heard the Democratic proposals and what they see is no hope. There's no hope left in this bill. It's not going to help the economy, so they're having to let their workers go. We say yes to the American people. We say no to the atmosphere of arrogance that says the American people are not the solution. They are the solution. Give them a tax holiday. Let them keep their own money and spend it to get the economy going. That's yes to America. That's yes to the American solution.

Mr. PERLMUTTER. Madam Speaker, I would like to yield 30 seconds to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. This is going to be a clear point of demarcation. Eight years of the Bush administration and we lost millions of jobs. Millions of Americans lost their homes, lost their investments. Our schools crumbled. And now as we launch into these 4 and 8 years, we're going to see schools rebuilt, millions put to work, we're going to see the economy turn around, and it starts today.

Now in '93 when we had the Clinton economic plan, not one Republican voted for it in the House or Senate. But we did get 27 million new jobs, we did balance the budget, and pay down the national debt. History has a way of repeating itself.

Mr. DREIER. Madam Speaker, I would like to yield at this point 30 seconds to our good friend from Texas, distinguished secretary of the Republican Conference, Mr. CARTER.

Mr. CARTER. I thank the gentleman.

The President told us that this bill was not going to have any earmarks in it and if it was, he was going to do something about it and I'm proud of him.

I'm concerned about an earmark. An earmark is a Member-directed initiative. We have an earmark for a train from Las Vegas to California. That seems to be one of the earmarks we had. I'm not sure in this 25 feet high bill we've got here that we've still got the mouse, but we had a $30 million earmark for a mouse in California.

I hope you'll veto this bill.

Mr. PERLMUTTER. Madam Speaker, how much time do we each have?

The SPEAKER pro tempore. The gentleman from Colorado has 1½ minutes remaining. The gentleman from California has 2 minutes remaining.

Mr. PERLMUTTER. Madam Speaker, I would like to reserve the balance of my time for closing.

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

The SPEAKER pro tempore. The gentleman is recognized for 2 minutes.

Mr. DREIER. Madam Speaker, I began by reporting to the House of the sad news that I received yesterday when a man telephoned me to say that his young son's best friend's father had just committed suicide because of the economic difficulty their family was facing. We all know how serious this situation is. We have friends who have lost homes, people who have lost jobs, and we all know that it is imperative that we take action and that we take action now, and most important, Madam Speaker, that we do the right thing.

Now I'm going to urge my colleagues to oppose the previous question on this measure. Why? So that we can do what every single Member of this institution on a unanimous recorded vote said they wanted to do on Tuesday, and, that is, say that 48 hours should be provided for Members to look at this bill. The Rules Committee got this package very late last night, around midnight. We were told at that time just before midnight that it was online, available for the American people to see, and, Madam Speaker, it was not. Three sections were missing. Not until well after midnight was this made available. And so any Member who cast a vote in favor of allowing 48 hours for this measure to be considered should vote no on the previous question so that we will provide an amendment to allow for what everyone said they wanted to in fact take place.

This measure is, as has been reported, a thousand pages, and no one knows what it's going to do, including our friend the chairman of the Appropriations Committee who in his testimony last night before the Rules Committee said he had no idea how many jobs would be created. He had no idea how many jobs would be created, but we have to take action. And, Madam Speaker, we can take action by putting into place a growth-oriented tax package which will in fact get our economy back on track.

I urge my colleagues to vote ''no'' on the previous question.

Mr. PERLMUTTER. Madam Speaker, my friend from California's story about the gentleman who committed suicide underscores the urgency of this matter. This is not a time for delay. This is not a time for inaction. It is a time for action. The President has requested this bill get passed to put America back to work. This bill will maintain or create 3.6 million jobs. We've lost hundreds of thousands of jobs over the course of the last few months. We need to stop that downward spiral and this will do that. It has five major components. First there's construction and reconstruction of our infrastructure. Current jobs, long-term investment. A look to the new energy future, new jobs in science and technology, in health care and in energy. It gives our States a chance to stay on their feet by backfilling some of their losses for teachers and firefighters and policemen and maintenance workers. There is a tax

cut for 95 percent of America in this bill. Finally, there is a piece that helps those folks who have been hurt by this downturn with Medicaid and food stamps and unemployment insurance.

This bill is a fantastic step forward. There will be a series of steps that have to be taken and it will take time. But we have faith in the American people. We have faith in this country. We are going to change the direction of this Nation and put 3.5 million people back to work.

I urge a ''yes'' vote on the previous question.

The material previously referred to by Mr. DREIER is as follows:

AMENDMENT TO H. RES. 168 OFFERED BY MR. DREIER OF CALIFORNIA

Strike ''upon adoption of this resolution'' and insert ''not sooner than 10:45 p.m. on the calendar day of February 14, 2009''.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

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

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

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

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 234, nays 194, not voting 4, as follows:

[Roll No. 66]

YEAS—234

Abercrombie
Ackerman
Adler (NJ)
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
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
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Speier
Spratt
Stupak
Sutton
Tanner
Tauscher
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—194

Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Boyd
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cantor
Cao
Capito
Carney
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kilroy
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Perriello
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
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland

Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—4

Campbell
Lee (NY)
Solis (CA)
Stark

□ 1107

Messrs. SHADEGG, BLUNT, MARSHALL and McINTYRE changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. DREIER. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—yeas 231, nays 194, not voting 7, as follows:

[Roll No. 67]

YEAS—231

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
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
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis (CA)
Space
Speier
Spratt
Stupak
Sutton
Tauscher
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—194

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Baird
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Boyd
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cantor
Capito
Carney
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
DeFazio
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lance
Latham
LaTourette
Latta
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tanner
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Campbell
Cao
Israel
Lamborn
Lee (NY)
Radanovich
Stark

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1114

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. CAO. Madam Speaker, on rollcall No. 67, I was unavoidably detained. Had I been present, I would have voted "nay."

□ 1115

PARLIAMENTARY INQUIRY

Ms. FOXX. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman from North Carolina will state her parliamentary inquiry.

Ms. FOXX. Madam Speaker, on February 10, 2009, the House adopted a motion to instruct conferees on H.R. 1 by a vote of 403 yeas and no nays. That motion directed the managers on the part of the House to withhold their signatures on the final conference agreement until that agreement had been available electronically for at least 48 hours.

Madam Speaker, it is a matter of public record that the three majority House conferees affixed their signatures to the conference agreement while the hard copy had been available for less than 1 hour and the electronic copy was as yet unavailable. In fact, a correct electronic copy was not made available until after midnight last night. So it is uncontroverted that the majority House conferees acted in direct opposition to the unanimous instructions of the House.

Madam Speaker, my inquiry is this: Given that the majority managers on the part of the House ignored the instructions given them by 403 of their colleagues, without a single dissenting vote, what remedy do we have against the managers who disregarded the instruction to make the conference report available for 48 hours?

The SPEAKER pro tempore. Members may illuminate such questions by their remarks in debate.

Ms. FOXX. Madam Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state her inquiry.

Ms. FOXX. Just to clarify then, there is no point of order or other remedy available to address this flagrant violation of the instructions of the House?

The SPEAKER pro tempore. It is not the province of the Chair to render advisory opinions or rule on questions of order not actually presented.

CONFERENCE REPORT ON H.R. 1, AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

Mr. OBEY. Madam Speaker, pursuant to House Resolution 168, I call up the conference report on the bill (H.R. 1) making supplemental appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the

unemployed, and State and local fiscal stabilization, for fiscal year ending September 30, 2009, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The conference report to accompany the bill (H.R. 1) contains an emergency designation for purposes of pay-as-you-go principles. Accordingly, the Chair must put the question of consideration under clause 10(c)(3) of rule XXI.

The question is, Will the House now consider the conference report?

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 232, nays 195, not voting 5, as follows:

[Roll No. 68]

YEAS—232

Abercrombie	Fattah	Matheson
Ackerman	Filner	Matsui
Adler (NJ)	Foster	McCarthy (NY)
Altmire	Frank (MA)	McCollum
Andrews	Fudge	McDermott
Arcuri	Gonzalez	McGovern
Baca	Grayson	McIntyre
Baldwin	Green, Al	McMahon
Barrow	Green, Gene	McNerney
Becerra	Grijalva	Meek (FL)
Berkley	Gutierrez	Meeks (NY)
Berman	Hall (NY)	Melancon
Berry	Halvorson	Miller (NC)
Bishop (GA)	Hare	Miller, George
Bishop (NY)	Harman	Mitchell
Blumenauer	Hastings (FL)	Mollohan
Boccieri	Heinrich	Moore (KS)
Boren	Herseth Sandlin	Moore (WI)
Boswell	Higgins	Moran (VA)
Boucher	Hill	Murphy (CT)
Boyd	Himes	Murphy, Patrick
Brady (PA)	Hinchey	Murtha
Braley (IA)	Hinojosa	Nadler (NY)
Brown, Corrine	Hirono	Napolitano
Butterfield	Hodes	Neal (MA)
Capps	Holden	Nye
Capuano	Holt	Oberstar
Cardoza	Honda	Obey
Carnahan	Hoyer	Olver
Carson (IN)	Inslee	Ortiz
Castor (FL)	Israel	Pallone
Chandler	Jackson (IL)	Pascrell
Childers	Jackson-Lee (TX)	Pastor (AZ)
Clarke	Johnson (GA)	Payne
Clay	Johnson, E. B.	Perlmutter
Cleaver	Kagen	Peters
Clyburn	Kanjorski	Peterson
Connolly (VA)	Kaptur	Pingree (ME)
Conyers	Kennedy	Polis (CO)
Costa	Kildee	Pomeroy
Costello	Kilpatrick (MI)	Price (NC)
Courtney	Kilroy	Rahall
Crowley	Kind	Rangel
Cuellar	Kissell	Reyes
Cummings	Klein (FL)	Richardson
Dahlkemper	Kosmas	Rodriguez
Davis (AL)	Kucinich	Ross
Davis (CA)	Langevin	Rothman (NJ)
Davis (IL)	Larsen (WA)	Roybal-Allard
DeGette	Larson (CT)	Ruppersberger
Delahunt	Lee (CA)	Rush
DeLauro	Levin	Ryan (OH)
Dicks	Lewis (GA)	Salazar
Dingell	Lipinski	Sánchez, Linda T.
Donnelly (IN)	Loebsack	Sanchez, Loretta
Doyle	Lofgren, Zoe	Sarbanes
Driehaus	Lowey	Schakowsky
Edwards (MD)	Luján	Schauer
Edwards (TX)	Lynch	Schiff
Ellison	Maffei	Schrader
Ellsworth	Maloney	Schwartz
Engel	Markey (CO)	Scott (GA)
Eshoo	Markey (MA)	Scott (VA)
Etheridge	Massa	Serrano
Farr	Matheson	Sestak
Fattah	Matsui	Shea-Porter
Filner	McCarthy (NY)	Sherman
Foster	McCollum	Sires
Frank (MA)	McDermott	Skelton
Fudge	McGovern	Slaughter
Gonzalez	McIntyre	Snyder
Grayson	McMahon	Solis (CA)
Green, Al	McNerney	Space
Green, Gene	Meek (FL)	Speier
Grijalva	Meeks (NY)	Spratt
Gutierrez	Melancon	Stupak
Hall (NY)	Miller (NC)	Sutton
Halvorson	Miller, George	Tanner
Hare	Mitchell	Tauscher
Harman	Mollohan	Teague
Hastings (FL)	Moore (KS)	Thompson (CA)
Heinrich	Moore (WI)	Thompson (MS)
Herseth Sandlin	Moran (VA)	Tierney
Higgins	Murphy (CT)	Titus
Hill	Murphy, Patrick	Tonko
Himes	Murtha	Towns
Hinchey	Nadler (NY)	Tsongas
Hinojosa	Napolitano	Van Hollen
Hirono	Neal (MA)	Velázquez
Hodes	Nye	Visclosky
Holden	Oberstar	Walz
Holt	Obey	Wasserman Schultz
Honda	Olver	Waters
Hoyer	Ortiz	Watson
Inslee	Pallone	Watt
Israel	Pascrell	Waxman
Jackson (IL)	Pastor (AZ)	Weiner
Jackson-Lee (TX)	Payne	Welch
Johnson (GA)	Perlmutter	Wexler
Johnson, E. B.	Peters	Wilson (OH)
Kagen	Peterson	Woolsey
Kanjorski	Pingree (ME)	Wu
Kaptur	Polis (CO)	Yarmuth
Kennedy	Pomeroy	
Kildee	Price (NC)	
Kilpatrick (MI)	Rahall	
Kilroy	Rangel	
Kind	Reyes	
Kissell	Richardson	
Klein (FL)	Rodriguez	
Kosmas	Ross	
Kucinich	Rothman (NJ)	
Langevin	Roybal-Allard	
Larsen (WA)	Ruppersberger	
Larson (CT)	Rush	
Lee (CA)	Ryan (OH)	
Levin	Salazar	
Lewis (GA)	Sánchez, Linda T.	
Lipinski	Sanchez, Loretta	
Loebsack	Sarbanes	
Lofgren, Zoe	Schakowsky	
Lowey	Schauer	
Luján	Schiff	
Lynch	Schrader	
Maffei	Schwartz	
Maloney	Scott (GA)	
Markey (CO)	Scott (VA)	
Markey (MA)	Serrano	
Massa	Sestak	
Matheson	Shea-Porter	
Matsui	Sherman	
McCarthy (NY)	Sires	
McCollum	Skelton	
McDermott	Slaughter	
McGovern	Snyder	
McIntyre	Solis (CA)	
McMahon	Space	
McNerney	Speier	
Meek (FL)	Spratt	
Meeks (NY)	Stupak	
Melancon	Sutton	
Miller (NC)	Tanner	
Miller, George	Tauscher	
Mitchell	Teague	
Mollohan	Thompson (CA)	
Moore (KS)	Thompson (MS)	
Moore (WI)	Tierney	
Moran (VA)	Titus	
Murphy (CT)	Tonko	
Murphy, Patrick	Towns	
Murtha	Tsongas	
Nadler (NY)	Van Hollen	
Napolitano	Velázquez	
Neal (MA)	Visclosky	
Nye	Walz	
Oberstar	Wasserman Schultz	
Obey	Waters	
Olver	Watson	
Ortiz	Watt	
Pallone	Waxman	
Pascrell	Weiner	
Pastor (AZ)	Welch	
Payne	Wexler	
Perlmutter	Wilson (OH)	
Peters	Woolsey	
Peterson	Wu	
Pingree (ME)	Yarmuth	
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		

NAYS—195

Aderholt	Foxx	Miller, Gary
Akin	Franks (AZ)	Minnick
Alexander	Frelinghuysen	Moran (KS)
Austria	Gallegly	Murphy, Tim
Bachmann	Garrett (NJ)	Myrick
Bachus	Gerlach	Neugebauer
Baird	Giffords	Nunes
Barrett (SC)	Gingrey (GA)	Olson
Bartlett	Gohmert	Paul
Barton (TX)	Goodlatte	Paulsen
Bean	Granger	Pence
Biggert	Graves	Perriello
Bilbray	Griffith	Petri
Bilirakis	Guthrie	Pitts
Bishop (UT)	Hall (TX)	Platts
Blackburn	Harper	Poe (TX)
Blunt	Hastings (WA)	Posey
Boehner	Heller	Price (GA)
Bonner	Hensarling	Putnam
Bono Mack	Herger	Radanovich
Boozman	Hoekstra	Rehberg
Boustany	Hunter	Reichert
Brady (TX)	Inglis	Roe (TN)
Bright	Issa	Rogers (AL)
Broun (GA)	Jenkins	Rogers (KY)
Brown (SC)	Johnson (IL)	Rogers (MI)
Brown-Waite, Ginny	Johnson, Sam	Rohrabacher
Buchanan	Jones	Rooney
Burgess	Jordan (OH)	Ros-Lehtinen
Burton (IN)	King (IA)	Roskam
Buyer	King (NY)	Royce
Calvert	Kingston	Ryan (WI)
Camp	Kirk	Scalise
Cantor	Kirkpatrick (AZ)	Schmidt
Cao	Kline (MN)	Schock
Capito	Kratovil	Sensenbrenner
Carney	Lamborn	Sessions
Carter	Lance	Shadegg
Cassidy	Latham	Shimkus
Castle	LaTourette	Shuler
Chaffetz	Latta	Shuster
Coble	Lewis (CA)	Simpson
Coffman (CO)	Linder	Smith (NE)
Cohen	LoBiondo	Smith (NJ)
Cole	Lucas	Smith (TX)
Conaway	Luetkemeyer	Smith (WA)
Cooper	Lummis	Souder
Crenshaw	Lungren, Daniel E.	Stearns
Culberson	Mack	Sullivan
Davis (KY)	Manzullo	Taylor
Deal (GA)	Marchant	Terry
DeFazio	Marshall	Thompson (PA)
Dent	McCarthy (CA)	Thornberry
Diaz-Balart, L.	McCaul	Tiahrt
Diaz-Balart, M.	McClintock	Tiberi
Doggett	McCotter	Turner
Dreier	McHenry	Upton
Duncan	McHugh	Walden
Ehlers	McKeon	Wamp
Emerson	McMorris Rodgers	Westmoreland
Fallin	Mica	Whitfield
Flake	Michaud	Wilson (SC)
Fleming	Miller (FL)	Wittman
Forbes	Miller (MI)	Wolf
Fortenberry		Young (AK)
		Young (FL)

NOT VOTING—5

Campbell	Gordon (TN)	Stark
Davis (TN)	Lee (NY)	

□ 1137

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

Mr. LEWIS of California. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. TIERNEY). The gentleman may state his inquiry.

Mr. LEWIS of California. Mr. Speaker, it is my understanding that the rule has allowed for 90 minutes of debate on this $800 billion package; is that correct?

The SPEAKER pro tempore. Ninety minutes is correct.

Does the gentleman have a parliamentary inquiry?

Mr. LEWIS of California. It is my understanding that many Members who wish to debate this matter, thereby, will not be allowed time because of the limited time. I further understand that I am not allowed to ask for an extension of time under the rule; is that correct?

The SPEAKER pro tempore. The Chair cannot anticipate what request will be made.

Mr. LEWIS of California. Then let me further say it is my understanding that an extension of time, which would be the request, can only be made by the gentleman from Wisconsin; is that correct?

The SPEAKER pro tempore. The Chair will deal with the unanimous consent requests as they may occur.

Mr. LEWIS of California. You are forcing me to do that which we really should not have to do.

The SPEAKER pro tempore. Well, the Chair thinks the gentleman can read the rule and can understand it, but if he wishes to proceed, he may go ahead.

Mr. LEWIS of California. I hope the gentleman from Wisconsin will respond, but I would ask unanimous consent that we extend debate time by 1 hour.

The SPEAKER pro tempore. The Chair would look to the gentleman from Wisconsin to propound such a request.

Mr. LEWIS of California. Then let me ask the gentleman from Wisconsin: Would you consider such a request?

Mr. OBEY. If the gentleman would yield, I would simply note the House has already voted on how it intends to proceed, and I see no reason to depart from that.

Mr. LEWIS of California. I believe the gentleman could initiate it by unanimous consent, and he has the authority for that. I urge the gentleman to do so. All of our people want more time.

The SPEAKER pro tempore. Is the gentleman stating a parliamentary inquiry?

Mr. LEWIS of California. I very much appreciate the Speaker for his time.

Mr. OBEY. If the gentleman is asking, would the gentleman yield for a response?

The SPEAKER pro tempore. The gentleman from California no longer seeks recognition.

PARLIAMENTARY INQUIRY

Mr. PRICE of Georgia. I have a parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. Please state the inquiry.

Mr. PRICE of Georgia. Mr. Speaker, earlier this week, the House passed a unanimous motion to instruct which directed the conferees to make the text of this report available for 48 hours before being considered.

Under House rules, what is the effect of a motion to instruct?

The SPEAKER pro tempore. Instructions by the House to its conferees are advisory in nature and are not binding as a limitation on their authority.

Mr. PRICE of Georgia. A further inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. PRICE of Georgia. Then a unanimous motion to instruct adopted by this House is not binding at all and, therefore, is of no consequence; is that correct?

The SPEAKER pro tempore. The Chair will repeat: Instructions by the House to its conferees are advisory in nature and are not binding as a limitation on their authority.

Mr. PRICE of Georgia. A further inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. PRICE of Georgia. Under House rules, isn't it true that a conference report cannot be made in order and considered on the floor unless it has been available for 3 calendar days?

The SPEAKER pro tempore. This question is hypothetical as any such point of order has been waived.

Mr. PRICE of Georgia. Mr. Speaker, I reserve a point of order under rule XXII, clause 8 whereby the conference report shall not be in order and will be considered as read unless it has been available for 3 calendar days.

The SPEAKER pro tempore. The point of order has been waived.

Mr. PRICE of Georgia. Mr. Speaker, a further inquiry then.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. PRICE of Georgia. Is there an opportunity under the rules to allow for a reading of the over 1,000-page bill that is being considered currently?

The SPEAKER pro tempore. The order of the House provides that the conference report is considered as read.

Mr. PRICE of Georgia. A further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. PRICE of Georgia. As the ruling of the Chair, as the ruling of the Speaker, it is my understanding then, in having this bill of over 1,000 pages made available to the Members of the House after 11 or 12 o'clock last night, that this is to have been considered read even though it is physically impossible for any Member to have read this bill; is that correct?

The SPEAKER pro tempore. House Resolution 168 provides that the conference report is considered as read.

Mr. PRICE of Georgia. I thank the Speaker.

The SPEAKER pro tempore. Pursuant to House Resolution 168, the conference report is considered read.

(For conference report and statement, see proceedings of the House of February 12, 2009, at page H1307.)

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 45 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. OBEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the conference report accompanying H.R. 1, and that I may include tabular material on the same.

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

There was no objection.

Mr. OBEY. Mr. Speaker, I yield myself 10 seconds.

As Senator COCHRAN said, the time for talk is over. It is time to vote. The country needs this package. I urge support. I think we ought to get on with it.

ECONOMIC ANALYSIS OF THE CONFERENCE REPORT ON H.R. 1, THE AMERICAN RECOVERY AND REINVESTMENT ACT

Economists generally agree that the Nation is facing one of the most dire economic crises in our history. Over the past three months 1.8 million jobs have been lost after falling the same amount in the prior ten months. Other economic data also point to an ever-faster sinking U.S. economy:

Unemployment has soared by 4.1 million, an increase of more than 50 percent from 7.5 million to 11.6 million since December 2007 when the recession began.

Full time employment dropped 3.5 million over the last three months, much faster than at any time since the data began in 1967.

Consumer demand for goods fell at an 11 percent rate in the second half of 2008, faster than at any time in the 62 years of data.

Only five months in six decades of data saw lower use of our manufacturing capacity than the 70.2 percent recorded in December.

Exports fell at a 19.7 percent annual rate in the most recent quarter.

Nothing indicates that these trends will not continue unless the federal government acts. While forecasters differ on specifics, many believe that without quick and decisive action the Nation could suffer another 5 million job losses over the coming year.

The U.S. economy is caught in a vicious downward spiral with self-reinforcing declines in spending, sales, jobs, income, profits, government revenues, state and local services, investment, and global trade. The federal government is the only major actor in the U.S. economy with the capacity to stop the downward spiral.

The current downturn looks a lot more like the early stages of the Great Depression than any episode since the 1930s:

Rapid shrinkage in private credit, with crisis in every major financial sector;

The favorite tool of the Federal Reserve (the short term rate to banks) already lowered to virtually zero;

Evaporating household wealth with plunging values of homes and financial assets;

Record high supplies of vacant homes and declines in home values with no end in sight;

The fewest cars sold relative to the population since the 1940s; and

Inflation is verging on negative territory or deflation, a condition that discourages consumption, as people wait to buy at lower prices, and investment, as sales become more problematic and effective borrowing costs rise. Deflation also undermines monetary policy because interest rates cannot go negative.

Opponents of the American Recovery and Reinvestment Act often argue that ''spending is not stimulus'' because spending by government just reduces spending by others. That argument effectively assumes that total spending in the economy cannot be raised. That would make sense if either (1) we were at full employment or (2) increased government borrowing came from lenders who would otherwise spend the money on U.S. goods and services. Neither condition applies today. We have high rates of unemployed labor and capital equipment. We also find lenders eager to fund federal borrowing rather than to spend, as evidenced by exceptionally low interest rates on U.S. Treasury Bills. These are textbook conditions justifying federal government borrowing to boost the economy.

Some critics of this legislation have misinterpreted Congressional Budget Office (CBO) analysis of the effects of this legislation on jobs and Gross Domestic Product (GDP) over the next ten years. CBO found that bills like those passed in the House and Senate would increase job-years by 3.1 million to 9.0 million over the next six years and would not lower jobs thereafter. CBO also found that GDP would be raised over the next ten years. GDP would be boosted 3 to 10 percent over the next several years. If only this bill is enacted and nothing is done to raise saving, the bill would have a zero to 0.2 percent annual reduction of GDP in the long run.

Other opponents of this legislation have proposed as an alternative measures intended to boost housing production or prices. With 2.9 percent of homes still vacant, half again as much as at any time prior to 2005, we could fritter away hundreds of billions of dollars of additional deficit with a negligible boost to the economy or jobs.

The Congressional Budget Office and private economic forecasters have evaluated various options for boosting national spending from an additional dollar of federal deficit. They have consistently found that the highest ''bang for the buck'' occurs with either direct federal spending or transferring funds to those with tight budget constraints such as cash-strapped households and state and local governments with falling revenues and balanced budget requirements. In contrast, they find that much less additional spending would result from making more money available to those with high incomes or to companies with excess capacity. In recent testimony, CBO Director Elmendorf stated, ''In CBO's judgment, H.R. 1 would provide a substantial boost to economic activity over the next several years relative to what would occur without any legislation.''

The bill's $789 billion price tag sounds large, but it is more likely to be too little than too much. The CBO director has testified that, if nothing is done, our economic output will fall below its potential by close to a trillion dollars this year and next and by another $600 billion in 2011. He noted that this would be the largest gap relative to the size of potential output since the Great Depression. It would represent a loss in Americans' income and output of $2.5 trillion, or about $8,000 per person, that will be lost forever.

The forecasters at the Congressional Budget Office, Moody's Economy.com, Macroeconomic Advisors, and the Obama Administration have all estimated that enactment of this legislation could create or save 3 to 4 million jobs. If we can gainfully employ

those millions of people, as opposed to having them be unemployed, they can create a stronger economy for the future by building infrastructure, creating technologies, and improving their education and skills.

The following table summarizes the funding levels in division A of the conference report:

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
(Amounts in thousands)

	House	Senate	Conference	Conference vs. House	Conference vs Senate
TITLE I - AGRICULTURE, NUTRITION, AND RURAL DEVELOPMENT					
DEPARTMENT OF AGRICULTURE					
Office of the Secretary	---	200,000	---	---	-200,000
Office of Inspector General	22,500	22,500	22,500	---	---
Cooperative State Research, Education, and Extension Service, research and education activities	---	50,000	---	---	-50,000
Agriculture buildings and facilities and rental payments	44,000	---	24,000	-20,000	+24,000
Agricultural Research Service:					
Buildings and facilities	209,000	---	176,000	-33,000	+176,000
Farm Service Agency:					
Salaries and expenses	245,000	---	50,000	-195,000	+50,000
Agricultural Credit Insurance Fund Program Account:					
Loan authorizations.					
Farm ownership loans:					
Direct	---	(300,000)	---	---	(-300,000)
Unsubsidized guaranteed	---	(100,000)	---	---	(-100,000)
Subtotal	---	(400,000)	---	---	(-400,000)
Farm operating loans:					
Direct	---	(200,000)	---	---	(-200,000)
Unsubsidized guaranteed	---	(50,000)	---	---	(-50,000)
Subtotal	---	(250,000)	---	---	(-250,000)
Loan subsidies:					
Farm ownership loans:					
Direct	---	17,200	---	---	-17,200
Unsubsidized guaranteed	---	330	---	---	-330
Subtotal	---	(17,530)	---	---	(-17,530)
Farm operating loans:					
Direct	---	23,600	---	---	-23,600
Unsubsidized guaranteed	---	1,300	---	---	-1,300
Subtotal	---	(24,900)	---	---	(-24,900)
Total, Agricultural Credit Insurance Fund Program Account	---	42,430	---	---	-42,430
(Loan authorizations)	---	(650,000)	---	---	(-650,000)
Total, Farm Service Agency	245,000	42,430	50,000	-195,000	+7,570
Natural Resources Conservation Service:					
Watershed and flood prevention operations	350,000	275,000	290,000	-60,000	+15,000
Watershed rehabilitation program	50,000	65,000	50,000	---	-15,000
Total, Natural Resources Conservation Service	400,000	340,000	340,000	-60,000	---
Rural Development Programs					
Rural development salaries and expenses	---	80,000	---	---	-80,000
Rural Community Advancement Program:					
Loan authorizations:					
Rural community facilities direct loans	(1,102,000)	---	---	(-1,102,000)	---
Business and industry guaranteed loans	(2,000,000)	---	---	(-2,000,000)	---
Rural water and waste disposal direct loans	(2,736,000)	---	---	(-2,736,000)	---
Subtotal	(5,838,000)	---	---	(-5,838,000)	---

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
(Amounts in thousands)

	House	Senate	Conference	Conference vs. House	Conference vs Senate
Loan subsidies:					
Rural community facilities direct loans	63,000	---	---	-63,000	---
Rural community facilities guaranteed loans	---	---	---	---	---
Rural community facilities grants	137,000	---	---	-137,000	---
Business and industry guaranteed loans	87,000	---	---	-87,000	---
Rural business enterprise grants	13,000	---	---	-13,000	---
Rural water and waste disposal direct loans	400,000	---	---	-400,000	---
Rural water and waste disposal grants	1,100,000	---	---	-1,100,000	---
Subtotal	(1,800,000)	---	---	(-1,800,000)	---
Total, Rural Community Advancement Program	1,800,000	---	---	-1,800,000	---
(Loan authorizations)	(5,838,000)	---	---	(-5,838,000)	---
Rural Housing Service:					
Rural Housing Insurance Fund Program Account.					
Loan authorizations:					
Single family (sec. 502):					
Direct loans	(4,018,000)	(1,000,000)	(1,000,000)	(-3,018,000)	---
Unsubsidized guaranteed loans	(18,111,000)	(10,472,000)	(10,472,000)	(-7,639,000)	---
Subtotal	(22,129,000)	(11,472,000)	(11,472,000)	(-10,657,000)	---
Loan subsidies:					
Single family (sec. 502):					
Direct loans	270,000	67,000	67,000	-203,000	---
Unsubsidized guaranteed loans	230,000	133,000	133,000	-97,000	---
Subtotal	(500,000)	(200,000)	(200,000)	(-300,000)	---
Rural community facilities program account:					
Loan subsidies and grants:					
Direct	---	67,000	67,000	+67,000	---
Guaranteed	---	10,000	---	---	-10,000
Grants	---	50,000	63,000	+63,000	+13,000
Subtotal	---	127,000	130,000	+130,000	+3,000
Total, Rural Housing Service	500,000	327,000	330,000	-170,000	+3,000
(Loan authorizations)	(22,129,000)	(11,472,000)	(11,472,000)	(-10,657,000)	---
Rural Business-Cooperative Service:					
Rural Business Program Account.					
Loan subsidies and grants:					
Guaranteed business and industry subsidy	---	130,000	130,000	+130,000	---
Rural business enterprise grants	---	20,000	20,000	+20,000	---
Subtotal	---	150,000	150,000	+150,000	---
Biorefinery assistance	---	200,000	---	---	-200,000
Rural energy for America program	---	50,000	---	---	-50,000
Total, Rural Business-Cooperative Service	---	400,000	150,000	+150,000	-250,000
Rural Utilities Service:					
Rural water and waste disposal program account:					
Direct loans subsidy	---	412,000	412,000	+412,000	---
Grants	---	963,000	968,000	+968,000	+5,000
Subtotal	---	1,375,000	1,380,000	+1,380,000	+5,000
Distance learning, telemedicine, and broadband program:					
Distance learning and telemedicine loans	---	10,000	---	---	-10,000
Distance learning and telemedicine grants	---	90,000	---	---	-90,000
Broadband subsidies and grants	2,825,000	---	2,500,000	-325,000	+2,500,000
Total, Rural Development Programs	5,125,000	2,282,000	4,360,000	-765,000	+2,078,000
(Loan Authorizations)	(27,967,000)	(11,472,000)	(11,472,000)	(-16,495,000)	---
Food and Nutrition Service					
Child nutrition programs	---	100,000	100,000	+100,000	---
Special supplemental nutrition program for women, infants, and children (WIC)	100,000	120,000	100,000	---	-20,000
Contingency fund	---	380,000	400,000	+400,000	+20,000
Subtotal	100,000	500,000	500,000	+400,000	---

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
(Amounts in thousands)

	House	Senate	Conference	Conference vs. House	Conference vs Senate
Emergency food assistance program (emergency)	150,000	150,000	150,000	---	---
Total, Food and nutrition service	250,000	750,000	750,000	+500,000	---
General Provisions					
Supplemental nutrition assistance program benefits increase (H. Sec. 2001)(S. Sec. 102)	4,859,000	8,231,000	4,859,000	---	-3,372,000
FY 2010	6,056,000	4,864,000	6,056,000	---	+1,192,000
FY 2011-2014	9,076,000	3,467,000	9,076,000	---	+5,609,000
Subtotal	(19,991,000)	(16,562,000)	(19,991,000)	---	(+3,429,000)
Afterschool feeding program (Sec. 2002)	15,000	---	---	-15,000	---
FY 2010	38,000	---	---	-38,000	---
FY 2011-2019	673,000	---	---	-673,000	---
Subtotal	(726,000)	---	---	(-726,000)	---
Agricultural disaster assistance (S. Sec 103)	---	806,000	744,000	+744,000	-62,000
Farm Bill administration (S. Sec. 106)	---	4,000	4,000	+4,000	---
FY 2010	---	4,000	4,000	+4,000	---
FY 2011-2019	---	26,000	---	---	-26,000
Subtotal	---	(34,000)	(8,000)	(+8,000)	(-26,000)
Total, General Provisions	20,717,000	17,402,000	20,743,000	+26,000	+3,341,000
FY 2009	(4,874,000)	(9,041,000)	(5,607,000)	(+733,000)	(-3,434,000)
FY 2010	(6,094,000)	(4,868,000)	(6,060,000)	(-34,000)	(+1,192,000)
FY 2011 through FY 2019	(9,749,000)	(3,493,000)	(9,076,000)	(-673,000)	(+5,583,000)
Total, title I	27,012,500	21,088,930	26,465,500	-547,000	+5,376,570
FY 2009	(11,169,500)	(12,727,930)	(11,329,500)	(+160,000)	(-1,398,430)
FY 2010	(6,094,000)	(4,868,000)	(6,060,000)	(-34,000)	(+1,192,000)
FY 2011 through FY 2019	(9,749,000)	(3,493,000)	(9,076,000)	(-673,000)	(+5,583,000)
(Loan Authorizations)	(27,967,000)	(12,122,000)	(11,472,000)	(-16,495,000)	(-650,000)
TITLE II - COMMERCE, JUSTICE, AND SCIENCE					
DEPARTMENT OF COMMERCE					
Bureau of Industry and Security					
Operations and administration	---	20,000	---	---	-20,000
Economic Development Administration					
Economic development assistance programs	250,000	150,000	150,000	-100,000	---
Bureau of the Census					
Periodic censuses and programs	1,000,000	1,000,000	1,000,000	---	---
National Telecommunications and Information Administration					
Salaries and expenses	350,000	350,000	---	-350,000	-350,000
Wireless and broadband deployment grant programs	2,825,000	---	---	-2,825,000	---
Broadband technology opportunities program	---	6,650,000	4,700,000	+4,700,000	-1,950,000
Digital-to-analog converter box program	650,000	650,000	650,000	---	---
Total, National Telecommunications and Information Administration	3,825,000	7,650,000	5,350,000	+1,525,000	-2,300,000
National Institute of Standards and Technology					
Scientific and technical research and services	100,000	168,000	220,000	+120,000	+52,000
Industrial technology services	100,000	---	---	-100,000	---
Technology Innovation Program	(70,000)	---	---	(-70,000)	---
Manufacturing Extension Partnership	(30,000)	---	---	(-30,000)	---
Construction of research facilities	300,000	307,000	360,000	+60,000	+53,000
Total, National Institute of Standards and Technology	500,000	475,000	580,000	+80,000	+105,000

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
(Amounts in thousands)

	House	Senate	Conference	Conference vs. House	Conference vs Senate
National Oceanic and Atmospheric Administration					
Operations, research, and facilities	400,000	377,000	230,000	-170,000	-147,000
Procurement, acquisition and construction	600,000	645,000	600,000	---	-45,000
Total, National Oceanic and Atmospheric Administration	1,000,000	1,022,000	830,000	-170,000	-192,000
Departmental Management					
Office of Inspector General	10,000	6,000	6,000	-4,000	---
Total, Department of Commerce	6,585,000	10,323,000	7,916,000	+1,331,000	-2,407,000
DEPARTMENT OF JUSTICE					
General Administration					
Tactical law enforcement wireless communications	---	100,000	---	---	-100,000
Detention trustee	---	100,000	---	---	-100,000
Office of Inspector General	2,000	2,000	2,000	---	---
Total, General Administration	2,000	202,000	2,000	---	-200,000
United States Marshals Service					
Salaries and expenses	---	50,000	---	---	-50,000
Construction	---	100,000	---	---	-100,000
Total, United States Marshals Service	---	150,000	---	---	-150,000
Federal Bureau of Investigation					
Salaries and expenses	---	75,000	---	---	-75,000
Construction	---	300,000	---	---	-300,000
Total, Federal Bureau of Investigation	---	375,000	---	---	-375,000
Federal Prison System					
Buildings and facilities	---	800,000	---	---	-800,000
State and Local Law Enforcement Activities					
Office on Violence Against Women:					
Prevention and prosecution programs	---	300,000	225,000	+225,000	-75,000
Office of Justice Programs:					
State and local law enforcement assistance	3,000,000	2,190,000	2,765,000	-235,000	+575,000
Community oriented policing services	1,000,000	1,000,000	1,000,000	---	---
Salaries and expenses	---	10,000	10,000	+10,000	---
Total, State and Local Law Enforcement Activities	4,000,000	3,500,000	4,000,000	---	+500,000
Total, Department of Justice	4,002,000	5,027,000	4,002,000	---	-1,025,000
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION					
Science	400,000	450,000	400,000	---	-50,000
Aeronautics	150,000	200,000	150,000	---	-50,000
Exploration	---	450,000	400,000	+400,000	-50,000
Cross agency support	50,000	200,000	50,000	---	-150,000
Office of Inspector General	2,000	2,000	2,000	---	---
Total, National Aeronautics and Space Administration	602,000	1,302,000	1,002,000	+400,000	-300,000
NATIONAL SCIENCE FOUNDATION					
Research and related activities	2,500,000	1,000,000	2,500,000	---	+1,500,000
Education and human resources	100,000	50,000	100,000	---	+50,000
Major research equipment and facilities construction	400,000	150,000	400,000	---	+250,000
Office of Inspector General	2,000	2,000	2,000	---	---
Total, National Science Foundation	3,002,000	1,202,000	3,002,000	---	+1,800,000
Total, title II	14,191,000	17,854,000	15,922,000	+1,731,000	-1,932,000

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
(Amounts in thousands)

	House	Senate	Conference	Conference vs. House	Conference vs Senate
TITLE III - DEFENSE					
DEPARTMENT OF DEFENSE					
Facility Infrastructure Investments, Defense					
Operation and Maintenance, Army	1,490,804	1,169,291	1,474,525	-16,279	+305,234
Operation and Maintenance, Navy	624,380	571,843	657,051	+32,671	+85,208
Operation and Maintenance, Marine Corps	128,499	112,167	113,865	-14,634	+1,698
Operation and Maintenance, Air Force	1,236,810	927,113	1,095,959	-140,851	+168,846
Operation and Maintenance, Army Reserve	110,899	79,543	98,269	-12,630	+18,726
Operation and Maintenance, Navy Reserve	62,162	44,586	55,083	-7,079	+10,497
Operation and Maintenance, Marine Corps Reserve	45,038	32,304	39,909	-5,129	+7,605
Operation and Maintenance, Air Force Reserve	14,881	10,674	13,187	-1,694	+2,513
Operation and Maintenance, Army National Guard	302,700	215,557	266,304	-36,396	+50,747
Operation and Maintenance, Air National Guard	29,169	20,922	25,848	-3,321	+4,926
Total, Facility Infrastructure Investments	4,045,342	3,184,000	3,840,000	-205,342	+656,000
Procurement					
Defense Production Act Purchases	---	100,000	---	---	-100,000
Energy Research and Development, Defense					
Research, Development, Test and Evaluation, Army	87,500	---	75,000	-12,500	+75,000
Research, Development, Test and Evaluation, Navy	87,500	---	75,000	-12,500	+75,000
Research, Development, Test and Evaluation, Air Force	87,500	---	75,000	-12,500	+75,000
Research, Development, Test and Evaluation, Defense-wide	87,500	200,000	75,000	-12,500	-125,000
Total, Energy Research and Development	350,000	200,000	300,000	-50,000	+100,000
Other Department of Defense Programs					
Defense Health Program: Operations and maintenance	454,658	250,000	400,000	-54,658	+150,000
Office of the Inspector General	15,000	15,000	15,000	---	---
Total, Other Department of Defense Programs	469,658	265,000	415,000	-54,658	+150,000
Total, title III	4,865,000	3,749,000	4,555,000	-310,000	+806,000
TITLE IV - ENERGY AND WATER DEVELOPMENT					
DEPARTMENT OF DEFENSE - CIVIL					
DEPARTMENT OF THE ARMY					
Corps of Engineers - Civil					
Investigations	---	25,000	25,000	+25,000	---
Construction	2,000,000	2,000,000	2,000,000	---	---
Mississippi River and tributaries	250,000	500,000	375,000	+125,000	-125,000
Operation and Maintenance	2,225,000	1,900,000	2,075,000	-150,000	+175,000
Regulatory program	25,000	25,000	25,000	---	---
Formerly utilized sites remedial action program	---	100,000	100,000	+100,000	---
Flood control and coastal emergencies	---	50,000	---	---	-50,000
Total, Department of Defense - Civil	4,500,000	4,600,000	4,600,000	+100,000	---
DEPARTMENT OF THE INTERIOR					
Bureau of Reclamation					
Water and related resources	500,000	1,400,000	1,000,000	+500,000	-400,000
DEPARTMENT OF ENERGY					
Energy Programs					
Energy efficiency and renewable energy	18,500,000	14,398,000	16,800,000	-1,700,000	+2,402,000
Electricity delivery and energy reliability	4,500,000	4,500,000	4,500,000	---	---
Advanced Battery Loan Guarantee Program	1,000,000	---	---	-1,000,000	---
Institutional Loan Guarantee Program	500,000	---	---	-500,000	---
Innovative Technology Loan Guarantee Program	8,000,000	9,000,000	6,000,000	-2,000,000	-3,000,000
Fossil Energy	2,400,000	4,600,000	3,400,000	+1,000,000	-1,200,000
Science	2,000,000	330,000	1,600,000	-400,000	+1,270,000
Advanced Research Projects Agency-Energy	---	---	400,000	+400,000	+400,000
Non-defense environmental cleanup	---	483,000	483,000	+483,000	---

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
(Amounts in thousands)

	House	Senate	Conference	Conference vs. House	Conference vs Senate
Uranium enrichment decontamination and decommissioning	---	390,000	390,000	+390,000	---
Office of the Inspector General	15,000	15,000	15,000	---	---
Total, Energy Programs	36,915,000	33,716,000	33,588,000	-3,327,000	-128,000
Atomic Energy Defense Activities					
National Nuclear Security Administration:					
Weapons activities	---	1,000,000	---	---	-1,000,000
Environmental and Other Defense Activities					
Defense environmental cleanup	500,000	5,527,000	5,127,000	+4,627,000	-400,000
Construction, rehabilitation, operation and maintenance: Western Area Power Administration	---	10,000	10,000	+10,000	---
Total,Environmental and Other Defense Activities	500,000	5,537,000	5,137,000	+4,637,000	-400,000
Total, Department of Energy	37,415,000	40,253,000	38,725,000	+1,310,000	-1,528,000
General Provisions					
Western Area Power Administration (borrowing authority) (H. Sec. 5004)(S. Sec. 402)	10,000	10,000	10,000	---	---
FY 2010	125,000	125,000	125,000	---	---
FY 2011-2018	3,115,000	3,115,000	3,115,000	---	---
Subtotal	(3,250,000)	(3,250,000)	(3,250,000)	---	---
Bonneville Power Administration (borrowing authority) (H. Sec. 5006) (S. Sec. 402) FY 2010	50,000	50,000	50,000	---	---
FY 2011-2018	3,200,000	3,200,000	3,200,000	---	---
Subtotal	(3,250,000)	(3,250,000)	(3,250,000)	---	---
Total, General provisions	6,500,000	6,500,000	6,500,000	---	---
FY 2009	(10,000)	(10,000)	(10,000)	---	---
FY 2010	(175,000)	(175,000)	(175,000)	---	---
FY 2011 through FY 2019	(6,315,000)	(6,315,000)	(6,315,000)	---	---
Total, title IV	48,915,000	52,753,000	50,825,000	+1,910,000	-1,928,000
FY 2009	(42,425,000)	(46,263,000)	(44,335,000)	(+1,910,000)	(-1,928,000)
FY 2010	(175,000)	(175,000)	(175,000)	---	---
FY 2011 through FY 2019	(6,315,000)	(6,315,000)	(6,315,000)	---	---
TITLE V - FINANCIAL SERVICES AND GENERAL GOVERNMENT					
DEPARTMENT OF THE TREASURY					
Departmental Offices					
Treasury Inspector General for Tax Administration	---	7,000	7,000	+7,000	---
Community development financial institutions fund program account	---	250,000	100,000	+100,000	-150,000
Internal Revenue Service					
Health Insurance Tax Credit Administration	---	---	80,000	+80,000	+80,000
Total, Department of the Treasury	---	257,000	187,000	+187,000	-70,000
DISTRICT OF COLUMBIA					
Federal payment to the District of Columbia Water and Sewer Authority	---	125,000	---	---	-125,000
General Services Administration					
Federal Buildings Fund:					
Construction, repairs and alterations	7,700,000	5,548,000	5,550,000	-2,150,000	+2,000
Energy efficient federal motor vehicle fleet procurement	600,000	300,000	300,000	-300,000	---
Office of Inspector General	15,000	7,000	7,000	-8,000	---
Total, General Services Administration	8,315,000	5,855,000	5,857,000	-2,458,000	+2,000
Recovery Act Accountability and Transparency Board	14,000	7,000	84,000	+70,000	+77,000

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
(Amounts in thousands)

	House	Senate	Conference	Conference vs. House	Conference vs Senate
Small Business Administration					
Salaries and expenses	---	84,000	69,000	+69,000	-15,000
Office of Inspector General	10,000	10,000	10,000	---	---
Surety bond guarantees revolving fund	---	15,000	15,000	+15,000	---
Business Loans Program Account:					
Direct and guaranteed loans subsidy	426,000	621,000	636,000	+210,000	+15,000
Administrative expenses	4,000	---	---	-4,000	---
Total, Small Business Administration	440,000	730,000	730,000	+290,000	---
Total, title V	8,769,000	6,974,000	6,858,000	-1,911,000	-116,000
TITLE VI - HOMELAND SECURITY					
DEPARTMENT OF HOMELAND SECURITY					
Departmental Management and Operations					
Office of the Under Secretary for Management	---	198,000	200,000	+200,000	+2,000
Office of Inspector General	2,000	5,000	5,000	+3,000	---
Total, Departmental Management and Operations	2,000	203,000	205,000	+203,000	+2,000
U.S. Customs and Border Protection					
Salaries and expenses	100,000	198,000	160,000	+60,000	-38,000
Border security fencing, infrastructure, and technology	---	200,000	100,000	+100,000	-100,000
Construction	150,000	800,000	420,000	+270,000	-380,000
Total, U.S. Customs and Border Protection	250,000	1,198,000	680,000	+430,000	-518,000
Immigration and Customs Enforcement					
Automation modernization	---	27,800	20,000	+20,000	-7,800
Transportation Security Administration					
Aviation security	500,000	1,000,000	1,000,000	+500,000	---
Coast Guard					
Acquisition, construction and improvements	---	450,000	98,000	+98,000	-352,000
Alteration of bridges	150,000	240,400	142,000	-8,000	-98,400
Total, Coast Guard	150,000	690,400	240,000	+90,000	-450,400
Federal Emergency Management Agency					
Management and administration	---	6,000	---	---	-6,000
State and local programs	---	950,000	300,000	+300,000	-650,000
Firefighter assistance grants	---	500,000	210,000	+210,000	-290,000
Emergency food and shelter	200,000	100,000	100,000	-100,000	---
Total, Federal Emergency Management Agency	200,000	1,556,000	610,000	+410,000	-946,000
Federal Law Enforcement Training Center					
Acquisitions, construction, improvements, and related expenses	---	15,000	---	---	-15,000
Total, title VI	1,102,000	4,690,200	2,755,000	+1,653,000	-1,935,200
TITLE VII - INTERIOR AND ENVIRONMENT					
DEPARTMENT OF THE INTERIOR					
Bureau of Land Management					
Management of lands and resources	---	135,000	125,000	+125,000	-10,000
Construction	325,000	180,000	180,000	-145,000	---
Wildland fire management	---	15,000	15,000	+15,000	---
Total, Bureau of Land Management	325,000	330,000	320,000	-5,000	-10,000

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
(Amounts in thousands)

	House	Senate	Conference	Conference vs. House	Conference vs Senate
U.S. Fish and Wildlife Service					
Resource management	---	165,000	165,000	+165,000	---
Construction	300,000	110,000	115,000	-185,000	+5,000
Total, United States Fish and Wildlife Service	300,000	275,000	280,000	-20,000	+5,000
National Park Service					
Operation of the National Park System	---	158,000	146,000	+146,000	-12,000
Historic Preservation Fund	---	---	---	---	---
(transfer from construction)	(15,000)	---	---	(-15,000)	---
Historically Black Colleges and Universities	---	---	15,000	+15,000	+15,000
Construction	1,700,000	589,000	589,000	-1,111,000	---
Centennial Challenge	100,000	---	---	-100,000	---
Total, National Park Service	1,800,000	747,000	750,000	-1,050,000	+3,000
United States Geological Survey					
Surveys, investigations, and research	200,000	135,000	140,000	-60,000	+5,000
Bureau of Indian Affairs					
Operation of Indian programs	---	40,000	40,000	+40,000	---
Construction	500,000	522,000	450,000	-50,000	-72,000
Indian guaranteed loan program account	---	10,000	10,000	+10,000	---
Total, Bureau of Indian Affairs	500,000	572,000	500,000	---	-72,000
Insular Affairs					
Assistance to Territories	---	62,000	---	---	-62,000
Office of Inspector General	15,000	15,000	15,000	---	---
Central Hazardous Materials Fund	---	20,000	---	---	-20,000
Total, Department of the Interior	3,140,000	2,156,000	2,005,000	-1,135,000	-151,000
ENVIRONMENTAL PROTECTION AGENCY					
Hazardous substance superfund	800,000	600,000	600,000	-200,000	---
Leaking Underground Storage Tank Trust Fund	200,000	200,000	200,000	---	---
State and tribal assistance grants	8,400,000	6,400,000	6,400,000	-2,000,000	---
Office of Inspector General	20,000	---	20,000	---	+20,000
Total, Environmental Protection Agency	9,420,000	7,200,000	7,220,000	-2,200,000	+20,000
DEPARTMENT OF AGRICULTURE					
Forest Service					
Capital improvement and maintenance	650,000	650,000	650,000	---	---
Wildland fire management	850,000	485,000	500,000	-350,000	+15,000
Total, Department of Agriculture	1,500,000	1,135,000	1,150,000	-350,000	+15,000
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Indian Health Service					
Indian health services	---	135,000	85,000	+85,000	-50,000
Indian health facilities	550,000	410,000	415,000	-135,000	+5,000
Total, Indian Health Service	550,000	545,000	500,000	-50,000	-45,000
OTHER RELATED AGENCIES					
Smithsonian Institution					
Facilities capital	150,000	75,000	25,000	-125,000	-50,000

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
(Amounts in thousands)

	House	Senate	Conference	Conference vs. House	Conference vs Senate
National Foundation on the Arts and the Humanities					
National Endowment for the Arts					
Grants and administration	50,000	---	50,000	---	+50,000
Total, Other Related Agencies	200,000	75,000	75,000	-125,000	---
Total, title VII	14,810,000	11,111,000	10,950,000	-3,860,000	-161,000
TITLE VIII - LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION					
DEPARTMENT OF LABOR					
Employment and Training Administration					
Training and employment services	4,000,000	3,250,000	3,950,000	-50,000	+700,000
Community service employment for older Americans	120,000	120,000	120,000	---	---
State unemployment insurance and employment service operations (trust funds)	500,000	400,000	400,000	-100,000	---
Total, Employment and Training Administration	4,620,000	3,770,000	4,470,000	-150,000	+700,000
Departmental Management					
Salaries and expenses	80,000	---	80,000	---	+80,000
Office of Job Corps	300,000	160,000	250,000	-50,000	+90,000
Office of Inspector General	6,000	3,000	6,000	---	+3,000
Total, Departmental Management	386,000	163,000	336,000	-50,000	+173,000
Total, Department of Labor	5,006,000	3,933,000	4,806,000	-200,000	+873,000
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Health Resources and Services Administration					
Health resources and services	1,638,000	1,958,000	2,500,000	+862,000	+542,000
FY 2010	550,000	---	---	-550,000	---
Subtotal	(2,188,000)	(1,958,000)	(2,500,000)	(+312,000)	(+542,000)
Centers for Disease Control and Prevention					
Disease control, research, and training	462,000	---	---	-462,000	---
Buildings and facilities	---	412,000	---	---	-412,000
National Institutes of Health					
National Center for Research Resources	1,500,000	300,000	1,300,000	-200,000	+1,000,000
Office of the Director	750,000	9,200,000	8,200,000	+7,450,000	-1,000,000
FY 2010	750,000	---	---	-750,000	---
Subtotal	(1,500,000)	(9,200,000)	(8,200,000)	(+6,700,000)	(-1,000,000)
Buildings and facilities	500,000	500,000	500,000	---	---
Total, National Institutes of Health	3,500,000	10,000,000	10,000,000	+6,500,000	---
FY 2009	(2,750,000)	(10,000,000)	(10,000,000)	(+7,250,000)	---
FY 2010	(750,000)	---	---	(-750,000)	---
Agency for Healthcare Research and Quality					
Healthcare research and quality	1,100,000	1,100,000	1,100,000	---	---
Administration for Children and Families					
Low-income home energy assistance: FY 2010	1,000,000	---	---	-1,000,000	---
Payments to States for the Child Care and Development Block Grant	1,000,000	2,000,000	2,000,000	+1,000,000	---
FY 2010	1,000,000	---	---	-1,000,000	---
Subtotal	(2,000,000)	(2,000,000)	(2,000,000)	---	---

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
(Amounts in thousands)

	House	Senate	Conference	Conference vs. House	Conference vs Senate
Social services block grant	---	400,000	---	---	-400,000
Children and families services programs	1,600,000	1,250,000	3,150,000	+1,550,000	+1,900,000
FY 2010	1,600,000	---	---	-1,600,000	---
Subtotal	(3,200,000)	(1,250,000)	(3,150,000)	(-50,000)	(+1,900,000)
Total, Administration for Children and Families	6,200,000	3,650,000	5,150,000	-1,050,000	+1,500,000
FY 2009	(2,600,000)	(3,650,000)	(5,150,000)	(+2,550,000)	(+1,500,000)
FY 2010	(3,600,000)	---	---	(-3,600,000)	---
Administration on Aging					
Aging services programs	100,000	100,000	100,000	---	---
FY 2010	100,000	---	---	-100,000	---
Subtotal	(200,000)	(100,000)	(100,000)	(-100,000)	---
Office of the Secretary					
Office of the National Coordinator for Health Information Technology	2,000,000	3,000,000	2,000,000	---	-1,000,000
Office of Inspector General	19,000	19,000	17,000	-2,000	-2,000
Public Health and Social Services Emergency Fund	900,000	---	50,000	-850,000	+50,000
Prevention and wellness fund	2,202,100	---	1,000,000	-1,202,100	+1,000,000
FY 2010	797,900	---	---	-797,900	---
Subtotal	(3,000,000)	---	(1,000,000)	(-2,000,000)	(+1,000,000)
Total, Office of the Secretary	5,919,000	3,019,000	3,067,000	-2,852,000	+48,000
FY 2009	(5,121,100)	(3,019,000)	(3,067,000)	(-2,054,100)	(+48,000)
FY 2010	(797,900)	---	---	(-797,900)	---
Total, Department of Health and Human Services	19,569,000	20,239,000	21,917,000	+2,348,000	+1,678,000
FY 2009	(13,771,100)	(20,239,000)	(21,917,000)	(+8,145,900)	(+1,678,000)
FY 2010	(5,797,900)	---	---	(-5,797,900)	---
DEPARTMENT OF EDUCATION					
Education for the disadvantaged	6,500,000	12,400,000	13,000,000	+6,500,000	+600,000
FY 2010	6,500,000	---	---	-6,500,000	---
Subtotal	(13,000,000)	(12,400,000)	(13,000,000)	---	(+600,000)
Impact aid	100,000	---	100,000	---	+100,000
School improvement programs	533,000	1,070,000	720,000	+187,000	-350,000
FY 2010	533,000	---	---	-533,000	---
Subtotal	(1,066,000)	(1,070,000)	(720,000)	(-346,000)	(-350,000)
Innovation and improvement	225,000	---	200,000	-25,000	+200,000
Special education	6,300,000	13,500,000	12,200,000	+5,900,000	-1,300,000
FY 2010	7,300,000	---	---	-7,300,000	---
Subtotal	(13,600,000)	(13,500,000)	(12,200,000)	(-1,400,000)	(-1,300,000)
Rehabilitation services and disability research	350,000	610,000	680,000	+330,000	+70,000
FY 2010	350,000	---	---	-350,000	---
Subtotal	(700,000)	(610,000)	(680,000)	(-20,000)	(+70,000)
Student financial assistance	15,881,000	13,930,000	15,840,000	-41,000	+1,910,000
FY 2010	245,000	---	---	-245,000	---
Subtotal	(16,126,000)	(13,930,000)	(15,840,000)	(-286,000)	(+1,910,000)
Pell Grants--maximum grant (NA)	(4,860)	(4,760)	(4,860)	---	(+100)
Student aid administration	50,000	---	60,000	+10,000	+60,000
Higher education	100,000	50,000	100,000	---	+50,000
Institute of Education Sciences	250,000	---	250,000	---	+250,000
School modernization, renovation, and repair	14,000,000	---	---	-14,000,000	---
Higher education modernization, renovation and repair (Sec. 9302)	6,000,000	---	---	-6,000,000	---
Office of Inspector General	14,000	14,000	14,000	---	---

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
(Amounts in thousands)

	House	Senate	Conference	Conference vs. House	Conference vs Senate
General Provisions					
Mandatory Pell Grants (Sec. 9303)	643,000	---	643,000	---	+643,000
FY 2010	831,000	---	831,000	---	+831,000
Subtotal	(1,474,000)	---	(1,474,000)	---	(+1,474,000)
Increase student loan limits (Sec. 9304)	-730,000	---	---	+730,000	---
FY 2010	-810,000	---	---	+810,000	---
FY 2011-2018	1,510,000	---	---	-1,510,000	---
Subtotal	(-30,000)	---	---	(+30,000)	---
Student lender special allowance (Sec. 9305)	10,000	---	---	-10,000	---
Total, Department of Education	66,685,000	41,574,000	44,638,000	-22,047,000	+3,064,000
FY 2009	(50,226,000)	(41,574,000)	(43,807,000)	(-6,419,000)	(+2,233,000)
FY 2010	(14,949,000)	---	(831,000)	(-14,118,000)	(+831,000)
FY 2011 through FY 2019	(1,510,000)	---	---	(-1,510,000)	---
RELATED AGENCIES					
Corporation for National and Community Service					
Operating expenses	160,000	160,000	160,000	---	---
Office of Inspector General	1,000	1,000	1,000	---	---
National service trust	40,000	40,000	40,000	---	---
Total, Corporation for National and Community Service	201,000	201,000	201,000	---	---
Social Security Administration					
Limitation on administrative expenses	900,000	890,000	1,000,000	+100,000	+110,000
Office of Inspector General	2,000	3,000	2,000	---	-1,000
Total, Social Security Administration	902,000	893,000	1,002,000	+100,000	+109,000
Total, Related Agencies	1,103,000	1,094,000	1,203,000	+100,000	+109,000
Total, title VIII	92,383,000	66,840,000	72,564,000	-19,799,000	+5,724,000
FY 2009	(70,106,100)	(66,840,000)	(71,733,000)	(+1,626,900)	(+4,893,000)
FY 2010	(20,746,900)	---	(831,000)	(-19,915,900)	(+831,000)
FY 2011 through FY 2019	(1,510,000)	---	---	(-1,510,000)	---
TITLE IX - LEGISLATIVE BRANCH					
Government Accountability Office:					
Salaries and expenses	25,000	20,000	25,000	---	+5,000
TITLE X - MILITARY CONSTRUCTION AND VETERANS AFFAIRS					
DEPARTMENT OF DEFENSE					
Military construction, Army	920,000	637,875	180,000	-740,000	-457,875
Military construction, Navy and Marine Corps	350,000	990,092	280,000	-70,000	-710,092
Military construction, Air Force	280,000	871,332	180,000	-100,000	-691,332
Military construction, Defense-Wide	3,750,000	118,560	1,450,000	-2,300,000	+1,331,440
Military construction, Army National Guard	140,000	150,000	50,000	-90,000	-100,000
Military construction, Air National Guard	70,000	110,000	50,000	-20,000	-60,000
Military construction, Army Reserve	100,000	---	---	-100,000	---
Military construction, Navy Reserve	30,000	---	---	-30,000	---
Military construction, Air Force Reserve	60,000	---	---	-60,000	---
Subtotal	5,700,000	2,877,859	2,190,000	-3,510,000	-687,859
Family housing construction, Army	---	34,570	34,507	+34,507	-63
Family housing operation and maintenance, Army	---	3,932	3,932	+3,932	---
Family housing construction, Air Force	---	80,100	80,100	+80,100	---
Family housing operation and maintenance, Air Force	---	16,461	16,461	+16,461	---
Homeowners assistance fund	---	410,973	555,000	+555,000	+144,027
Subtotal	---	546,036	690,000	+690,000	+143,964
Base realignment and closure account 1990	300,000	---	---	-300,000	---
Total, Department of Defense	6,000,000	3,423,895	2,880,000	-3,120,000	-543,895

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
(Amounts in thousands)

	House	Senate	Conference	Conference vs. House	Conference vs Senate
DEPARTMENT OF VETERANS AFFAIRS					
Veterans Health Administration					
Medical support and compliance	---	5,000	---	---	-5,000
Medical facilities	950,000	1,370,459	1,000,000	+50,000	-370,459
Subtotal	950,000	1,375,459	1,000,000	+50,000	-375,459
National Cemetery Administration	50,000	64,961	50,000	---	-14,961
Departmental Administration					
General operating expenses	---	1,125	150,000	+150,000	+148,875
Information technology systems	---	195,000	50,000	+50,000	-145,000
Office of Inspector General	1,000	4,400	1,000	---	-3,400
Construction, major projects	---	1,105,333	---	---	-1,105,333
Construction, minor projects	---	939,836	---	---	-939,836
Grants for construction of State extended care facilities	---	257,986	150,000	+150,000	-107,986
Total, Departmental Administration	1,000	2,503,680	351,000	+350,000	-2,152,680
Total, Department of Veterans Affairs	1,001,000	3,944,100	1,401,000	+400,000	-2,543,100
RELATED AGENCY					
DEPARTMENT OF DEFENSE - CIVIL					
Cemeterial Expenses, Army					
Salaries and expenses	---	60,300	---	---	-60,300
Total, title X	7,001,000	7,428,295	4,281,000	-2,720,000	-3,147,295
TITLE XI - DEPARTMENT OF STATE					
DEPARTMENT OF STATE					
Administration of Foreign Affairs					
Diplomatic and consular programs	---	90,000	90,000	+90,000	---
Capital investment fund	276,000	228,000	290,000	+14,000	+62,000
(transfer to USAID capital investment fund)	---	---	(38,000)	(+38,000)	(+38,000)
Office of Inspector General	---	1,500	2,000	+2,000	+500
Total, Administration of Foreign Affairs	276,000	319,500	382,000	+106,000	+62,500
International Commissions					
International Boundary and Water Commission, United States and Mexico. Construction	224,000	224,000	220,000	-4,000	-4,000
Administration of Foreign Assistance					
Funds Appropriated to the President					
U.S. Agency for International Development					
Capital Investment Fund	---	58,000	---	---	-58,000
(by transfer)	---	---	(38,000)	(+38,000)	(+38,000)
Office of Inspector General	---	500	---	---	-500
Total, U.S. Agency for International Development	---	58,500	---	---	-58,500
Total, title XI	500,000	602,000	602,000	+102,000	---

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
(Amounts in thousands)

	House	Senate	Conference	Conference vs. House	Conference vs Senate
TITLE XII - TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT					
DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Supplemental discretionary grants for a National Surface Transportation system	---	5,500,000	1,500,000	+1,500,000	-4,000,000
Federal Aviation Administration					
Supplemental funding for facilities and equipment	---	200,000	200,000	+200,000	---
Supplemental discretionary grants for airport investment	---	1,100,000	1,100,000	+1,100,000	---
Grants-in-aid for airports	3,000,000	---	---	-3,000,000	---
Total, Federal Aviation Administration	3,000,000	1,300,000	1,300,000	-1,700,000	---
Federal Highway Administration					
Highway infrastructure investment	30,000,000	27,060,000	27,500,000	-2,500,000	+440,000
Federal Railroad Administration					
Capital assistance for high-speed rail and intercity passenger rail service	300,000	250,000	8,000,000	+7,700,000	+7,750,000
Capital and debt service grants to the National Railroad Passenger Corporation	800,000	850,000	1,300,000	+500,000	+450,000
High-speed rail corridor program	---	2,000,000	---	---	-2,000,000
Total, Federal Railroad Administration	1,100,000	3,100,000	9,300,000	+8,200,000	+6,200,000
Federal Transit Administration					
Transit capital assistance	7,500,000	---	6,900,000	-600,000	+6,900,000
Fixed guideway infrastructure investment	2,000,000	---	750,000	-1,250,000	+750,000
Capital investment grants	2,500,000	---	750,000	-1,750,000	+750,000
Supplemental grants for public transit investment	---	8,400,000	---	---	-8,400,000
Total, Federal Transit Administration	12,000,000	8,400,000	8,400,000	-3,600,000	---
Maritime Administration					
Supplemental grants for assistance to small shipyards	---	100,000	100,000	+100,000	---
Office of Inspector General					
Salaries and expenses	20,000	20,000	20,000	---	---
Total, Department of Transportation	46,120,000	45,480,000	48,120,000	+2,000,000	+2,640,000
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Public and Indian Housing					
Public Housing Capital Fund	5,000,000	5,000,000	4,000,000	-1,000,000	-1,000,000
Native American housing block grants	500,000	510,000	510,000	+10,000	---
Total, Public and Indian Housing	5,500,000	5,510,000	4,510,000	-990,000	-1,000,000
Community Planning and Development					
Community Development Fund	1,000,000	---	1,000,000	---	+1,000,000
Neighborhood Stabilization Program	4,190,000	---	2,000,000	-2,190,000	+2,000,000
Subtotal	(5,190,000)	---	(3,000,000)	(-2,190,000)	(+3,000,000)
HOME investments partnerships program	1,500,000	250,000	---	-1,500,000	-250,000
Gap funding for low income tax credit program	---	2,000,000	2,250,000	+2,250,000	+250,000
Subtotal	(1,500,000)	(2,250,000)	(2,250,000)	(+750,000)	---
Self-help and assisted homeownership opportunity program	10,000	---	---	-10,000	---
Homeless assistance grants	1,500,000	1,500,000	1,500,000	---	---
Total, Community Planning and Development	8,200,000	3,750,000	6,750,000	-1,450,000	+3,000,000

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
(Amounts in thousands)

	House	Senate	Conference	Conference vs. House	Conference vs Senate
Housing Programs					
Assisted housing stability and energy and green retrofit investments	---	2,250,000	2,250,000	+2,250,000	---
Elderly, disabled and Section 8 assisted housing energy retrofit	2,500,000	---	---	-2,500,000	---
Office of Healthy Homes and Lead Hazard Control					
Lead hazard reduction	100,000	100,000	100,000	---	---
Office of Inspector General					
Salaries and expenses	15,000	15,000	15,000	---	---
General Provisions					
GSE conforming loan limits (Sec. 12003)	37,000	---	37,000	---	+37,000
FY 2010	13,000	---	13,000	---	+13,000
Subtotal	50,000	---	50,000	---	+50,000
FHA Hope for Homeowners (S. Sec. 1211)	---	260,000	---	---	-260,000
FY 2010	---	193,000	---	---	-193,000
FY 2011	---	126,000	---	---	-126,000
Subtotal	---	579,000	---	---	-579,000
Total, General Provisions	50,000	579,000	50,000	---	-529,000
FY 2009	37,000	260,000	37,000	---	-223,000
FY 2010	13,000	193,000	13,000	---	-180,000
FY 2011	---	126,000	---	---	-126,000
Total, Department of Housing and Urban Development	16,365,000	12,204,000	13,675,000	-2,690,000	+1,471,000
FY 2009	16,352,000	11,885,000	13,662,000	-2,690,000	+1,777,000
FY 2010	13,000	193,000	13,000	---	-180,000
FY 2011	---	126,000	---	---	-126,000
Total, title XII	62,485,000	57,684,000	61,795,000	-690,000	+4,111,000
FY 2009	(62,472,000)	(57,365,000)	(61,782,000)	(-690,000)	(+4,417,000)
FY 2010	(13,000)	(193,000)	(13,000)	---	(-180,000)
FY 2011	---	(126,000)	---	---	(-126,000)
TITLE XIII - STATE FISCAL STABILIZATION FUND					
DEPARTMENT OF EDUCATION					
State Fiscal Stabilization Fund	39,500,000	39,000,000	53,600,000	+14,100,000	+14,600,000
FY 2010	39,500,000	---	---	-39,500,000	---
Total, title XIII	79,000,000	39,000,000	53,600,000	-25,400,000	+14,600,000
Grand total	361,038,500	289,794,425	311,197,500	-49,841,000	+21,403,075
FY 2009	(276,935,600)	(274,624,425)	(288,727,500)	(+11,791,900)	(+14,103,075)
FY 2010	(66,528,900)	(5,236,000)	(7,079,000)	(-59,449,900)	(+1,843,000)
FY 2011 through FY 2019	(17,574,000)	(9,934,000)	(15,391,000)	(-2,183,000)	(+5,457,000)

Note: Each amount in this Act is designated as an emergency requirement.

I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, in just a short while, the House will be voting on the President's $790 billion economic stimulus package. It is by far the most expensive piece of legislation ever considered by this legislative body in its more than 200 years. I will be voting ''no'' on this legislation. Over the next few minutes, I would like to share my concerns about this bill as it is currently written.

The President, whom I respect a great deal, is a fine salesman. But as I have said on more than one occasion, facts are stubborn things. The fact is that this stimulus package does more to promote the growth of the Federal Government than it does to create jobs or to stimulate our economy. The fact is there are 104 government programs in this legislation that are being permanently expanded.

□ 1145

This includes 31 new government programs and permanent expansions to 73 existing programs. Taxpayers will pay for these programs well into the future. Of the total funding in this package, $190 billion—or 61 percent—is devoted to increasing the size of government. Only $122 billion—or 39 percent—is for a temporary one-time infusion of money into 98 Federal programs to stimulate the economy.

Again, these are the facts.

The interest on this new spending alone will cost no less than $350 billion. And, if all of the new spending in this bill is carried forward in the future years, Federal nondefense budgets will have to increase by at least 42 percent each year. One more time, these are the facts.

My colleagues, is there anyone in Congress who really believes that this spending can be sustained?

Let's not kid ourselves. When it comes to Washington spending taxpayers' money, a trillion has become the new million.

So how did we get to this point today?

Two nights ago, the President's chief of staff came to Capitol Hill under the cover of darkness and presented the framework of a final deal to Senator REID and Speaker PELOSI. The only negotiation that took place occurred in the middle of the night in several back rooms of the U.S. Capitol between the White House and these two leaders.

There are hundreds of billions of dollars of spending in this legislation, and yet not one member of the House Appropriations Committee—not even Chairman OBEY—was in sight when the final deal was cut.

There are hundreds of billions of dollars of tax provisions in this legislation, and yet not one member of the House Ways and Means committee—not even Chairman RANGEL—was in sight when the final deal was cut.

The purpose of a conference committee is to negotiate differences between competing versions of the House and Senate bills. Amendments are usually offered, debated, and considered. But there were no negotiations between Republicans and Democrats at Wednesday's conference. The negotiations had taken place the night before.

Outside of the Speaker and Senate Majority Leader REID, no one in the Congress has any idea what is really in this legislation. It was filed in the House as it was negotiated—in the darkness of night. And it became available to Members and the public on a Web site at 12:30 a.m. this morning, less than 12 hours ago.

This is precisely why every single Member present on Tuesday, more than 400 Members of the House, voted to have the conference report available 48 hours before House consideration. But the Speaker and the Senate Majority Leader are clearly afraid that the more Members and taxpayers learn about this bill, the more Members will walk away from it.

The House should not vote on the largest spending bill in the history of the United States when no one on either side of the aisle has any real idea of what's in it. There is no doubt that urgent action is needed to stimulate the economy and create jobs. Had the President and congressional leaders focused and put their attention on the real need for job creation, with an emphasis on infrastructure jobs, this package would be sailing through the House and Senate with broad bipartisan support. There are Members on both sides of the aisle who would support reasonable transportation and infrastructure projects as well as reasonable tax reform, but that is not what is before us today.

In the end, funding for roads, highways, flood control measures, and other job creating infrastructure projects were downsized in order to increase the size and scope of government programs.

Mr. Speaker, that's not stimulus. That's not job creation, and it certainly isn't what the country needs or deserves.

I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 4 minutes to the distinguished chairman of the Ways and Means Committee, Mr. RANGEL.

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

Mr. RANGEL. Let me thank you for the tremendous job that you and the leadership have done during this historic period in our Nation's history.

There is a common expression that we have in our committees, and that is, ''How is the gentlelady and gentleman recorded?'' You don't have an opportunity to say you were confused, you didn't know what you were doing, or you wish there was another way.

And I gather when you get back home, people will be asking, ''And how were you recorded?''

How were you recorded when you had an opportunity to give some assistance to the working people in this country, where 95 percent of them will be receiving a tax cut so that they will be able to assist them in keeping their kids in school, paying their rents, their mortgages, keeping up their health insurance?

How were you recorded when we said that this Nation should take care of those people who unfortunately lost their job, lost their dignity, lost their health insurance?

Are we going to explain that we thought there was a better idea?

How were we recorded when there comes a time that we're saying that we have to find alternative ways in order to fuel the country's energy needs?

How were we recorded when the bridges and the tunnels and the hospitals and the schools are in trouble, when the mayors and the governors are asking and screaming for help?

How is history going to record what you have done at a time when everyone is screaming out, every economist is asking us to come to our Nation's economic savior?

And how are we recorded when it comes time to make certain that there is hope for those people who are not only jobless but hopeless?

I do hope that people recognize that we're not talking about a Presidential plan, a Republican plan, or a Democratic plan. We're talking about the heart of America, just as patriotic as the flag is, is the energy of people who want to be middle class. Are we going to give them an opportunity or are we going to ask the question how were we recorded because we didn't know what the right thing to do was.

Well, I suggest to you, just as people talk about how they voted in support of Roosevelt, how they went and tried to give assistance not just to the big-time CEOs who were hardly embarrassed and never even inconvenienced—these are people that are our constituents. To put them back to work means that we're helping small businesses out. To put them back to work means that we're talking about their dreams and the aspirations that we have. To restore our schools mean that we're going to, once again, become imaginative, be able to go to the international market with the genius that this great Nation always had.

These are hard times, and we have an opportunity to say how were we recorded and to be proud of our vote, or to try to do the worst thing that any legislator can do, whether it's local, whether it's State, or whether it is a Member of this august body, and that is trying to explain your vote if you don't support this effort.

I think that it's a rough time for the Nation, but we've always responded with ways that we can show that we will persevere and come out of this stronger than ever. And your kids and your grandkids who know that you've been privileged to serve here, historians are going to look to see one thing that's going to be so important to all

of us, and that is, how were you recorded.

So we can't talk about the process, we can't talk about what we wish will happen; but we can talk about how are you recorded in this vote that would long-time be remembered.

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

Mr. OBEY. I yield the gentleman 1 minute.

Mr. RANGEL. At this time at the request of the chair, I'd like to yield to the chairlady of the Small Business Committee and thank her for the great work that she has been doing.

Ms. VELÁZQUEZ. I thank the gentleman for yielding.

Mr. Speaker, today, small businesses are finally getting their stimulus. It is about time. This act marks the first step towards economic recovery for our country's entrepreneurs. In fact, this bill will result in nearly $21 billion in new investments and lending for small firms and the creation of more than 630,000 new jobs.

In terms of accessing loans from the Small Business Administration, the legislation clearly puts borrower first. It does this by mandating that no funds provided for fee relief can go to lenders unless the SBA has reduced fees charged to borrowers to the maximum extent possible.

Mr. LEWIS of California. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. CAMP), the ranking member of the Ways and Means Committee.

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

Mr. CAMP. Mr. Speaker, every Member of this House believes we should and must act to get this economy moving again to help struggling families and employers through this global economic crisis. But action for the sake of acting will mean little to families if it is not accompanied with positive results.

This morning we awake to a spate of headlines that the deal made behind closed doors, and what we've still not been able to fully review, given its $1.1 million price tag will do more harm than good.

From the McClatchy News Service: ''Will the stimulus actually stimulate? Economists say no.''

From the Associated Press: ''Analysis: Stimulus won't jump-start the economy.''

From the Congressional Budget Office—and there's a chart behind me that shows it—''This partisan stimulus package ends up harming our economy.''

And, again, while it's clear we must act, we must ensure the action we take actually stimulates the economy and lays the foundation for real sustained job creation in the private sector.

There's a smarter, simpler way to stimulate the economy. It's not by running up the deficit by funding pet projects that are often wasteful. As you well know, we produced an alternative to both the Senate and House versions that would create twice the jobs at half the cost. Let me repeat that. Republicans developed a plan that would create twice the jobs at half the cost. And that isn't my analysis or some conservative think tank. That fact is based on the data and methodology of Dr. Christina Romer, the Chair of the President's Council on Economic Advisers.

Now, I'd be remiss if I didn't point out to my Republican and Democrat colleagues exactly how they were treated in this process. As one of five Members of this House who was appointed to the conference committee, I think it's my obligation to tell you this story.

As I walked from the House to the Senate for our first meeting of the conferees, I passed a press conference being held by the Senate majority leader announcing a final deal that had been struck by Senators and only by Senators. This is the first conference I've ever been on where the press conference announcing the results happened before the actual meeting. So I can understand why Speaker PELOSI was reportedly incensed.

The people's House should not be trampled on. We were frozen out. And as Chairman RANGEL noted, many Democrats were frozen out. But most importantly, the American people were frozen out.

This is what happens when a few select people negotiate behind closed doors. You end up with flawed legislation that better reflects the priorities of a few, rather than those of the entire country.

And under this deal we're bring presented with this morning, the so-called middle class tax cut, the signature tax cut has been reduced to 20 cents an hour for a full-time worker. One of the few provisions to help struggling businesses was more than cut in half by shortening the length of the relief and making thousands of employers ineligible for help.

The work requirements within the historic 1996 Welfare Reform Law—the hallmark legislation of President Clinton and the Republican Congress—has been eroded. And the stealth health provisions will drive up costs and have the government making more health care decisions instead of doctors and patients.

□ 1200

Given the severity of the crisis American families are facing, to conduct the people's business in this fashion may be the grossest violation of our constitutional duties and the oath of office we swore to uphold that I have seen in my 18 years in the House.

Record me as a ''no'' on this legislation.

Mr. OBEY. I yield 2 minutes to the distinguished gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. This is what is in the recovery package for Michigan families: Creating jobs for 519,000 unemployed in Michigan. I spoke to the electrical workers this morning, 40 percent of whom are unemployed, 2,000 individuals; 50 percent of iron workers, 1,200, are unemployed. This package has $1 billion for Michigan transportation and water infrastructure. This is just one example of the recovery package putting people to work.

For the unemployed, an extension of unemployment benefits to an additional 161,000 unemployed workers and the historic expansion of TAA.

For individuals in Michigan losing health care for the first time, some help to purchase health insurance.

For Michigan schools, $2 billion to help make up for reduced State assistance.

And for the State of Michigan, under immense budget strain, over $2 billion to shore up our Medicaid program.

For the restructuring auto industry, $2 billion in grants to help develop and manufacture advanced batteries here in the U.S., incentives to buy new cars and a tax credit for the purchase of plug-in hybrid electric vehicles.

Families in Michigan and everywhere are fearful for their jobs, for their health care, education, and the stability of their local communities.

For the minority, they say they acknowledge the pain but they have no prescription, only wornout ideology.

I will head home and look families straight in the eye and say the Federal Government is on your side, providing support during this downturn and making key investments for the future.

Mr. LEWIS of California. Mr. Speaker, I yield 3 minutes to HAL ROGERS, the gentleman from Kentucky, and the ranking member of the Homeland Security Subcommittee.

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

Mr. ROGERS of Kentucky. I want to thank the ranking member for this time.

Mr. Speaker, throughout our country's storied history, we've witnessed some truly extraordinary efforts from the floor of this hallowed Chamber to address our country's most dire needs. We've stood united, setting geographic and party labels aside, to pass legislation that pushed our country forward.

In the aftermath of Pearl Harbor, in the shadow of 9/11, in the wake of numerous natural disasters, this body has traditionally responded by pulling together to produce results for the American people.

But today, Mr. Speaker, sadly, is not one of those extraordinary moments.

Thousands of pages of text, given to us at midnight last night, the Speaker even preventing it from being read to us by the House Clerk, 90 minutes of debate only—some Members will not even be allowed to speak a word for or against this monstrosity—and $790 billion of spending, the largest bill ever to pass through this body.

Hardly any Member, Republican or Democrat, was allowed to help work and write up this bill. This bill was written by the Speaker of the House, with absolutely no collaboration with the Republican side of the aisle and, frankly, little with even Democrats. The principles of democracy are being compromised here today, now.

The American people deserve better. The Members of this Chamber deserve better. And our Founding Fathers expected better.

At best, all you're going to do here today, Mr. Speaker, is ram through this Congress an ill-conceived, wrongheaded, misdirected spending spree. This bill is not targeted toward creating jobs like we wanted. It's just spending a borrowed trillion dollars that our children, grandkids, even great-grandkids are going to have to pay.

When all is said and done with today, and the balloons are put away and the champagne toasts are over, we will leave a whopping and record-breaking $12.1 trillion debt for our children to try to mop up. Even worse, leading experts tell us more every day, the results of this bill will not jump-start our economy or create real high-wage jobs.

Reject the bill.

Mr. Speaker, they say just the exact opposite. That the inflation this spree will cause will only further our fragile economy. The world markets are bracing for the worst as our nation tries to sell a record level of Treasury notes. At the same time, foreign nations are posting huge deficits of their own and selling their own bonds. This competition only impedes the very businesses you and I want to see grow, prosper and expand.

Mr. Speaker, as a result, I fear that interest rates will soar, inflation will rise, and the value of the dollar will plummet.

The President has spoken correctly of our need for immediate action. However, the American people would be better off with a thoughtful, comprehensive bill that creates jobs by keeping taxes low, incentives for our small businesses to expand, and reigns in wasteful spending. We offered such a bill. It was refused. Instead, we have a hasty product that will actually do our country harm.

Let us rise to the occasion and pass a bill that brings this Chamber together with a plan for genuine stimulus, rather than political gain. I urge rejection of this Conference Report.

Mr. OBEY. I yield 2 minutes to the distinguished gentleman from California (Mr. BECERRA).

Mr. BECERRA. I thank the gentleman for yielding.

Mr. Speaker, jobs, jobs, jobs—that is job number one for this Congress. That is the job that President Obama said is the first order of business this year for this body.

Let me amend that. Not just jobs, jobs, jobs. Good paying jobs, 21st century jobs, jobs that invest in and build America tomorrow for our kids. When you are hemorrhaging 5- to 600,000 jobs a month, that means by the time I finish my remarks, 28 Americans will have lost their job in 2 minutes. Jobs, jobs, jobs. We need to do something now.

President Obama has said we need bold, swift action to move us into 21st century jobs and using the technology of this century. We can't continue to live with 20th century technology.

This bill invests close to $20 billion to help our doctors who today communicate with a more obsolete technology than our kids do every day as they communicate with each other. Today, our children are talking to each other during their breaks in school; yet, most doctors can't communicate with each other about what their patients need.

This bill lets us have our doctors invest in that technology so that while today only one of every 20 doctors' offices uses high technology to communicate with other health providers, within the decade we will have 90 percent of our health care providers, doctors, and hospitals being able to communicate instantaneously. Jobs, jobs, jobs, but for the 21st century and do it now.

We can quibble. We all have proposals. We've all made compromises, but we all know the task is before us today. You want to complain, you want to debate—let's do that. But every day that we don't do something, 20,000 American jobs are lost. Let's move today.

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

Mr. KINGSTON. I thank the gentleman for yielding and want to say, the Republican Party is in absolute agreement. This is about jobs. This is about immediate action. That's why we have offered a plan that gives twice the jobs at half the cost. We believe it should be also debated today, but instead, the Democrats have chosen to pass the largest appropriation bill in the history of the United States.

Now, I don't think they've read it. We all know this bill hasn't been read but by a mere handful of people, but part of this bill actually increases the debt ceiling to $12 trillion. And you know what, if deficit spending worked, we would be in great shape.

Last March, $29 billion to Bear Stearns; in May, $168 million for another stimulus package; in July, $200 billion for Fannie Mae; in September, $85 billion for AIG; in October, $700 billion for Wall Street. My goodness, we would be in great shape if deficit spending stimulus bills like this and bailouts worked.

But instead, what we're doing here today is just one more of the same. This is a bill that has 17 percent tax cuts, a big 20 cents an hour for the workers out there. It has a mere 7 percent in shovel-ready projects, dams, roads, bridges that need to be rebuilt.

But the Democrats have instead decided to increase the Federal Government spending: 31 new Federal programs; $200 billion in phantom earmarks that will be decided where the money is spent by State and local governments, even though the Federal legislative branch should be deciding where Federal money goes; $2 billion for groups like ACORN; $500 billion in a non-earmark bill for the NIH headquarters in Maryland. Isn't that interesting? $600 billion for DTV; $30 million for a rat in San Francisco. Mickey Mouse is going to be envious. He's no longer the mouse with the greatest net worth in California. Now, there's a San Francisco rat that has edged him out.

While people are being foreclosed and unemployed, the Democrats are spending $30 million for a rat.

Mr. OBEY. I yield myself 10 seconds.

I wish the other side would make up their mind whether it's mice or rats, neither of which are in this bill if they will read it. Got it right here. Find it and show it to me. Show it to me. Show it to me.

I now yield 2 minutes to the distinguished gentleman from Washington (Mr. MCDERMOTT).

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

Mr. MCDERMOTT. Mr. Speaker, this is not the first time America has faced an economic crisis, but it may be the first time that one entire political party will sit on the sidelines with their arms crossed, their fists clenched, and their rhetoric numb to the suffering being experienced by millions of Americans who have lost their jobs through no fault of their own.

The American people are waiting and watching, and we will be judged not by the volume of the rhetoric but by the boldness of our actions. And we have plan, and it's rooted in one fundamental tenet: America once again belongs to Americans.

And this Congress and this President will respond to the needs of the people with programs and promises that can and will get America moving again.

Another 600,000 Americans lost their jobs in January. Overall, 4 million Americans have lost their jobs in the last year, the last year of the Bush administration.

This legislation extends unemployment benefits to keep people with their heads above water while they look for a job, and this legislation provides incentives for States to modernize their unemployment system to meet the demands of the American people in the 21st century.

FDR included unemployment insurance in the New Deal 70 years ago, at a time when women typically stayed at home to raise a family and part-time jobs didn't exist. We are offering a new deal for a new century. This legislation will help working moms and dads. It will help States make the adjustments that one would like them to make to better respond to their people.

This legislation adds $100 a month to the UI benefit, but before some on the other side jump up and shout ''moral hazard,'' know this. The average UI benefit check does not even reach the

poverty level. We offer a helping hand while you offer rhetoric. For instance, every dollar we provide in UI provides $1.64 in economic impact.

I urge you to vote for H.R. 1.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong opposition to this agreement. People back home want us to work together to do something to save their jobs, make up their lost savings, and restore the value of their homes.

Quite correctly, Americans are asking for help, and we had—I repeat, Mr. Speaker, had—the opportunity to respond by passing a bill that actually created jobs. Unfortunately, the House-Senate agreement, to the extent that we've been allowed to see its contents, does little to help their cause.

Most of this massive domestic spending will be sucked up by an enlarged government bureaucracy, hiring more Federal and State public workers, not helping small businesses and families survive.

□ 1215

The majority ''markets'' this measure as a transportation infrastructure package. But a mere 17 percent of the funding is directed towards the road, highway, and Army Corps of Engineers programs that would immediately create real jobs.

In fact, H.R. 1 creates over 33 entirely new government programs, at a cost to the taxpayers of over $97 billion, and adds 600,000 new government jobs. And when will Americans see the effects of this spending? Probably not any time soon.

According to the CBO, less than half of the spending in this nonstimulus package will be paid out in the next 2 years. At that rate, an economic recovery will probably outrun most of the spending in this expensive legislation.

And while the agreement does contain some tax relief, it's not targeted to small businesses, which employ half of all of us. And if that weren't enough, the package before us weakens the work requirements of successful welfare programs we enacted years ago. And it may lay the groundwork for a government takeover of American's health care system by creating a Federal bureaucracy that will decide how to ration health care.

Mr. Speaker, Congress had the opportunity to ''jump-start'' our economy, and failed in that responsibility.

Mr. OBEY. I yield 2 minutes to the distinguished gentleman from Massachusetts (Mr. NEAL).

Mr. NEAL of Massachusetts. Let me first commend the conferees for putting this legislation together and then to remind our friends on the other side that the operative word here today is ''necessary.'' That is the most important word as we move this legislation forward today, ''necessary.''

Mr. RANGEL did a good job negotiating the tax title to provide hundreds of billions of dollars in immediate fiscal stimulus, starting with The Making Work Pay credit, which will cut taxes for 95 percent of all taxpayers, including 2 million families in Massachusetts.

Working families will also benefit from improvements in the child tax credit, the earned income tax credit, and a new higher education tax credit.

Businesses across the country will benefit from bonus depreciation allowance and small business expensing provisions, as well as relief for small and medium-sized businesses with net operating losses. Incidentally, I pushed for a larger number there, as the other side knows. And State and local government will see substantial relief for infrastructure and other critical needs through the Recovery Zone bonds and Build America bonds.

As a former mayor, I was happy to lead and take the lead on changes to the bond rules that will allow cities and towns to borrow at lower costs at a time when credit is tight.

The compromise also includes AMT protection for 26 million American families—70,000 families in my district alone.

Now, we're going to hear criticism from some that this legislation is too much, it's too little; it's too fast or it's too slow. By definition, by definition, fiscal stimulus means spending. And with an economy as great as ours, it needs to be significant.

We did move at a very quick pace, and we needed to. There are 10,000 families a day in America slipping into foreclosure. That's 10,000 families a day. Clearly, the policies of the last 8 years did not work, and we need a change.

I hope support for this legislation will move today.

Mr. LEWIS of California. I yield 3 minutes to the ranking member of the Subcommittee on Appropriations that gets the vast percentage of increase in spending in this bill, the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. I thank the gentleman from California. Today, another Kansan is going to get laid off, and they will struggle to pay their bills. Our economy needs help and our people need help. But this bill isn't help. This bill will only place a drag on our economy because it does nothing to solve the underlying problems that hamper our economy.

The Federal Government has a role to help ensure American workers are free to prosper. But borrowing money for massive government spending is not the answer.

The reality is, this bill, some nearly $800 billion in spending and tax cuts, consists entirely of money we do not have. So how are we going to get this money?

There's only three ways to get it. We can ask the Treasury Department to print more money. But we know from the 1970s that causes inflation. The second is we can raise taxes. We'd have to raise taxes $2,600 per American. And we know that higher taxes create higher unemployment. I'm not interested in raising taxes.

The third way is to borrow money from investors. But our investors here in America don't have the money. We'd have to go to other countries, like the United Arab Emirates or Saudi Arabia, because China and the United Kingdom have their own economic problems. They can't raise the money themselves.

So, to attract this money, we're going to have to raise interest rates, and higher interest rates—some 4 percent, according to the Congressional Budget Office—causes higher credit card rates, higher car loan rates, and higher home mortgage rates.

We are following the legacy of Paul Volcker from the 1970s. Back then, they called it the misery index. During the 1970s, the media added inflation, unemployment, and interest rates together to get the misery index. And it's coming back. Back then, it was 21.98. Today's, it's 7.92.

There's a better plan than the misery index. We could give every American money by giving them a payroll tax holiday for several years. That would be a 10 to 20 percent pay increase for working Americans, and they would know best how to spend the money for their families. With the money they will buy goods or they will save their money or they will invest their money. All of that creates jobs. Because making more money available for new ideas in the marketplace does create jobs.

Vote ''no'' on this legislation. Vote ''no'' to the misery index. This package will get more money to hardworking Americans by giving it directly to them with a payroll tax holiday, because that is the best plan.

We can stop the return to the misery index by getting people back to work, by getting more money in their pocket. Let's go for a payroll tax holiday. Vote ''no.'' Let's go back to conference. Cut the government spending, add back a payroll tax holiday for working Americans, and return the economy to the strength it once had.

Mr. OBEY. I yield 2 minutes to the distinguished gentleman from North Carolina (Mr. ETHERIDGE).

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

Mr. ETHERIDGE. I thank the gentleman for the time to speak in support of this bill. I thank you for your leadership and for this economic recovery bill, on the issues that are in it, but also on school construction.

I thank Mr. RANGEL, who's been a tireless advocate for investment in our future economy. He and I have been proud to be able to be partners in authorizing the America's Better Classroom Act, which we are finally going to enact into law in this piece of legislation.

For more than 12 years we have been working to improve our Nation's schools and opportunities for the future. The idea that we created, to put the Federal Government into partnership with our local school districts to create private sector jobs and improve schools, was a perfect fit for the needs of our troubled economy. And I am proud that it is included in this final piece of legislation.

I strongly support the conference report for H.R. 1, the American Recovery and Reinvestment Act of 2009, which takes needed steps to restore our economy. This bill provides urgently needed relief to struggling individuals and businesses, and will create or save 3.5 million jobs in this country.

Hundreds of thousands of these jobs will be created by the $25 billion in school construction bond tax credits in this piece of legislation. And they will be created quickly. Hundreds of school building projects have been stalled or delayed in this economic downturn. Chairman RANGEL and I have introduced the ABC Act to help school districts get the funding that they need.

Everything I have achieved in life is due to my educational opportunities, the ones that I was given by my friends and neighbors. I want today's generation to have similar opportunities. High-quality schools, with strong teachers and modern facilities, are the key to the future.

Students can't prepare for the 21st century economy in schools from the 20th century that are crumbling, deteriorated, and overcrowded. In today's economic downturn, we have a chance to change this. I urge your vote on this.

In today's economic downturn, we must give our students every tool we can to compete in the global economy. The new school construction enabled by this bill is a good step in that direction. School construction creates jobs today, and provides the foundation for jobs for the future. I am proud that the tax credits in this bill will give local school districts support to improve their schools and the education they provide.

I urge my colleagues to join me in supporting this conference agreement.

Mr. LEWIS of California. Mr. Speaker, I yield $8.8 billion to the gentleman from Tennessee for 1 minute. That's the cost of the minute I'm yielding him on this bill, to the gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. Mr. Speaker, we know there's a problem. Republicans have great empathy with the people that are hurting. Our constituents are your constituents. But there's little faith that the Federal Government is going to make things better.

The financial rescue didn't work, the TARP was mismanaged grossly, the auto bailout didn't work. They're looking and seeing home budgets being cut to get through hard times. Local government is being cut, State governments' budgets being cut. But only in Washington can we spend our way into prosperity.

It's an ill-conceived thought. Confidence is lost. It's a wrong approach. If ever there was a massive bill where the devil is in the details, it is this bill. And there are many devils in the details of this bill.

The government is ill-equipped to ramp up and do these things. We're going to be disappointed over time. There's going to be waste, fraud, and abuse everywhere you look.

Just because Republicans spent too much money after September 11th and lost our way on financial matters doesn't mean the Democratic Party should be allowed to wreck our ship of State. This has taken us very quickly down the wrong road. Vote ''no.''

Mr. OBEY. I yield 3 minutes to the distinguished chairman of the Energy and Commerce Committee, Mr. WAXMAN.

Mr. WAXMAN. Mr. Speaker, I am pleased to have the opportunity to speak in favor of this conference report. Our Nation's economy is foundering. We need to respond. We're in a deep and long recession. Our unemployment rate is over 7 percent, and growing. And we urgently need an economic recovery package to set the Nation on the proper course to rebound.

I am pleased the House and the Senate moved rapidly to resolve the differences between the two bills and to get this bill to the President so it can finally take action.

The final conference agreement retains provisions that were passed out of the Committee on Energy and Commerce in January in three critical areas that will accelerate economic recovery and protect American families: Broadband, energy, and health.

The first piece is an investment in expanding broadband Internet access so businesses and households in rural and other underserved areas can link to the global balance economy.

Broadband networks are as important to the Nation's economic success as the postal roads, canals, rail lines, and interstate highways of the past. Unfortunately, the United States has fallen behind other nations in terms of broadband deployment and adoption.

This legislation would authorize approximately $4.7 billion for grants to be administered by the Commerce Department and another $2.5 billion in grants to be administered by the Agriculture Department to put people to work building new broadband infrastructure.

The second piece we're considering is a major investment in the Nation's energy future. The conference agreement will accelerate deployment of smart grid technology throughout the country, offer loan guarantees for renewable energy and transmission projects, and promote energy efficiency throughout the country.

I am pleased that we were able to adopt these provisions. We also will support economic recovery through the creation of thousands of jobs, especially for low- and middle-income Americans, as the Nation dramatically increases the efficiency in which it uses energy and relies upon renewable sources of energy.

And the final and biggest piece involves investments in health. And there are three sections. First, the bill would help people who lose their jobs and have no health insurance. It provides temporary subsidies for COBRA premiums to enable workers who had insurance, to hold on to that insurance.

The bill would protect health insurance for an additional 7 million Americans. It will also provide an 18-month extension of the health insurance program that helps families transitioning from welfare to work to keep their Medicaid coverage.

Second, the bill would provide $19 billion in funding to accelerate the nationwide adoption of health information technology.

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

Mr. OBEY. I yield 1 additional minute.

Mr. WAXMAN. This will expedite the development of nationwide health information infrastructure that will enhance real-time communication between providers and improve the coordination of care.

Finally, the bill would provide $87 billion in temporary funding to assist State Medicaid programs facing surges in caseloads and State revenue shortfalls. The bill would provide a temporary increase in the Federal Medicaid matching rate, FMAP. It balances an across-the-board increase of 6.2 percentage points, with an additional increase targeted at those States with high unemployment.

Mr. Speaker, this legislation is necessary to set the course to turn the economy around and deliver on our promise and duty to assist our constituents in this difficult time. I urge my colleagues to approve the conference report.

□ 1230

Mr. LEWIS of California. Mr. Speaker, I yield 1 minute to the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. I thank the ranking member.

I just want folks to step back for just a second here. You know, last year at the end of the year we spent $700 billion on the TARP. Who knows if it has had any effect. No one knows for sure. This Tuesday, the Secretary of the Treasury said we are going to spend another $2 trillion. Today, we are going to spend $890 billion; with interest, well over another $1 trillion. In another couple weeks, we are going to spend another $400 billion on the omnibus bill. Then there is going to be a war supplement. We are talking about over $4 trillion here in less than 3 months.

This is the most selfish bill I have ever seen generationally. We are saying to our children and grandchildren: We don't care about you, because we just want self-gratification now. We want

to feel better today. We can't take any pain ourselves.

Our kids and grandchildren are paying for this, and it is going to limit their opportunities for the future for the next generations.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished dean of the House, the longest-serving Member in the House of Representatives of any Member in history, the gentleman from Michigan (Mr. DINGELL).

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

Mr. DINGELL. I thank my good friend for yielding time.

As a boy, I was a page in this body during the Depression. My father was a Member of Congress. A third of the Americans were out of work. People were losing their homes and their farms, businesses were closing. Hardship was terrifying. It was the worst economic experience in the history of this country. Let's learn from history, my dear friends and colleagues, and let's do something about this so that it doesn't happen.

Herbert Hoover became the most reviled President in the history of the United States because he didn't do anything about the recession which was coming. Those who have studied that Depression tell us that had Congress acted and had the administration acted with vigor, that the Depression would have been much shorter and much less severe.

We have a chance to learn from that experience and to do something about it, and to see to it that this generation doesn't leave a depression to the next generation. It is not just about spending money; it is about doing something right about a terrifying problem that faces this country. I urge us to learn from history so that we don't repeat it. Support this legislation.

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

Mr. SIMPSON. I thank the gentleman for yielding.

Mr. Speaker, I feel like I went to bed a couple weeks ago and woke up in bizarro-world. We are about to spend over $1 trillion for a stimulus bill which will do little, if anything, to stimulate the economy. What it will stimulate is the growth of government.

I have no doubt that those on the other side of the aisle feel that this is the right thing to do to help the economy, but sincerity does not make something right which is fundamentally wrong, and this bill is fundamentally wrong.

We were just told a few minutes ago that the key word here is ''necessary.''

Millions of dollars for mouse habitat? Yes, it is not specifically put in the bill. What they have done is put in a fund for habitat restoration, which the agency says they will spend up to $30 million on mouse habitat restoration. That is beautiful. Necessary? I don't know.

Fifty million dollars for the NEA. I love the NEA. Necessary in a stimulus bill?

Billions of dollars for a sin express train from Los Angeles to Las Vegas. Necessary? I don't think so.

And, of course, we have got the infamous Frisbee golf course. And if you are going to have a Frisbee golf course, you had better have green golf carts, So we put money in for green golf carts. That is good, too. Necessary? I don't think so.

The list is too long to complete when you look at this bill; but, fundamentally, the problem is the process that created this bill. None of this stuff would have been in here had we gone through a process which allowed Members to have input and debate and so forth on this bill. Instead, this has been created in the Speaker's office, in the President's office, and handed to us and said, ''We have got to pass this bill.''

This process stinks. There is no other word for it. And for the first time in my public life, 4 years on a local city council, 14 years in the Idaho legislature, and 10 years in this body, for the first time in my life I am embarrassed to be a Member of this body.

Mr. OBEY. I yield 1 minute to the distinguished gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I am embarrassed, frankly, from the comments I hear from the other side of the aisle about mouse traps, Frisbees, golf carts. The economy is in terrible shape, it is getting worse every day, and we are trying to address it in a bold way. That is what is necessary here, not talking about these trivial things that the other side is bringing up.

At a time when States are facing fiscal problems and more people are in need of health care services, we provide in this bill critical financial assistance so that States can maintain their Medicaid programs, health care. It would provide access to health coverage for those who recently lost their jobs by making COBRA coverage more affordable. And, finally, the package would modernize our Nation's health care system by investing nearly $20 billion in health information technology.

These are the important things that we face right now. People are losing their health care. We are addressing this. We are giving money back to the States. We are helping people with their health care so that they can stay insured.

Mr. Speaker, I appeal to my colleagues on both sides of the aisle, now is the time for bold action. This package is a good package. Vote ''yes.''

Mr. LEWIS of California. Mr. Speaker, could I inquire as to the time remaining.

The SPEAKER pro tempore. The gentleman from California has 20½ minutes remaining; the gentleman from Wisconsin has 24 minutes remaining.

Mr. LEWIS of California. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Speaker, in 1996, I created the E-Verify program, and I will not idly stand by while a coalition of pro-amnesty groups and their allies in big business kill this program in the dead of night. The American people have repeatedly voiced their support for employment verification; yet, we find that, once again, special interests win out.

While nearly 1 trillion taxpayer dollars are going to be spent in this Reid/Pelosi stimulus plan, there is no assurance that the job it created will go to American workers. Amendments to reauthorize the E-Verify program, which expires on March 6 and requires any entity receiving stimulus funds to participate in E-Verify, both of which had been accepted in the House Appropriations Committee, were stripped out of the bill without discussion or debate.

The one candle in the darkness of this disastrous bill was the reauthorization requirements to use E-Verify. Now, we are left with legislation that places the interests of illegal immigrants above those of hard-working American families and leaves this bill at the foot of future generations.

Mr. OBEY. I yield 1 minute to the distinguished gentleman from Illinois (Mr. RUSH).

Mr. RUSH. Mr. Speaker, I want to thank Chairman WAXMAN, Chairman OBEY, and Chairman RANGEL for their hard work on the compromise legislation that we have before us today. In a time when so many Americans are in the grips of economic hardship and despair, now is the time for all of us to come together and act on the part of those who are in need.

Mr. Speaker, our people need jobs. Our people need jobs and our Nation needs jobs. And we need to invest in our infrastructure, invest in our communities, and invest in the next generation of Americans. This package includes all the tools and all the money to make our dream of a better tomorrow for all Americans a reality.

With the passing of the American Recovery and Reinvestment Act, we will act by deeds, not just words. The Bible tells us that a tree will be known by the fruit it bears. This bill has good fruit in it.

Mr. LEWIS of California. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. BARTON), the ranking member of the Energy and Commerce Committee.

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

Mr. BARTON of Texas. Mr. Speaker, I rise in opposition to this conference report.

I want to start out by talking a little bit about the process. I know that is not very sexy. But when the President and people complain that Republicans are not being bipartisan, they need to know that we haven't been given much of a chance, if any of a chance, to be bipartisan.

As this bill started in the House, there were no hearings in the House of

Representatives. There was a markup in Ways and Means and a markup in the Approps Committee and a markup in the Energy and Commerce Committee. The Energy and Commerce Committee that I am on, Mr. WAXMAN, to his credit, had a 12-hour markup, and five Republican amendments were accepted. Three of those were stripped out before the bill came to the floor; one was kept in as is, and one was materially changed.

When we went to conference with the other body, our chairman Mr. WAXMAN was appointed a conferee, as he should have been, because it is about $200 billion of the bill is in the Energy and Commerce jurisdiction; but no Republican, no minority member was appointed. So we had no Republican input into the conference. Of course, that is probably okay, because it really wasn't a conference. There were five House conferees and five Senate conferees. The majority party Members, three on the House and three on the Senate, signed the conference report without anybody actually on the Republican side being given a copy to look at. So it was kind of a done deal.

So on process alone, when the President asks why Republicans tend to be appositive of the bill, it is because we really were not given any input into the finished project.

On the policy, the Energy and Commerce Committee has jurisdiction over energy, over telecommunication, and over health care. The energy section, they took out all the energy grants for things like clean coal technology. They left in a little thing called electricity decoupling; which means, in order to get some of these green energy grants, the Governor of a State has to certify to the Department of Energy's Secretary that they are going to do this decoupling. That means that you can allow the PUC to decouple the price you pay from the amount of electricity that you use. So it is a revenue guarantee for the utility; so as the utility gets the green grant and goes out and educates you on how to use less electricity, you use less electricity, your bill stays the same or goes up. It is the most anticompetitive, anticonsumer, antifree-market piece of legislation I have ever seen on the House floor and it is in this bill.

On health care, my friends on the other side have made a big point of talking about all the things they are doing on health care. Well, you have the health IT grants, which some of that may be good, but do you really need to give every doctor in America $44,000 to switch to electronic records? And, oh, by the way, a lot of that money is not available in 2011, until 2012? I am not sure that is very stimulative of the economy.

We give the States more FMAP money for Medicaid. It doesn't have to be spent on Medicaid. Fifty percent or 65 percent is allocated on the standard formula package, and the rest is allocated on high unemployment. But the once the State gets that Medicaid money, they can use it for other purposes. And, oh, by the way, that is theoretically temporary. But do you really believe that adding $90 billion to the baseline for Medicaid is going to be temporary? It is going to go into the permanent baseline, and it is going to raise the cost over time to the U.S. taxpayer.

I could go on and on, Mr. Speaker. But the point of the subject is those of us on our side, we understand that people are hurting, we understand that we need to do things to help the economy. Shouldn't we start by keeping the people that have a job, let them keep a little bit more of their money by doing some tax cuts? A lot of those got diluted in this bill. Shouldn't we require that, if you are going to spend money, it has a long-term effect, it helps basic infrastructure? This bill doesn't do that. Vote ''no.''

Mr. OBEY. I yield 1 minute to the distinguished gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. I thank the distinguished chairman.

Mr. Speaker, 50 years ago a Presidential candidate, John Kennedy, said the following: The Chinese use two brush strokes to write the word ''crisis.'' One brush stroke stands for danger; the other stands for opportunity. In a crisis, be aware of the danger, but recognize the opportunity.

That is what we are doing today. We recognize the full danger that faces America, the greatest danger since the great depression. But we also recognize the opportunity for the people of our great Nation that we love so much, and what we are doing is building for the future: Health care for the unemployed, extension of unemployment benefits for those that find themselves unemployed. The building blocks not only for today, but the opportunities for tomorrow by making investments in technology, broadband, the sciences.

I urge all of my colleagues to consider this opportunity for America.

Mr. Speaker, America has been shaken to its core by an economic disruption unlike anything we've seen since the Great Depression. For too many Americans it seems that nothing is certain or secure—not our jobs, not our homes, not the very businesses our economy stands upon.

Today the American people and people around the world can take heart that our Nation is acting to reverse course and begin the difficult work of rebuilding our economy, our infrastructure, and our confidence in our country's future.

This legislation responds to the pressing needs of today, creating and saving 3.5 million jobs by rebuilding America through new investments in roads, bridges, mass transit, energy efficient buildings, flood control, clean water projects, school construction, and other infrastructure projects. 95 percent of American workers will receive an immediate tax cut to ease the impact of the harsh economic conditions and jumpstart consumer spending on goods and services.

Just as importantly, this final bill makes critical investments in science, technology and innovation which will ensure that our recovery is strong and that the United States continues its leadership in the competitive global economy.

To secure America's technology leadership in the 21st Century we are renewing America's investments in basic science and research, providing $15 billion for scientific research, including $3 billion for the National Science Foundation, $1.6 billion for the Department of Energy's Office of Science, and $10 billion for the National Institutes of Health.

To achieve energy independence, we have invested $30 billion in energy programs such as a new, smart power grid, advanced battery technology, and energy efficiency measures, plus another $20 billion in tax incentives for renewable energy and energy efficiency.

To provide all Americans an 'on-ramp' to the Information Superhighway, we are investing $7 billion for extending broadband services to underserved communities across the country.

Fifty years ago John Kennedy said "the Chinese use two brush strokes to write the word 'crisis.' One brush stroke stands for danger; the other for opportunity. In a crisis, be aware of the danger—but recognize the opportunity."

This economic recovery package is a bill filled with hope and belief—hope that the danger of the current crisis will be averted, new jobs will be created, and old jobs will be restored so that people will once again enjoy the dignity of a day's work, and a belief that we recognize this opportunity to reinvigorate the great innovative spirit of our country that we love so much.

Mr. LEWIS of California. Mr. Speaker, I am proud to yield 2 minutes to the partner of our chairman, Mr. OBEY, the gentleman from Wisconsin (Mr. RYAN).

□ 1245

Mr. RYAN of Wisconsin. I thank the gentleman.

Mr. Speaker, the President said, ''We don't want any tired old ideas.'' I agree. One-time rebate checks, special interest pork and runaway spending, those tired old ideas didn't work in the past administration. They won't work now. This is just more of the same. Both parties have messed this thing up. So the question is, are we going to come together and fix this?

The crown jewel of the American economy is the risk-taker, the entrepreneur, the small businessmen and women, the person who put it all on the line and created jobs. That is the way out. That is not what this bill does. This bill says, let's take money out of the economy and away from the private sector through higher borrowing and higher taxes, ultimately so that government bureaucrats can spend money and try and re-micromanage the economy back to prosperity.

This bill, which will lead to higher costs and higher taxes, will be not a road to prosperity, but a road to stagnation. The priorities are just all wrong. There is more money in this legislation for the National Endowment for the Arts, for the National Endowment for the Arts, than there is to helping small businesses keep and create jobs. We can do better than this.

Mr. Speaker, please, if you want bipartisanship, that means collaboration,

working with us. You have all the rights. The majority can do whatever they want. But when you look at the minority's alternative, a plan to create jobs, to help families and small businesses keep and create jobs using the administration's own methodology, you will see that our plan creates twice the jobs for half the cost. This bill sends us on a worldwide borrowing binge. We're going to go out and borrow four times as much money this year than we ever have in the history of this country in a single year. This is not just a road to stagnation, it is a road to stagflation.

Mr. OBEY. I yield 1 minute to the distinguished gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague.

Mr. Speaker, I rise in strong support of this bill, which will reinvest in America's future and which will create jobs. Do you know that there are still sectors of our economy that are hiring? And one of those is health care. I'm so proud to see that this legislation recognizes the need to educate new nurses, physicians and dentists and responds by investing $500 million for professional education. In 2008, over 27,000 qualified applicants were turned away from nursing schools because we don't have enough faculty to train them. The programs that will be funded through this bill will help train more faculty and also entry-level nursing students so that we can shore up our health care workforce.

If we continue simply at the pace we are today, we will have a shortage of 1 million nurses by the year 2020. This bill makes an excellent investment to alleviate that shortage, to create jobs for nurses, for doctors and for health care professionals.

So I urge my colleagues to vote ''yes.''

Mr. LEWIS of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Nobody knows the pain of a bad economy like us fellow Michiganders, and we're suffering worse than any other State in the Nation. And if this bill even came close to providing hope or a job, I would be for it, but this bill is dangerous. And this is the kind of thing that happens when you rush it and you don't let people in to see it.

Think about it. They do say, listen, it gives credits for hybrid plug-ins. But what they don't tell you is that in this bill, for every dollar the average family saves by going green, the electric companies charge you $1. Your electric bill is going up with this piece of legislation. They say, do you know what? There is business relief in this bill for small businesses. They don't tell you that less than 1 percent of this bill goes to small businesses.

As was said before, we spend more on arts than we do on small business, which is 80 percent of our job providers. They say this bill spends money on roads and bridges. But they don't tell you it is less than 7 percent, and only about $10 billion in the first year over 50 States. That is hardly an investment in our roads and our bridges.

They say there is no mouse in this bill. But there is, sir. What they don't tell you is that in the EPA projects, it cites for sure and for certain they will spend money on the salt marsh habitat for the mouse in San Francisco. Certainly, the Speaker is getting her cheese. The people in Michigan are waiting for theirs. I will tell you this. Do you know what? We spend money in this bill. True enough. And what they don't tell you is that this is one of the most massive, massive transfers of debt to our children in the history of this country. There are lots of IOUs, but not much for jobs in this bill.

Mr. OBEY. I yield 1 minute to the distinguished gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I stand in strong support of the economic recovery legislation before us today. We cannot stand idly by like our Republican friends are doing and let our economy sink any further. The cost of inaction is far too great. The American people are hurting, and we're trying to do something about it.

Our Republican friends, unfortunately, are becoming the party of ''no.'' Well, while they are saying ''no,'' we are saying ''yes,'' yes to creating 3½ million jobs, yes to providing tax breaks to the middle class, yes to providing AMT relief, yes to improving our infrastructure to be more energy efficient, yes in providing health care coverage for millions of Americans during this recession, providing an estimated $87 billion in additional Federal matching funds.

This will help States like mine, like New York, maintain their Medicaid programs in the face of massive State budget shortfalls over the next 2 years. We say ''yes'' to reduce our dependence on foreign oil. FMAP funds are important. I have long fought hard for more FMAP funds. The stimulus will provide much-needed relief to our States. We say ''yes'' for energy-efficient programs. Say ''yes'' for this bill. This is a good bill.

Mr. LEWIS of California. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. BRADY), a member of the committee.

Mr. BRADY of Texas. Thank you, Chairman.

It is sad that this House has imposed a gag rule so that the American public can't hear today what's in this bill. The special interests know what's in this bill. They certainly do. Congress is going to rain billions of dollars of cash across this land, and special interests and lobbyists have big buckets out to catch it.

We all want this President to succeed. We want this economy to get going because people are hurting. But when the economy is drowning, you throw it a life preserver. You don't build a 40-foot yacht for it. This bill is too big. It is too expensive. It is way too slow. And at the end of the day, it is not going to rescue this economy. And at the end of a couple of years, it's middle-class families and small businesses that are going to have to pay for all this cash.

Taxpayers just aren't willing to spend one-quarter of $1 million to trade a new job. They're not willing to spend more money on art than on small businesses. They're not willing to buy Frisbee golf courses and gambling trains. That is a bad use of our dollars. We can do better.

Mr. OBEY. I yield 1 minute to the distinguished gentlewoman from California (Ms. HARMAN).

Ms. HARMAN. I thank the gentleman for yielding.

Let me highlight two issues. First, temporary increases in COBRA, FMAP and DSH coverage, a lifeline for hard-hit families and communities. Mr. WAXMAN played the critical role in the conference on these issues, and constituents in our adjoining congressional districts are very grateful. Harbor-UCLA Medical Center is the only level 1 trauma center near top terror targets, like LAX and the Ports of LA and Long Beach. Without DSH, Harbor will have no surge capacity to treat victims of terror and natural disasters.

Second, energy innovation and efficiency. This is a stimulus bill, and the smart grid and transportation projects it funds are a jobs engine. It sets the framework for future climate change legislation.

Mr. Chairman, enhanced safety net and clean energy jobs are good reasons to vote ''aye.''

Mr. LEWIS of California. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. Mr. Speaker, I thank the gentleman for yielding.

So I was at a birthday party for some young kids not too long ago, and everybody is playing the normal games that all little kids play. But there is one kid—and this is typical at every kid's birthday party—that sees the cake and starts scraping the icing off the cake, and he leaves the grubby mess for everybody else. That's exactly what this bill does.

According to the CBO, an entity that everybody pauses and recognizes as authoritative, the CBO says, yeah, you may get a short-term sugar buzz off this. But in 2013, because of the passage of this bill, you're going to have negative growth. From 2013 to 2019, what we're basically going to be foisting on this economy is that grubby, nasty birthday cake without any of the icing. We can do much better than this. I think the President expects us to do much better than this. And I urge a ''no'' vote.

Mr. OBEY. I yield 1 minute to the distinguished gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY of Massachusetts. For millions of Americans, after 8 years of laissez-faire economics, they know it is

just a fancy word for ''left behind.'' Fixing the economy is not a spectator sport. That's what has been going on for 8 years. And that's what's going on with the Republicans here today.

This bill creates or saves 3.5 million jobs. It provides tax cuts for 95 percent of Americans. It spurs a green jobs revolution. It has health IT that will revolutionize medicine with privacy and security built in that I requested and the majority has placed in this bill. There's more money in this bill after 5 years of cutting the NIH budget, there's a dramatic increase in the NIH budget to find a cure for cancer, for heart disease, for Parkinson's and for Alzheimer's. This is a revolution in health care, in energy and in job creation.

This bill must be passed today and break with the 8 years of laissez-faire, which has hurt every single American family. Vote ''yes'' on this bill.

Today we're responding with determination and bold action to combat the most severe economic crisis our country has faced since the Great Depression.

For years, as hardworking American families struggled to make ends meet and the economy shed millions of jobs, Republicans told us not to worry—we are in the midst of a ''jobless recovery'', they said. But ''jobless recovery'' is an oxymoron, a contradiction in terms, like jumbo shrimp or Salt Lake City nightlife—it just doesn't exist.

The failed ''laissez-faire'' approach of the past 8 years has now been discredited by rising unemployment, loss of confidence in our financial markets, and the economic hardships suffered by families across the country.

For millions of Americans, ''laissez-faire'' is just a fancy name for ''left behind.''

With this economic recovery package, we are taking the bold action that is needed by creating or saving 3-and-a-half million jobs, rebuilding America, making us more globally competitive and energy independent, and transforming our economy.

I say to my Republican friends: ''fixing the economy is not a spectator sport.''

While our country is facing enormous challenges, we also have a once-in-a-generation opportunity to create millions of new jobs, invest in vital priorities, and position our economy for future growth. Today we are seizing this historic opportunity and setting our country on a new direction.

This is about greenbacks and green energy.

This urgently-needed economic recovery package funds infrastructure projects that are ''shovel-ready'', while also supporting future-oriented projects that are ''circuit-ready'': broadband, electronic medical records, smart grid, advanced battery technologies, and other vital priorities.

The massive investments in weatherization, state energy efficiency grants, and federal building efficiency are some of the safest and smartest investments our country can make right now. They put money into the pockets of American workers and pay for themselves in the form of energy savings and lower energy prices. This energy efficiency ''double dividend'' is a proven, reliable phenomenon that our current weak economy must capitalize.

The bill provides $19 billion for a new health IT infrastructure to improve care, lower costs and reduce medical errors. I am pleased that the conference report includes patient privacy safeguards that I have long advocated, including a provision that I offered at the Energy and Commerce Committee markup to ensure that patients' medical records are made unreadable to unauthorized individuals.

This balanced, well-thought out package provides tax relief for 95 percent of Americans and targets investments in key areas to turn around the American economy. I urge my colleagues to vote in favor of H.R. 1, the American Recovery and Reinvestment Act of 2009.

3.5 million jobs created or saved.

Tax cuts for 95 percent of Americans.

Green job revolution.

Health IT, with privacy.

NIH increase—cure Alzheimer's.

Mr. LEWIS of California. Mr. Speaker, I yield to the gentlelady fighting for jobs in Michigan, CANDICE MILLER, for 1 minute.

Mrs. MILLER of Michigan. Mr. Speaker, I come from Macomb County, Michigan, which is the proud home of the Reagan Democrats. And it is a community that has been impacted as much as anybody in this Nation by the economic downturn. And I do not need to be lectured by anyone about the challenges we are facing, because we live with it every single day. I understand. Believe me, I understand.

So when President Obama talked about an economic stimulus plan that was focused on tax cuts or massive infrastructure investment, I was there. But what we are about to vote on today is unrecognizable from what he talked about. Michigan is a State of about 10 million people, and we are the hardest hit, as I said, by this economy. And yet we are expected to get approximately $7 billion from this bill. And apparently the Senate majority leader has earmarked $8 billion for a rail system from Las Vegas to Los Angeles? You have got to be kidding. You have got to be kidding.

As everyone knows, Michigan is dependent on the auto industry, which is on its knees right now. So I was incredibly disappointed to see an $11 billion auto incentive to spur auto sales reduced to $2 billion in the conference report.

Please vote ''no'' against this bill.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Mr. Speaker, I want to thank personally Congressman WAXMAN, Congressman RANGEL, Congressman OBEY and particularly their staffs for their hard work on this important legislation.

Mr. Speaker, no one disputes that we're in an economic crisis. It continues to deepen. Families are hurting. In my home State of North Carolina, more than one-third of our 100 counties are now suffering from double-digit unemployment, including 10 of those counties in the First Congressional District.

Without question, we need to quickly pass this stimulus bill this afternoon which will put people back to work, provide relief for the people who need it the most and make investments in our future. Americans demanded change last November. And we must answer that call today. I urge my colleagues to vote ''yes'' on this conference report.

Mr. LEWIS of California. I reserve the balance of my time.

Mr. OBEY. I yield 1 minute to the distinguished gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Thank you, Mr. Chairman.

Mr. Speaker, President Obama understands something that every Vermonter knows, and that is that this economy faces the biggest challenge since the Great Depression. We have a very simple choice in Congress. It is to do nothing, as Herbert Hoover did, or it is to act boldly, as Franklin Roosevelt did.

□ 1300

This bill embraces the philosophy of Franklin Roosevelt that when the economy is deteriorating, people are losing their jobs, Congress must act to save jobs and rebuild our economy.

This bill is well-balanced and can provide 8,000 jobs in Vermont. It helps our taxpayers, property taxpayers and State taxpayers. It provides a safety net to the people who, through absolutely no fault of their own, lost their jobs. We owe it to them. And it provides investments in the future. Green jobs, health care information technology.

This is essential as a step to start revitalizing our economy and putting it in a growth path for the future.

Mr. LEWIS of California. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Speaker, people want to know how did we get into this painful economy. Too many of our fellow citizens borrowed too much. They spent too much, and they couldn't pay it back. And now the mistakes of individuals, the Democrats want to force upon us collectively.

Mr. Speaker, you cannot borrow and spend your way into prosperity. Even the Democrats' own Congressional Budget Office says H.R. 1 is the single greatest spending bill in the history of America, will leave us the greatest debt in the history of America, and ultimately, will hurt our economy, leaving a legacy of debt, crushing debt for future generations.

The Republicans want to stimulate the economy by helping small business. The Democrats want to stimulate big government. The Democrats want to spend millions on urban canals. The Republicans want to spend millions on small businesses like Williams Paint and Body, to preserve and grow 21 jobs. Democrats want to spend $300 million to buy government bureaucrats new cars. Republicans want to spend money on Terry Manufacturing, to preserve and secure 20 new jobs. Big government or small business? Choose small business.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished majority leader, Mr. HOYER.

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

Mr. HOYER. We are coming close to the end of this debate. America and Americans are in trouble. They're hurting. Millions of our constituents are in great pain. They've lost their homes, they've lost their jobs. Their salaries are not keeping up with the costs that confront them.

And so we come here, 435 of us, and five representing the territories and the District of Columbia. We come here to act, to act on their behalf, to try to make a difference, to try to ease the pain that this economy has visited upon them.

Those of us who have been here for many years have heard this debate very often. And I tell my friends, I'm sure that had I been here in 1929 and 1930, I would have heard much the same representation.

And we were told, frankly, in the last of the 1980s, stick with us on this economic program. And it didn't work. And we were told in 2001 and 2003, stick with us on this economic program, and it didn't work.

And like the failed program of the 1920s that brought our economy so low, the failed policies of the early part of this century have brought this economy to the lowest point it has been since the policies of the late 1920s.

And so we hear the debate. We hear the debate about investing in our people. We hear the debate about trying to build up our economy, create jobs. And we hear one argument, do it our way, do it our way and you'll create those jobs. Well, my friends, we did it your way. In 2001, in 2002, in 2003, in 2004, in 2005, 2006, 2007 and in 2008. And we had the worst job performance of any administration since the late 1920s and early 1930s.

I would hope that every Member on this floor, of whatever party, of whatever ideological persuasion, would pray that this bill works; not for political purposes, because if this bill works, we will create those 3½ million jobs. Am I absolutely assured that it will? I am not. I regret that I'm not.

But the best advice and counsel that I have received over the last 5 months that we've been working on this bill, September, October, November, December, January, as we hemorrhaged jobs in this greatest economy on the face of the earth, as a million people lost their jobs over the last 60 days, as 65,000 Americans lost their jobs in 1 day 2 weeks ago. And so America expects us to act.

And none of us can guarantee that we have all the answers. But economist after economist after economist, including one of JOHN MCCAIN's economic advisers, says that we have to act, we have to act with speed, and we have to act substantively, and we have to act with large investment.

On the tax side, in cutting taxes, millions and millions and millions of Americans will receive a tax cut when we pass this bill and President Obama signs it. Millions and millions and millions of people will be helped as they've lost their jobs and can't put food on the table of their families, will be helped by this bill. Millions of families who know that their children are going to have to compete in a global marketplace will be able to send their children to college because of this bill. And in addition to that, we will invest billions of dollars in making sure that we are no longer subject to being held hostage by the oil barons who wish us no good will.

And so, my friends, we come pretty close to the end of this debate. And we ought to vote, not as Republicans, not as Democrats. We ought to vote recognizing the policies that we've been pursuing have not worked, demonstrably, statistically, obviously. There's no argument on that. Millions of people unemployed. Millions lost their jobs under the economic policies we've been pursuing.

And so, yes, President Obama said to the American public, we need to change. This is our moment. We need to move in a new direction. And that's what this bill does.

Some would like to stay on the same path, pursuing the same failed policies. The sign of a good person and a good legislator is to say, I moved in this direction and it didn't work, and so I'll change directions. That's what this bill does.

Every American prays that this bill will work. I think all of us pray that this bill will work. I hope that we come together, not because this bill is perfect, but because it is a substantial investment of America's money in resuscitating its economy that is causing it such great pain.

My friends, it is time for us to act. Vote for this bill to restore, to recover, to invest in a better future for all those who sent us here, hoping that we would act in their best interests and the best interest of their children, their family and their country. I believe voting ''yes'' is doing just that. And I urge my colleagues to do just that.

Mr. LEWIS of California. Mr. Speaker, I yield 1 minute to the newest Member of the House, AARON SCHOCK of Illinois.

Mr. SCHOCK. Mr. Speaker, I had the privilege yesterday of traveling with the President to my hometown of Peoria, Illinois, to visit a company that has made the news recently, Caterpillar Corporation. And during that speech, the President had me stand up in front of the hundreds of my constituents and Caterpillar workers and urged them to call on me to support this bill, and asked them to approach me after his speech to put pressure on me to vote for this bill.

I found it very interesting that after the President finished his speech and I stayed around, not one employee at that facility approached me and asked me to vote for this bill. In fact, I have received over 1,400 phone calls, e-mails and letters from Caterpillar employees alone asking me to oppose this legislation. Why? Because they get it. They know that this bill is not stimulus. They know that this bill will not do anything to create long-term sustained economic growth. This bill is too big to get it wrong.

I hail from a district that once had Everett Dirksen, who is famous for a billion here, a billion there.

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

Mr. LEWIS of California. I yield the gentleman 30 additional seconds.

Mr. SCHOCK. Everett Dirksen once said, a billion here, a billion there. Unfortunately, ladies and gentlemen, we're now a trillion here, a trillion there. We cannot afford to get this wrong. It is too important to get it wrong.

My district also had a man by the name of Abraham Lincoln who served in this seat for 2 years. We celebrated his 200th birthday yesterday. I'm reminded of his quote: ''What kills a skunk is the publicity it brings itself.'' Perhaps that is the haste by which this bill is being brought forward.

I urge a ''no'' vote.

Mr. OBEY. I yield 1 minute to the distinguished gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Speaker, today we stand shoulder to shoulder with President Obama to say to the American people, help is on the way. This package packs a punch where it's needed most: ready-to-go infrastructure projects, tax relief for middle America and small businesses, essential forward-looking investments in areas like clean energy, health IT, scientific research and education, priorities that will create or save millions of jobs in this country.

Now, throughout this debate we've heard from those who, for a variety of reasons, think we should do nothing. While those voices may be sincere, inaction is not an option. Just say no is not an answer to the American people at this time.

And if our colleagues on the other side of the aisle want to define themselves as the party of ''Nobama'' I think that the American people will call them and say it's time for us to work together.

There are also those that say we should do this through tax cuts alone. And they propose substituting a middle class tax cut package with a tax package that once again benefited those who are relatively well off.

We don't need more of the same. We need to put this country to work. I urge adoption of this legislation.

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

Mr. Speaker, we just received official scoring of the $792 billion bill at 12:04 p.m. Unfortunately, we didn't receive

this critical information until one-third of our very limited debate time was over.

While portions of the bill were scored by CBO earlier, in the case of the appropriations section, 40 percent of this entire package, the Members have not had the benefit of knowing what effects this bill would have. Now that we have this information, let me tell you what the nonpartisan Congressional Budget Office concedes.

In the case of the more than $311 billion in spending, CBO estimates that less than half of this spending will occur over the next 2 years, the time frame that many economists say such spending must occur to have the stimulative effect.

CBO estimates that only 11 percent of the money will spend out this year. It begs the question why has the majority decided to include this in this bill rather than through the regular appropriations process? Why have they decided to create 33 new programs and permanently expand 73 programs?

□ 1315

By growing the Federal Government now in this bill, the majority knows that they have a much better chance of permanently increasing government.

I reserve the balance of my time.

Mr. OBEY. I yield 1 minute to the distinguished gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. I rise in support of this economic recovery package—a bold, urgent plan to create American jobs and to move to long-term economic growth. Every day reminds us of why this recovery package is so critical and urgent, and it reminds me of why we serve in this institution.

Last month, the economy lost 600,000 jobs. States are facing major midyear budget shortfalls. They have already begun to furlough employees. This week, we worked with President Obama and with the Senate to create 3.5 million jobs to get our economy moving—putting resources in the hands of people who need relief and who will spend it quickly, giving 95 percent of working Americans an immediate tax cut, expanding the eligibility of the child tax credit, benefiting over 16 million children, $20 billion to increase the food stamp benefit, which will reach 14 million families immediately, putting Americans back to work with $100 billion for building roads, bridges, mass transit, energy-efficient buildings, and clean water projects.

No investments are more critical than those that we make on our human capital. We got this right. Let's get it right today and support this bill.

Mr. LEWIS of California. I continue to reserve the balance of my time.

Mr. OBEY. Could I inquire of the gentleman how many speakers he has remaining?

Mr. LEWIS of California. I believe I have two.

Mr. OBEY. Then I would ask the gentleman to proceed. We have only two left—the Speaker, and I will be closing.

Mr. LEWIS of California. I have been told, since the Speaker wants to close, then our leader ought to precede her, we will have three.

Mr. OBEY. Then I would suggest the gentleman proceed.

Mr. LEWIS of California. Could I inquire as to how much time is remaining?

The SPEAKER pro tempore. The gentleman from California has 5 minutes remaining. The gentleman from Wisconsin has 13 minutes remaining.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the Republican whip, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Speaker, outside the walls of Congress, America is paralyzed by a suffocating crisis of confidence. A virus that began in the credit and housing markets has spread to infect the broader economy. Small businesses are hunkered down. The promise of retaining or of finding a solid job slips further out of reach for America's workers.

With this stimulus package, Congress has a responsibility to re-instill lost confidence, and it has an obligation to focus our efforts like a laser on the creation, preservation and protection of sustainable jobs. That is why the bill we are voting on today represents a fundamental dereliction of duty on the part of this majority. This legislation will not put people to work right away, nor does it contain the time-honored incentives for work, investment, innovation, and job creation that are proven to stimulate growth.

This week, I spoke with a struggling business owner in my district. How could I tell him I am voting for a bill that gives more money to projects like Federal Government cars than it gives to businesses like his. This bill is loaded with wasteful deficit spending on the majority's favorite government programs. We need jobs, not mountains of debt to be paid by our children. We can do better. We proposed a plan on our side that did do better. It created twice as many jobs at half the cost.

Mr. Speaker, I would like to yield 30 seconds to the gentlewoman from Michigan.

Mrs. MILLER of Michigan. Mr. Speaker, I am going to be offering the motion to recommit momentarily, which will be offering to restore the tax credit for car purchases to the full $11.5 billion, which was reported by the Senate to the conference committee. Unfortunately, it was stripped out of there. The Democrats watered down this proposal to $1.6 billion, which will have almost no impact on the auto industry. Of course, my being from Michigan and as we all know, the auto industry is on its knees.

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

Mr. OBEY. Could I inquire of the gentleman how many speakers he has remaining?

Mr. LEWIS of California. I have one speaker remaining.

Mr. OBEY. Then I would yield 1 minute to the distinguished Speaker of the House.

Ms. PELOSI. Thank you very much, Mr. Speaker.

I thank the gentleman for yielding. I thank him, Mr. OBEY, the distinguished chair of the Appropriations Committee; Mr. RANGEL, the chair of Ways and Means; Mr. WAXMAN, Mr. MILLER, Mr. GORDON, Mr. OBERSTAR, and Ms. VELÁZQUEZ—the chairs of the committees which had the most to do with putting this legislation together. I thank them for their great work on behalf of the American people.

My colleagues, as we gather here today, the American people are watching and are waiting. They want to see if we can act on their behalf. They want to know if we have heard their pleas. They are concerned about their jobs—whether they can hold them—and those who have lost their jobs are concerned about how they are going to be able to have any economic stability for their families. They are concerned about their health care. They are concerned about putting food on the table.

There is a great deal of apprehension in our country about our economy. What we need now, though, is not fear. We need confidence. We need confidence in our economy, in our markets. We need consumer confidence. We need to do the job for the American people.

Mr. Speaker, a little more than 3 weeks ago, in his very inspirational inaugural address, President Obama pledged ''action—bold and swift—not only to create new jobs but to lay a foundation for growth.'' Today, only a little more than 3 weeks later, Congress is boldly and swiftly delivering on the President's promise of new jobs, new hope and a new direction for the American people.

I said on this floor that the ship of state is difficult to turn. Yet the American people know and historians will judge that this is a remarkable achievement for President Barack Obama. Never before has a President passed his first major economic proposal so boldly and so swiftly.

It is also a remarkable achievement for this Congress that we dubbed 2 years ago the ''New Direction Congress.'' With the extraordinary articulation of the President's vision and our own represented in this legislation, the name ''New Direction Congress'' rings more true now than ever. It is in sharp contrast to the ''do nothing'' approach that some want us to take here, and certainly, it is in very sharp contrast to the approach taken when our country was in big economic trouble leading into the Depression.

My colleague, Mr. MILLER, has already told you some of this, but I want to revisit it.

When President Hoover was faced with the Depression, he said, ''What the country needs is a big laugh,'' he said in 1931. ''If someone could get off a good joke every day, I think our troubles would be over.''

In 1932, Hoover asked Will Rogers to think of a joke that would stop hoarding. He told Rudy Vallee, ''If you could sing a song that will make people forget the Depression, I will give you a medal.'' President Hoover told Christopher Morley, ''Perhaps what this country needs is a good poem . . . Sometimes a good poem can do more than legislation.''

Sometimes it can. But not this legislation.

What President Hoover was saying then was not funny then, and it is not funny now. The American people need action, and they need action now. They have a right, as they listen to this debate, to ask about this legislation: What is in it for me?

After all of the debate, this legislation can be summed up in one word, ''jobs''—new jobs for the 3.6 million Americans who were put out of work since the recession began in December 2007, new jobs and an economy transformed by this legislation's new investments in health, education, science, innovation, and in clean, efficient American energy, new jobs created through modernizing America's roads, bridges, transit systems, and waterways. It is the first such large-scale effort in half a century since the creation of the Interstate Highway System under President Eisenhower. The jobs that the American people care about most—their own—will be dramatically safer the day that President Obama signs this into law.

While we jump-start and then transform our economy for years to come, we must also lift those harmed by the economy we inherit—the workers and families who have been hurt in the recession. What is in it for them?

More than 35 percent of this package will provide direct tax relief to 95 percent of American workers through the Making Work Pay Tax Credit. We provide the most significant expansion of tax cuts for low- and moderate-income Americans ever, which will lift more than 2 million Americans out of poverty.

College will be made more affordable for 7 million American college students who will see an increase in their Pell grants. Four million students will benefit from a new $2,500 American Opportunity Tax Credit that is partially refundable.

We will also help workers and families make ends meet by extending unemployment benefits, COBRA for unemployed workers, by investing in job training and by increasing nutrition assistance. Economists tell us that every dollar invested in food stamps and in unemployment insurance creates $1.73 or $1.63 respectively, making the right thing to do for the American people the right thing to do for the economy. We get the biggest bang for the buck on those initiatives that address the needs of our working families.

The historic scope of this bill is matched by an unprecedented accountability in our tax dollars and transparency so that the American people can see where each dollar is invested and can contact by name those responsible for how those dollars are spent, ensuring a strong result for our economy.

Just yesterday, the President and leaders of Congress came together in the Rotunda of the Capitol to honor the legacy and courage of our Nation's greatest President, Abraham Lincoln. Lincoln's stirring words captured the very heart of our democracy and representative government. A few years after his sole term in the House of Representatives—and aren't we proud to call him ''colleague,'' one who has served in our House—Lincoln offered his thoughts on the aims of government:

''The legitimate object of government is to do for a community of people whatever they need to have done but cannot do at all or cannot do so well for themselves in their separate and individual capacities.'' Abraham Lincoln.

More simply put, we are all in this together.

As you cast your vote today, I think I feel this more than on any occasion when we have had a very important vote, and this vote today is, indeed, historic. When we put our cards in to register our support for this important legislation or not, let us think that our hands are being held and that our hands are being pushed by all of the American people who want us to vote for them—for their health, for the education of their children, for their jobs, for the economic security of their families, for a better future built on innovation, science and technology, and on a future that will give them hope.

Their expectations are high. Our opportunity is great. This legislation helps fulfill the promises that President Obama not only made in his inaugural address but that many of us have been working over the years in a bipartisan way to achieve. I never thought I would see the day when we would have an opportunity so great to do so much for so many people in our country.

I urge a strong and resounding ''yes'' for the American people.

□ 1330

Mr. LEWIS of California. Mr. Speaker, as I prepare to call upon my last speaker, I want to remind my colleagues that according to the Congressional Budget Office, only 11 percent of the appropriations in this bill will be spent by the end of 2009; 47 percent would be spent by fiscal year 2010; 53 percent would not be spent until after October of 2011.

It is my pleasure to call upon, for 1 minute, the Republican leader of the House, JOHN BOEHNER.

Mr. BOEHNER. Mr. Speaker and my colleagues, the American economy needs help. Our neighbors, our friends, our constituents, they're hurting. And there's not a Member in this body on either side of the aisle that doesn't understand that. And I think everyone in this Chamber on both sides of the aisle understands that Congress needs to act and we need to act now to help American families and help small businesses and to help bring more confidence back to our economy.

The question is, how do you do that?

The President, when he outlined his desires for this bill, summed it up pretty simply when he said, ''This bill needs to be about jobs.'' I don't think there is anybody in this Chamber that disagrees that this bill needs to be about jobs, preserving jobs in America, and helping to create new jobs and helping to get our economy rolling again.

But the bill that was supposed to be about jobs, jobs, jobs has turned into a bill that's all about spending, spending, and spending.

This is disappointing. The American people expect more of us. They expect to have something that's going to work for them. And my opposition to this bill isn't the fact that we're doing a bill—we need to act. But how?

When you look at some of the spending of this bill, it will do nothing about creating jobs in America. Tell me how spending $50 million for some salt marsh mouse in San Francisco is going to help a struggling auto worker in Ohio. Tell me how spending $8 billion in this bill to have a high-speed rail line between Los Angeles and Las Vegas is going to help the construction worker in my district. Or how about the family who called me about the fact that the bread winner in the family's hours are going to be cut from 40 hours to 20 hours. Can't hardly make his payment. What's it do for him? Absolutely nothing.

And so, my concern about this is that we have to have a plan that will work for the American people, work for families, work for small businesses, and help get our economy going again. I don't think this bill does it.

I hope this bill works, I really do, for the good of our country. But my concern is that the plan that's outlined will not do what we want it to do.

That's why Republicans came to the table with what we thought was a better idea, a plan that would create twice as many jobs as the bill that we're debating at exactly half the cost. But our ideas weren't considered. We weren't allowed in the room, we weren't allowed to participate at all. And all of the talk about bipartisanship that we've heard over the last several months went down the drain.

Now, my Democrat colleagues know I know how to be bipartisan, even when we were in the majority. I've worked with many Members on the other side of the aisle to bring bills to this floor that truly were done together. But we would usually start at the beginning of the process.

Not only were we not included at the beginning of the process, we weren't even included at the end of the process.

And it's not about us being excluded. It's about our ideas to help make this economy better, our ideas about how to give American families and small businesses the ability to keep more of what they earn to help their families, to help their businesses, to create more jobs. That's what the American people want. They don't want more spending on a couple hundred million dollars to get the country ready for some national health plan, money that's going to go to the bureaucracy. They want to know how their budgets are going to be helped. And unfortunately, they're not.

If all of that wasn't enough, here we are with 1,100 pages—1,100 pages—not one Member of this body has read. Not one. There may be some staffer over in the Appropriations Committee that read all of this last night—I don't know how you could read 1,100 pages between midnight and now. Not one Member has read this.

What happened to the promise that we're going to let the American people see what's in this bill for 48 hours? But no, we don't have time to do that.

We owe it to the American people to get this bill right. We owe it to American families, we owe it to small businesses, and we owe it to ourselves to get this right so that we can, in fact, help our economy. I don't believe this is the way to do it.

It's disappointing the way this process has worked and the outcome that we've got. And I'm a big believer that we shouldn't come to the floor and talk about process, but bad process leads to bad policy. And that's what we have here, in my view. Bad policy that will drive up, drive up the debt and put all of this cost on the back of our kids and our grandkids and their kids.

I hope it works, but I surely have my doubts.

So I'm going to vote ''no.'' I'm going to vote ''no,'' and I'm going to hope, I'm going to hope that the next time that we get into a major piece of legislation on this floor, that you will include us. You will include our ideas.

I said on the opening day that Republicans would not be the party of ''no,'' that we would be the party of better ideas. And I'm committed to bringing better ideas to the floor, and let's debate those better ideas.

Our tax policy, fast-acting tax policy that helps American families and small businesses does, in fact, create twice as many jobs. Twice as many jobs. Because we want the American people to keep their money to invest in their family and their small business. We're not interested in growing the size of government.

I asked my colleagues yesterday in our conference, ''Think about the first time you ran for Congress.'' The freshman Members, they can remember this because they just did it. For me, it was 18 years ago. But I can tell you what I said 18 years ago: that I would come here to fight for a smaller, less costly, and more accountable Federal Government. This is the epitome—the epitome—of what I came here to stop.

And I don't think there is one Member of Congress who came here to pass an $890 billion bill—if you add interest on it, about $1.1 trillion—of spending to help grow the size of the Federal Government and to do very little to help American families and small businesses.

I'd suggest that you vote ''no.''

Mr. OBEY. Mr. Speaker, could I inquire how many more speakers the gentleman has.

Mr. LEWIS of California. Assuming that you're the last speaker, I'm ready to yield back the balance of my time, and I do yield back.

Mr. OBEY. Mr. Speaker, I yield myself the remainder of the time.

Mr. Speaker, this country faces the greatest crisis that we've seen in terms of our economy since the 1930s. Unemployment is expected by many people to hit 12 percent. We're told if we do nothing, we're likely to see unemployment at least around 12 percent; and we hope that with the passage of this proposal, we can mitigate that disaster to a significant degree.

Why are we in this trouble? Because we have had a virtual collapse and a freeze-up of the financial system and the credit markets; we've had a collapse of the housing sector of the economy and the auto sector of the economy.

In normal circumstances in a normal recession, we are usually led out of that recession by housing and by automobiles. This time, those two sectors are in shambles. They're not going to lead us out of anything for the moment.

The other tool normally available to us is monetary policy in the form of low interest rates through action of the Federal Reserve. We've already fired that bullet.

The only bullet left is fiscal policy. And so what we are trying to do with this bill is to save and create several million jobs, we're trying to help the victims of the recession who are losing their jobs, losing their health, losing their pensions, losing their ability to send their kids to college; and at the same time, we're trying to invest in new portions of the economy through science, technology, new energy initiatives to try to modernize the economy and make it stronger as we come out of this recession, as we most certainly eventually will.

And we are also, despite the objections of some on the minority, trying to put a quite significant amount of money into the health care system. What on earth is wrong with trying to save money in the health care system and at the same time making it more efficient by transferring our medical records to computerized records to reduce errors, and to save money at the same time?

Guess what? This bill isn't perfect. Guess what? I've never seen a perfect bill produced by this or any other legislative body.

You know, the worst thing that people can do in this town is to believe their own baloney. And I think what the likelihood is on this bill, frankly, is that supporters of the bill are inclined to overstate its possibilities and opponents, as we've seen here today, are certainly inclined to trash it.

I was criticized in the Rules Committee last night and again on the floor today because I frankly said, ''I do not know how many jobs this bill is likely to produce.''

What I do know is that the consensus of reputable economists around the country is that this bill will save or create several million jobs. Exactly how many will be determined by history.

Now, the critics say a number of things. They say the bill is too big, and then they announce they're going to produce a recommit motion which adds $9 billion to the cost. That's what I call falling off both sides of the same horse at the same time.

I would suggest that this bill is big, all right, but I'll make you a deal: You show me a smaller problem that we have to confront, and I will be happy to produce a smaller bill.

The fact is, we face, over the next 2½ years, a hole in the economy of approaching $2.5 to $3 trillion.

This is an $800 billion package over 2½ years. That means the annual fiscal thrust without the economic multipliers is about $300 billion. I personally think that it is smaller than it needs to be, but it has been downsized since it left the House to some degree in order to try to pick up Republican support in the Senate, and I understand that.

The critics have another technique: They trash by trivializing. They follow the guidelines laid out by one of the Members of their leadership a few months ago when he said in The Post that the way they ought to deal with the Democratic majority is to behave like a thousand mosquitos inflicting mosquito bites and tormenting the majority.

And so what do they say? They tell us, for instance, that there's an earmark in here for rail under ''high-speed rail.'' The fact is, there is not. All of the funding in that account is discretionary. It will be awarded competitively, and the decisions will be made entirely by the Department of Transportation. And the last time I looked, the new Cabinet Secretary was a Republican.

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Secondly, they tell us that we're spending more money on the arts than we are on small business. We're putting $750 million in this bill for small business. There's $50 million in here for the arts. And you know what, there are 5 million people who work in the arts industry, and right now, they've got 12½ percent unemployment. Or are you suggesting that somehow if you work in that field, it isn't real when you lose your job, it isn't real when you lose your mortgage, it isn't real when you

lose your health insurance? We're trying to treat people who work in the arts the same way as anybody else.

And then they tell us there are mice, except when they say they're rats. Well, I would simply urge you to read The Mercury News because The Mercury News points out that that is a fallacious attack.

They say that we're spending $30 million on mice. Where did the $30 million figure come from? According to The Mercury News, and I will read this, ''It turns out that $30 million is the total amount that the California Coastal Conservancy, a State agency, recommended more than a month ago to numerous Federal agencies looking for lists of 'shovel ready' projects as part of the stimulus bill planning.'' And the staff director for the minority leader himself told the press yesterday that he had to admit there was no specific reference to any mice or rats in this bill.

There is one place in this budget, however, where you do have mice. It's at NIH. One of the Members of this House told me today, ''I'd be happy to talk about mice because research projects at NIH saved my life''. Cancer research, the research is done on mice. Would you rather have the experimentation done on human beings? I don't think so.

If you look at what this bill does, it provides an $800 tax break for middle American couples. It provides $120 billion in infrastructure to create hundreds of thousands of jobs. It shows some mercy to people who are unemployed by extending and expanding unemployment benefits. It tries to modernize the economy to create new jobs through science and technology. It provides $170 billion to help States avoid catastrophic tax increases that would be counterproductive during this kind of a recession. And it also helps them to avoid drastic cutbacks in education, in law enforcement, so that they don't have to fire cops, they don't have to fire teachers, they don't have to fire prison guards and all of the other people who are paid for out of State budgets. Those are some of the ''terrible'' things the bill does.

Now, this bill does have one problem. It is estimated that it creates about 1 million fewer jobs than it did when it left the House earlier. It does that in an effort to be bipartisan because the President reached out to try to get Republican support in the Senate, and he makes no apology for that and neither do I. But the fact remains, we still have 86 percent of the House bill that we had when the bill left the House. That is a pretty doggone good ratio.

I think we need to appreciate that this bill is the largest change in domestic policy since the 1930s. Think of what has happened.

One month ago, we had a President who insisted on holding up the entire domestic appropriation part of the budget because he wanted to impose $30 billion in cuts in education, in health care, science and the rest. In contrast today, we have a President who is willing to invest $800 billion to attack this recession and to turn this economy into a stronger and better economy for every American, not just the top 10 percent who have benefited by Republican policies.

One month ago, we had a President who resisted raising the minimum wage and resisted providing expanded unemployment insurance. Today, we've got a President who's reversing that policy and says ''Go to it, help those people, they need it.''

And we've also got a President who is willing to put $90 billion into States to preserve our society's ability to see to it that poor families and kids don't get knocked off the Medicaid rolls.

One month ago, we had a President who asked us to pass No Child Left Behind and then for the next 8 years reneged on the promise to provide additional funding to pay for the cost of those mandates. We had a vote today on the issue of mandates. The mother of all mandates has been No Child Left Behind, which I voted for, but I expected the President not to welch on the deal, and financially, he did. This changes that. This reverses that policy.

I would ask Members to vote for this bill. It will change this country for the better.

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent to reestablish 30 seconds of my time to speak out of order.

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

There was no objection.

Mr. LEWIS of California. Mr. Speaker, it goes without saying that all of us appreciate Members and staff who are willing to work around here. There's no Member in the House who puts in more energy and time and hours than my friend, Chairman OBEY. I do not necessarily have to agree with everything that he might suggest, but in the meantime, you certainly cannot discount his commitment to this effort.

And to the staff on both sides of the aisle who spent endless nights, weekends and otherwise trying to evaluate and work through this package and help each other where we can, I want them all to know that they have our thanks, the entire House's thanks, for that effort.

Mr. OBEY. Would the gentleman yield?

Mr. LEWIS of California. I'd be happy to yield.

Mr. OBEY. Let me simply thank the gentleman for his comments and say that I appreciate the fact that we can debate these issues and still remain personal friends.

And I also want to thank, as the gentleman has, I want to thank profoundly the staff of this committee and all the committees who worked so hard. So often these people go 1 and 2 and 3 days in a row with little or no sleep. That certainly has been the case this week, and I'm profoundly grateful to the staff, certainly on our side of the aisle, especially Beverly Pheto who has become staff director because the White House stole our previous staff director.

Mr. BOYD. Mr. Speaker, I rise today in support of H.R. 1, the American Recovery and Reinvestment Act of 2009.

I want to commend House Leadership and President Barack Obama for ushering this legislation through a tricky process. Though this may not be the perfect bill, we cannot let the perfect be the enemy of the good. Frankly, our economy is in uncharted territory. At a time when unemployment is pushing 7.6 percent and key economic indicators show a downward spiral, Congress has a duty to come together and act on behalf of the people. I worked in conjunction with my Blue Dog colleagues to ensure that the final version of this bill was better than the original House version and was streamlined towards effective spending and tax provisions that are temporary, targeted, and timely.

Stimulative spending including the funding for transportation and education infrastructure projects, job training and workforce development, and critical investments in rural communities like broadband services and wastewater projects will be extremely beneficial to communities in Northwest Florida. The temporary tax provisions, such as the expansion of the Earned Income Tax Credit and the increase of the refundable portion of the child credit, are also critical to bolstering the economy by ensuring that money will quickly get into the hands of Americans who are going to spend it. Additionally, H.R. 1 increases unemployment benefits, provides more funding for food stamps and a one-time payment to recipients of Social Security and veterans receiving disability compensation and pension benefits. Finally, this bill helps small businesses quickly recover costs of new capital investments by extending the bonus depreciation for making investments in plants and equipment. In the end, these combined provisions are our best bet for a shot in the arm of this economy. H.R. 1 will create or save over 8,300 jobs alone in the 2nd district of Florida which I represent and over 200,000 jobs statewide.

Despite the positive aspects of the bill, I do have concerns with the bill and even more serious concerns with our long-term economic problems.

For one, billions of dollars to fix the Alternative Minimum Tax are included in this bill. Though this prevents many middle-class families from tax increases, it does so in the most fiscally irresponsible way possible. It is not justifiable emergency spending. We need a long term, sustainable solution to this problem and I have consistently voted to support a paid-for, offset Alternative Minimum Tax over the years.

Furthermore, I would have chosen a better, more inclusive process in considering this bill. I would have preferred more time to study the major incentives for health information technology, increased federal assistance for higher education programs, and alternative energy investments, even if they are provisions that will make our economy stronger and more innovative. My Blue Dog colleagues and I appreciate the recent commitment of the Leadership of the House to have a return to regular order and process in this body.

I was also concerned that the House voted on this bill before having two days to review

the final text. I voted against the Previous Question and the Rule for the bill to make this point.

Finally, I am very concerned about the unprecedented federal deficits and burden to future generations that the levels of spending in this bill will create. We are living in unparalleled economic times with regards to loss of jobs, houses, and credit throughout the country and I firmly believe that only by tackling long-term fiscal issues can we ensure a prosperous nation today, tomorrow, and well into the future. I will continue to work with my colleagues in Congress to balance our annual budgets and address the entitlement spending issue that threatens our future.

I am heartened that President Obama committed to a ''Fiscal Summit'' later this year to tackle the issues of long-term fiscal responsibility. These actions, coupled with a commitment to address the underlying causes in the housing and financial markets at the root of our economies woes, are encouraging.

Despite the concerns I have outlined, I stand in support of H.R. 1 and I will continue to work with fellow elected officials at all levels of government to oversee accountability and transparency during the spending of the stimulus funding provided by this bill.

Mrs. MALONEY. Mr. Speaker, the speed at which both chambers and both parties have come together on this recovery package shows how committed Congress and the Administration are to shoring up our troubled economy.

The landmark legislation that we will pass today will create millions of jobs, provide cut taxes for hard working families, provide basic necessities to families in need and make investments necessary to transform our economy for the 21st Century.

Economists, business leaders, and labor unions across the political spectrum know that decisive action is the only way to jolt our economy out of its intensifying tailspin.

Everyone in the process has compromised, except for House Republicans. It's time for the House Republicans to stop saying ''no'' to everything and start saying ''yes'' to bipartisanship and ''yes'' to recovery.

The current economic crisis requires bold solutions that address the magnitude of our economic woes, and the American Recovery and Reinvestment plan will do just that.

We will blunt the effects of the recession for families by increasing food stamps benefits, expanding unemployment benefits, and preserving health care benefits.

The recovery plan also invests in America's school, roads, bridges, water systems that are in disrepair and creating a drag on our economy.

We have an historic opportunity to make the investments necessary to modernize our public infrastructure, transition to a clean energy economy, and make us more competitive in the future.

Our plan also supports working families by providing a tax cut for 95 percent of workers and their families.

By spreading job creation out over the next couple of years and across a variety of sectors, we will soften the downturn and foster a solid economic recovery.

It's time to get our economy back on track.

Furthermore Mr. Speaker, in writing about the American Reinvestment and Recovery Act, the front page of the Wall Street Journal said it well.

This historic bill will spur road building, give businesses tax breaks, and expand broadband access.

Yes, it will do all that, and so much more. It will help our country avoid a recession so dark and deep that the pain and economic dislocation it would produce for the vast majority of people would be terrible to contemplate.

According to a broad consensus of the brightest minds in the field, this economic stimulus bill will help put Americans back to work now, and get us back to doing what we do best—lighting the way to the future.

It will provide more than $150 billion in public works projects for transportation, energy and technology.

We will begin to develop the clean energy sources and smart transmission lines that the whole world will demand tomorrow.

There is $10 billion for medical research to help America retain its vaunted leadership.

The bill also provides for the urgent needs of today, with $87 billion to help states meet rising Medicaid costs.

There is money to help state unemployment offices that are overwhelmed by the numbers and funds to help those who have been thrown out of a job through no fault of their own, and are struggling desperately to keep health insurance coverage for their families.

And it addresses the three most important issues facing us today. Jobs, jobs, and more jobs. This bill is expected to create about 3.5 million jobs.

The total impact on my state is expected to be the creation of 215,000 jobs with almost 8,000 jobs in my district alone.

Across the country the bill is expected to produce over a million jobs in construction and manufacturing, and 345,000 jobs in professional and business services. And 90 percent of these jobs will be in the private sector.

There is a tax cut for 95 percent of working American and the bill protects millions of middle income taxpayers from having to pay the Alternative Minimum tax in 2009.

The aid that will flow directly to states should also help to ease some of the most painful service cuts that were looming, and may even provide more tax relief.

According to Governor David Paterson, New York state might be able to use some of the federal stimulus funds to avoid some of the 137 business and consumer tax increases now planned for next year.

In the coming days, you will hear 1,001 different opinions about this bill. And I hope you will keep in mind that Congress listened to a wide range of opinions on just what to do to get America working again.

There were many, including Nobel Laureates in the field of Economics who felt we should be spending considerably more. There were some who said we should spend less. And even a few who said we should do nothing. But sitting still and doing nothing was never an option. Inaction is simply not in the American DNA.

Some made a case for spending more on infrastructure while others pushed for bigger tax cuts. But politics is the art of the possible—and tax cuts for the wealthiest Americans are what helped to pave the way to the hole we find ourselves in now.

And our critics must admit that tax cuts alone never built a school, fixed a bridge or paved a road.

With the passage of this bill, our crumbling infrastructure will be repaired, our dependence of foreign oil will begin to be addressed, our healthcare system improved, and our economic well-being restored. This is the plan. This is the time. And ''yes'' is the answer.

Mr. LANGEVIN. Mr. Speaker, I rise in support of the Conference Report to H.R. 1, the American Recovery and Reinvestment Act, which addresses the unprecedented economic crisis we are currently facing. This measure will put our economy back on track and will also transform our economy for the 21st Century through much needed investments in our health care system, infrastructure, education, and energy independence, while saving and creating millions of jobs during the next two years.

We are facing dire economic times. Every week, we are faced with new reports on job losses across our country. In my home state of Rhode Island, we have the country's second highest unemployment rate at ten percent and last December, we were ranked sixth nationally in foreclosure rates. These harsh realities have made it increasingly clear that our economy will face an even sharper downturn if we do not act soon.

The compromise between the House, Senate and White House is not perfect, but it contains the right formula of spending and tax relief to stimulate our economy and increase new job opportunities. With that in mind, I support taking action to rebuild our nation's economy and put Rhode Island families first. H.R. 1 will appropriate spending for transportation and infrastructure upgrades and construction, health care programs, education assistance, housing assistance and energy efficiency upgrades, and includes personal and business tax breaks, tax provisions intended to assist state and local governments, and energy-related tax incentives for a total of $787 billion to be expended over Fiscal Years 2009 and 2010. This measure helps those hit hardest by the economic downturn by extending unemployment benefits, providing job training to get people back to work quickly, increasing food stamp benefits, and extending health benefits.

The recovery plan provides funding to modernize our crumbling roads and bridges, increase transit and rail funding to reduce traffic congestion and gas consumption, and invest in clean water and other environmental restoration projects. These investments will immediately create jobs in my state, as projects will only receive funding if they are ''ready to go'' within 90 days of the enactment of this bill. This legislation also includes additional infrastructure funding that will improve our national security by modernizing our electric grid, upgrading our airport, port, transit and rail security, and updating Department of Defense facilities.

One of the best ways to grow our economy is by investing in our future workforce. The inclusion of robust education initiatives that will build 21st Century classrooms, labs and libraries is also very important to me as we prepare the next generation of workers to support and strengthen our economy. I am pleased that funding to modernize, renovate and repair school buildings is included in the final language. It also contains funding for Title I programs, which serve disadvantaged children, and IDEA, which serves disabled children, ensuring that all children, regardless of where they live or their disability, receive a quality and equal education. Moreover, this level of funding for IDEA increases the Federal share

of special education services to its highest level ever and brings much needed relief to school systems. H.R. 1 also provides $15.6 billion for Pell grants, and it is estimated that Rhode Island will receive $97.5 million in aid for 28,217 recipients for an average award for the academic year 2009–10 of $3,456. Investing in our children's education not only has long-term benefits to our economy, but it also delivers on our nation's promise to ensure that all individuals have an equal opportunity to succeed.

Investments in American health care also represent a vital component of our nation's economic recovery and long term fiscal sustainability. This package contains several provisions that will stimulate job growth and improve health care quality and efficiency through $10 billion investments in biomedical research and $19 billion for the further development and implementation of health information technology.

This bill bolsters crucial safety net programs that provide invaluable health and social services to our nation's low-income and disabled citizens with the inclusion of $87 billion in enhanced funding for state Medicaid programs that have been stretched to the breaking point under increased unemployment and skyrocketing health costs. This package also includes a provision to assist recently unemployed individuals and their families by helping them maintain their health coverage through a 65% subsidy for health insurance premiums under COBRA for up to nine months.

One of the greatest challenges we face with this effort is ensuring that we do not repeat the mistakes of the past. This bill makes great strides by investing in the transformation of our national energy policy, which will lead to greater technological advancements in renewable technologies, job creation, and energy independence. Now is the time to make the commitment to our children and our grandchildren that we will leave a safer, cleaner, and healthier environment than we have now. As a co-founder of the Sustainable Energy and Environment Coalition, I fought for several provisions in H.R. 1 that promote energy efficiency and renewable energy production and development, including tax provisions for families and businesses, in addition to funding that will drive the creation of new, ''green-collar'' jobs. More importantly than tax incentives alone, this measure sets forth a long-term energy policy that puts our nation on the path towards energy independence.

Individuals and families will also receive relief through the ''Making work pay'' tax credit, which will provide up to $400 for an individual or $800 for married couples filing jointly. Parents will also benefit from an increase in the earned income tax credit for families with three or more children and the bill allows additional low-income families to receive the child tax credit. The measure will also provide a tax credit up to $8,000 for first time home buyers if they purchase a home between January 1st, 2009 and December 31st, 2009, injecting a much needed financial incentive into the housing market.

I also urge my colleagues to join me in my support for H.R. 1 because it includes unprecedented accountability and strong oversight by creating the Recovery Act Accountability and Transparency Board, which will coordinate and conduct oversight of federal spending under the bill. A public website will also contain the board's reports, show exactly how funds are spent and will list announcements of contract and grant competitions and awards.

Mr. Speaker, it is important to understand that this funding is not a silver bullet, but that our economy will continue to decline without this immediate action. The Recovery package will slow our downward economic trend and allow us to regain our footing as we begin to make much-needed long term investments to transform our economy for the 21st Century. American prosperity depends on individual economic security. It is only when Americans do not have to worry about losing their job, keeping their home or paying their bills that our economy will truly flourish. I am committed to improving the economic outlook for the millions who are struggling, and I will continue working with my colleagues in Congress on this vital and urgent goal.

Mr. MARKEY of Massachusetts. Mr. Speaker, today we're responding with determination and bold action to combat the most severe economic crisis our country has faced since the Great Depression.

For years, as hardworking American families struggled to make ends meet and the economy shed millions of jobs, Republicans told us not to worry—we are in the midst of a ''jobless recovery'', they said. But ''jobless recovery'' is an oxymoron, a contradiction in terms, like jumbo shrimp or Salt Lake City nightlife—it just doesn't exist!

The failed ''laissez-faire'' approach of the past 8 years has now been discredited by rising unemployment, loss of confidence in our financial markets and the economic hardships suffered by families across the country.

For millions of Americans, ''laissez-faire'' is just a fancy name for ''left behind.''

With this economic recovery package, we are taking the bold action that is needed by creating or saving 3-and-a-half million jobs, rebuilding America, making us more globally competitive and energy independent, and transforming our economy.

While our country is facing enormous challenges, we also have a once-in-a-generation opportunity to create millions of new jobs, invest in vital priorities and position our economy for future growth. Today we are seizing this historic opportunity and setting our country on a new direction.

This urgently-needed economic recovery package funds infrastructure projects that are ''shovel-ready'', while also supporting future-oriented projects that are ''circuit-ready'': broadband, electronic medical records, smart grid, advanced battery technologies and other vital priorities.

The massive investments in weatherization, state energy efficiency grants, and federal building efficiency are some of the safest and smartest investments our country can make right now. They put money into the pockets of American workers and pay for themselves in the form of energy savings and lower energy prices. This energy efficiency ''double dividend'' is a proven, reliable phenomenon that our current weak economy must capitalize.

In addition, I am pleased that the conference report will provide $6 billion in new loan guarantees for renewable projects such as solar and wind and for upgrading our nation's transmission system to a smarter electricity grid. Section 1705 of the bill supports a program authorized in the 2007 Energy Independence and Security Act that permits the Department of Energy to issue grants for developing electric power transmission systems, including upgrading and reconductoring projects. This provision would allow for the development of a smart transmission and distribution grid, which would include support for technologies such as underground superconductor transmission cables that can increase the efficiency of our grid and facilitate the delivery of renewable power from the heartland of our country to the hearts of our cities.

The bill provides $19 billion for a new health IT infrastructure to improve care, lower costs and reduce medical errors. I am pleased that the conference report includes patient privacy safeguards that I have long advocated, including a provision that I offered at the Energy and Commerce Committee markup to ensure that patients' medical records are made unreadable to unauthorized individuals.

This balanced, well-thought out package provides tax relief for 95% of Americans and targets investments in key areas to turn around the American economy. I urge my colleagues to vote in favor of H.R. 1, the American Recovery and Reinvestment Act of 2009.

Mr. HERGER. Mr. Speaker, all across the country, Americans are hurting. I held three telephone town halls this week and I heard firsthand how difficult things are for people. These are people willing to work; people looking to keep their small business afloat; people looking to feed their families. But they are not looking for a handout and they know that we can not spend and borrow our way back to prosperity.

Unfortunately, Congressional Democrats have chosen to use this bill to achieve an eight year long wish list. How does billions of dollars for ACORN help a small business owner keep people employed? How will funding for the NEA grow our economy?

Instead of making health care more affordable, they are pushing policies that will quietly set the stage for government takeover of health care, resulting in bureaucrats making decisions for patients and doctors.

Congressional Democrats wrote much of this bill secretly, negotiated it behind closed doors, and released late last night, giving only a few hours to review it. And the reason that they are trying to ram this bill through is simple—it won't stimulate our economy.

That's why we should scrap this bill and pass the alternative measure proposed by House Republicans, one based on fast-acting tax relief for working families and small businesses. We need a bill that will get to the heart of the matter and put our economy back on its feet.

Mr. KANJORSKI. Mr. Speaker, I rise today to offer my thoughts about H.R. 1, the American Recovery and Reinvestment Act.

While the final recovery bill is not perfect, nor does it address all my concerns, I strongly believe that we must take quick action to help Americans who are struggling and help spur job creation. We are in a time of crisis, and doing nothing is not an option. I agree with President Obama—time is of the essence, and we must act quickly to pass a recovery package. Though no bill is perfect, I have reconciled my problems with the initial bill for the sake of helping Americans and the economy.

Just last week, the U.S. Department of Labor announced recent increases in the number of unemployed Americans. These statistics

were incredibly troubling. Sadly, they showed a twenty-six year high in unemployment filings. Additionally, part of my own Congressional District in Northeastern Pennsylvania, faces a 7.7 percent unemployment rate, higher than the state and national averages. Clearly the increase in the number of people unemployed in the country and in Northeastern Pennsylvania reflects the need for the federal government to immediately provide greater assistance to those out of work and struggling.

While I wanted the recovery bill to focus more on job creation through infrastructure in the short term, which was the original focus of the bill, it does address these issues to an extent. The bill is estimated to create or save 3.5 million jobs throughout the country, including 143,000 jobs in Pennsylvania and 7,700 jobs in my Congressional District. The bill includes $64 billion for infrastructure development that is estimated to create or sustain 1.8 million jobs nationally and generate $322 billion of economic activity. Additionally, to help individuals get back to work in good jobs, almost $4 billion is allocated for job training programs.

I also previously expressed the need for the recovery package to focus on helping those who are out of work or retired. While many people are struggling, we must help those without jobs feed their families immediately. Though I encourage a larger focus on this for future legislation, this bill extends unemployment insurance through December 2009 and it increases benefit payments by $25 per week, so that jobless workers will now receive $325 per week in tax-free benefits. It also includes a one time $250 payment to retirees, disabled individuals, and for Supplemental Security Income to help more people without jobs.

Finally, I had strongly advocated for the inclusion of a General Revenue Sharing program through an amendment to the recovery package that would provide localities with a needed source of revenue for undertaking job-creating infrastructure projects and maintaining public safety networks. This would be critical to helping localities across the country that are facing significant funding shortfalls as a result of the ongoing economic downturn. While I was disappointed that this amendment was not included in the legislation, I applaud provisions in the current bill that will improve state and local government bonds, allowing states and localities to afford needed infrastructure projects. The recovery package also creates a competitive grant program exclusively for state and local surface transportation projects. Additionally, I will introduce a stand alone General Revenue Sharing bill in the near future.

My strongest objection to the initial recovery package dealt with the fact that many Members, both Democrats and Republicans, were not involved in the discussions on the bill. As I have continued to say, open door policies regarding Congress' legislation are essential. All Members of Congress must have a voice and the opportunity to debate bills, especially the recovery package which is the most significant and certainly the most expensive undertaking in our nation's history. I voiced my concerns to House leadership, and they were noted. I hope these actions will be changed in the future.

Additionally, the public must have an informed voice as well. In order to let the American public truly understand the need for the recovery bill, and other legislation going forward, we need to allow them to fully understand it. I am a firm believer in that we must determine the problem before addressing the possible solutions. We must effectively communicate to the public the full extent of the problems we face so that they also understand why we are taking such action.

I applaud President Obama for his determination and willingness to jump on such a daunting project in his first month in office. While this is not a final solution to our economic problems, as we will likely need another recovery package in the future, it is an important step forward. Fixing our economy will not happen overnight, but I have faith that we will emerge from these tough times stronger than ever.

Mr. MORAN of Kansas. Mr. Speaker, there is not a person in this country that is sheltered from the economic challenges we face. I agree steps should be taken to stabilize the economy and get people to work. However, I feel that the plan presented today is not the right one to boost our beleaguered financial condition.

Spending vast amounts of borrowed money does not work in our households and it does not work in government. These habits are what brought us to this current situation. Individuals, businesses, and especially government have simply borrowed too much. Living beyond our means has consequences. We cannot borrow our way out into prosperity. More importantly, we cannot spend our children's future. It will not work economically and it is wrong morally.

Bundling a large collection of spending projects and calling it a stimulus does not make it stimulative. The purpose of the stimulus should be to spend a dollar in a way that will create greater than a dollar's worth of economic benefits. Spending a dollar in certain ways that have stimulating effects or reducing tax burdens on workers and small businesses is what we need to be doing.

I will again vote ''no.'' I do so as a taxpayer, a father and a public official entrusted to do the best he can for his fellow Kansans. Political posturing has no place in this debate. We need to get the country moving. Unfortunately, this is the wrong plan that will add billions of dollars of frivolous spending to our national debt without stimulating our economy.

Mr. STARK. Mr. Speaker, in the past few weeks there has been a concerted media campaign to spread misinformation about the Comparative Effectiveness Research (CER) provisions in H.R.1.

To set the record straight, I submit for the RECORD the following summary of the comparative effectiveness research provisions and a list of organizations that have written us in support.

This investment is an important first step in efforts to develop a robust CER program in this Congress. In the near future, I will introduce a comprehensive CER proposal, based on the provisions that previously passed the House in the CHAMP Act, H.R. 3162, in the 110th Congress.

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (ARRA)

PROVISIONS ON COMPARATIVE EFFECTIVENESS RESEARCH

The conference agreement on H.R. 1 includes provisions to promote and expand research that compares the effectiveness of alternative treatments or strategies for a medical condition.

Doctors today urgently need better evidence to improve the quality of health care that patients receive. Some estimates indicate that less than half of all therapies patients receive are actually supported by firm evidence of effectiveness.

There is widespread agreement on the need for better information on the comparative effectiveness of different interventions for health conditions. In an October 2008 joint editorial, Newt Gingrich, JOHN KERRY and Billy Beane said that ''a health care system that is driven by robust comparative clinical evidence will save lives and money.''

Some of the oldest and most important studies in medicine have been comparative effectiveness studies. For example, the Diabetes Control and Complications Trial revolutionized the treatment of patients with type 1 diabetes. This landmark trial found that aggressive use of insulin to control blood sugar was clearly better than standard care in preventing damage to the eyes, kidneys, and nerves of patients with diabetes.

But more must be done. In December 2008, the Institute of Medicine called for further comparative effectiveness efforts, stating that ''this type of research would provide information that patients and physicians need to make choices that offer them the greatest value, as they define it.'' The National Institutes of Health (NIH) and the Agency for Healthcare Research and Quality (AHRQ) both have planned to expand their research efforts, but these expansions have proceeded slowly due to a lack of funding.

An investment in this research infrastructure will provide doctors and patients with critically important information. Arming physicians with the best available evidence about treatment alternatives and their effects in different patient populations will help doctors and patients make better choices.

SUMMARY OF PROVISIONS

The conference agreement provides $1.1 billion for comparative effectiveness research with $300 million to be administered by AHRQ, $400 million to be administered by NIH, and $400 million to be allocated at the discretion of the Secretary of Health and Human Services. These funds are to be used to accelerate the development and dissemination of comparative effectiveness research. The agreement ensures that the use of these research dollars will be consistent with governmental policies relating to the inclusion of women and minorities in research.

The conference agreement also establishes a Federal Coordinating Council for Comparative Effectiveness Research. The purpose of the Council is to reduce duplication and coordinate these research activities within the federal government. Because its purpose is the coordination of federal research efforts, the Council is made up of representatives of a variety of experts from within the federal agencies. The conference agreement clearly states that the Council cannot mandate coverage, reimbursement, or other policies for any public or private payer.

SUPPORTERS FOR THESE PROVISIONS

Widespread Support for Provisions on Comparative Effectiveness Research. Experts, physicians, legislators, and advocates from across the political spectrum supported provisions in the stimulus package for comparative effectiveness research because this research is crucial.

''The current limited availability of valid data to supplement the physician's clinical experience and professional knowledge . . . makes it difficult to ensure that an effective treatment choice is made.''—Letter to Congress from the American College of Physicians, January 29, 2009

''Opponents—like some drug companies and medical device makers—don't want this research. They fear it will cut the profits they make on ineffective drugs and equipment. But they won't tell you that this research could save your life by giving your doctors better information so they can prescribe the best treatments available to you.''—AARP CEO Bill Novelli, February 10, 2009

''Independent, objective comparative effectiveness research (CER) is urgently needed to improve health care quality and patient outcomes by ensuring consumers always receive the best care.''—Letter to Congress, signed by the Alliance for Better Health Care, (a broad coalition of over 30 organizations representing consumers, employers, health care providers, health plans, pharmacists, researchers, unions, pharmaceutical benefit managers, and others), February 11, 2009

''We are concerned that some believe that comparative effectiveness could lead to the rationing of health care. This is simply not true. The bill would fund independent, objective, comparative effectiveness research that would greatly benefit providers and patients in making informed health care decisions.''—Letter to Congress signed by AARP, AFL-CIO, American College of Physicians, America's Health Insurance Plans, Blue Cross Blue Shield Association, Families USA, National Business Group on Health, National Partnership for Women and Families and joined by Consumers Union, February 12, 2009

''Strong federal support for comparative effectiveness research is vital to both public and private efforts to improve health care quality for patients and to give physicians and other health care providers the independent, objective information they need to identify the best treatments options for their patients.''—Letter to Congress from the National Business Group on Health, February 11, 2009.

LIST OF ORGANIZATIONS SUPPORTING COMPARATIVE EFFECTIVENESS RESEARCH IN H.R. 1

Aetna, Academy of Managed Care Pharmacy, AFL-CIO, Alliance of Community Health Plans, Alliance for Better Healthcare, AARP, American College of Physicians, America's Health Insurance Plans, American Pharmacists Association, American Academy of Family Physicians, American Society of Health-System Pharmacists, Blue Cross Blue Shield Association, Blue Shield of California, Coalition for Health Services Research, Consumers Union, and CVS Caremark.

DiamlerChrysler Corporation, Families USA, Ford Motor Company, General Motors Company, Group Health Cooperative, Honeywell, Kaiser Permanente, Marshfield Clinic, Medco Health Solutions, National Business Group on Health, National Partnership for Women and Families, Pharmaceutical Care Management Association, Prime Therapeutics, Service Employees International Union, The Dow Chemical Company, The Joint Commission, UnitedHealth Group, and Wellpoint, Inc.

Mr. POSEY. Mr. Speaker, we have before us the largest spending bill in the history of the Congress. The price tag on this bill is $800 billion—over $1.1 trillion when you add in the interest needed to fund it. Sadly, this 1200-page bill was completed just a few hours ago in the darkness of night. No one knows what is in the bill. No one has read it. This bill is being rushed to the House floor and to the President before Members of Congress or the American people have an opportunity to even know what is in it.

Just how much is this bill going to cost? How much is a trillion dollars? One way to look at it is that it amounts to deficit spending of over $7,000 for every family in America. Looked at another way, this is enough money to pay for four years of college tuition to a private college for every senior graduating from high school this year and next and still have nearly $150 billion left over.

The non-partisan Congressional Budget Office (CBO) projected a few weeks ago that the federal government will have a $1.2 trillion deficit this year. This amounts to 8.3 percent of the Gross Domestic Product (GDP), which is far higher than the previous record of 5.9 percent set in 1934 at the height of the Great Depression. In 2009, one out of every three dollars that the federal government will spend will be borrowed and our grandchildren will be stuck with the bill. Now, the bill before us—negotiated by Speaker PELOSI, Senate Democrat Leader REID and President Obama—will add another $1.1 trillion to this debt. No country has ever borrowed and spent its way into prosperity, which is what this bill proposes to do. Adding further to this deficit as this bill does is unthinkable.

The non-partisan CBO released an analysis earlier this week finding that the bill may provide a small increase in the nation's economy in the first few years, but then this bill will drag the economy down for the better part of the decade.

Less than 20 percent of the cost of this bill is associated with tax relief. There is virtually nothing in this bill to stimulate small businesses—the driving force in creating jobs in America. Furthermore, the signature item of the bill—working American tax cut—was the first tax cut put on the chopping block. The final bill will allow the average worker to keep an additional 20 cents an hour ($1.60 per day).

This bill also classifies as a tax cut billions of dollars in payments to those who do not pay federal income taxes. I thought a tax cut was a reduction in someone's taxes not simply a check from the government.

With regard to infrastructure spending, which is what we were all promised would be the focus at the outset of this process, only 17 percent of the funding in the bill is for infrastructure. Less than one of every five dollars will go to job-creating stimulus programs.

Rather than focus on job-creating stimulus and tax relief for small businesses that create new jobs, the final bill written by liberals in the Congress focuses on permanently expanding unaffordable entitlement programs and creating new federal programs under the guise of ''stimulating the economy.'' The bill creates 33 new federal programs at a cost of $90 billion. It also expands 73 existing federal programs at a cost of $92 billion. There will be tremendous pressures in future years to continue funding these $182 billion in new programs at these new higher levels. The bill also spends $123 billion for one-time infusion of spending for 98 existing programs.

This bill includes billions of dollars for the Public Housing Capital Fund. Yet, this fund already has an unspent balance of $7 billion. Also included is $1 billion for Community Development Block Grant program, yet this program currently has $23 billion in unspent funds. Why is the Congress adding spending to these cash rich accounts? If they were serious about stimulating the economy, Congress should simply make them spend the money they already have. Also, troubling is the fact that this bill opens up the federal Treasury coffers to groups like ACORN—a group charged with voter fraud.

Do the provisions relating to the creation of Federal Coordinating Council in health care research move us in the direction of a national health board that would encourage federal policies that determine what medical services Americans can and cannot have? What does that have to do with stimulating the economy? How many tens of billions of dollars more will the welfare law changes end up costing the taxpayers down the road? What will be the long-term unforeseen costs associated with this bill due to the unprecedented deficit spending. Over the coming weeks as the American people have more time to read this bill we will learn more about the provisions and intentions of this bill? Sadly, the bill has been rushed to the floor without giving the Congress or the American people a chance to know what is in it.

Let me also say that I appreciate all of the talk about the need to work together in a bipartisan fashion. While I was pleased that several Republican amendments were adopted when portions of this bill were considered in several Congressional Committees last month, I was deeply disappointed that most of these amendments disappeared from the bill between the time it was passed in committee and when it came to the House floor for a vote. Bipartisanship is supposed to be a two-way street, not simply a demand to show bipartisanship by accepting the Speaker's bill.

The only hand of bipartisanship that has been extended to Republicans in the House has been two opportunities to vote for a bill that we were given no hand in writing. Is that the type of bipartisanship that the American people want and expect? I thought bipartisanship meant working together, having an open deliberative legislative process and combining ideas. That simply was not permitted by the liberal majority.

If we really want to stimulate the economy, we should focus on what actually creates jobs—small businesses. Small businesses create 70 percent of the new jobs in America. Unfortunately, this bill does virtually nothing to help small businesses.

I have voted for and will continue to advocate for an alternative that would produce many more jobs for half the cost. The bill that I voted for lowers the 10 percent tax rate to 5 percent, and the 15 percent tax rate to 10 percent. This would give all taxpaying Americans a tax cut. It leaves money in their pockets that they can use to meet their own family expenses. We provide small business tax relief, including a provision allowing small businesses to write off up to $250,000 in capital expenditures. We extend unemployment benefits through 2009 and we exempt these payments from income taxes. We also include other job-creating provisions and we do so without raising anyone's taxes. I have also cosponsored legislation that would reduce the 28 percent tax rate to 23 percent. This will cut taxes for individual and job-creating small businesses.

Lower taxes, not higher borrowing, spending, and debt, will put our economy back on track. I urge my colleagues to vote for lower taxes and against higher spending and debt.

Mr. HOLT. Mr. Speaker, I rise today in support of the American Recovery and Reinvestment Act of 2009 (H.R. 1). We are told that America is in the midst of the worst economic storm since the Great Depression. Millions of people are hurting across the United States and in my home state of New Jersey, New Jersey's unemployment rate has risen to 7.1 percent from 4.2 percent just a year ago. Our nation's economy is in recession, and we must respond with every tool in our toolbox to put Americans back to work and rebuild our struggling economy. Economists have predicted that the unemployment rate may exceed 12 percent this year.

What to do? We could let the free market continue to spiral downward or we could pass a bill with a smaller price tag, ignoring the lessons learned from Congress's previous attempt at stimulating the economy through rebate sent out in spring of 2008, last year's so-called check in the mail. The time has come for a bold, national response. Economists, business leaders, financial experts, almost everyone says that the federal government—and only the federal government—can inject into the economy a stimulus of sufficient size to make up for the frozen, collapsing economy. The package we are considering today has the potential to create 3.5 million much needed new jobs in the short term.

The American Recovery and Reinvestment Act, is designed to help the United States climb out of the current recession through targeted, job-creating spending, responsible investments in the nation's social safety net to help Americans weather the difficult months ahead, and tax cuts for 95 percent of Americans. Importantly, this bill includes critical investments in research and development, which lay the ground work for innovation and sustainable, long-term economic growth. The political process to this point has been torturous. However, the President, the Speaker, and the Committee chairs have produced promptly what the President has called for and what the country needs. Agreed, not all parts of the bill are going to be equally stimulative. But we want a broad approach; we want our stimulative eggs in various baskets, This Act is huge and hugely important.

The American Recovery and Reinvestment Act would help to put our economy on the right track by quickly creating up to 3.5 million new jobs for Americans suffering during this depression. Some of these jobs, more than 1.2 million, would be created in the construction industry through a strong investment in improving our nation's transportation and water infrastructure. The Act will inject $29 billion to repair our nation's crumbling roads and bridges, including funding for ready-to-go road and bridge modernization projects in my home state of New Jersey. This investment would create 835,000 jobs in the next two years. Additionally, this bill would invest $16.4 billion in public transportation, helping transit agencies such as NJ Transit that are struggling to meet increased demand and $18 billion for clean water, environmental restoration, and flood control projects creating another 375,000 jobs.

H.R. 1 would invest in additional projects that my Central New Jersey constituents refer to as ''green stimulus.'' These investments would create good American jobs that cannot be outsourced, while reducing our reliance on fossil fuels and protecting our environment. These jobs will be the kind of jobs that will be in demand for many years, once the economy gets going again and as we make the transition to a sustainable energy system; as we must and as we surely will. The American Recovery and Reinvestment Act would provide $30 billion to transform the nation's energy transmission, distribution, and production system so they can handle decentralized renewable energy sources. This legislation includes more than $23.2 billion in incentives to promote renewable energy, help low and middle income Americans weatherize their homes, and decrease energy consumption by the federal government. It will also provide $20 billion in tax incentives such as the renewable energy production tax credit, the advanced energy manufacturing tax credit, and the consumer energy-efficiency tax credits.

Responding to the nation's rising unemployment rate, this bill would devote $4 billion to job training programs and would extend unemployment benefits through December 31, 2009, increasing benefits by $25 per week for individuals looking for work.

The current economic downturn has forced painful cuts in services. The American Recovery and Reinvestment Plan would make sound investments in public education. This legislation would provide $13 billion to help disadvantaged students reach high academic standards and $12 billion for special education. While the bill includes a $54 billion state stabilization fund to prevent teacher layoffs and cutbacks in education, I regret that it no longer contains the $20 billion provided in the House version to help states rebuild our nation's crumbling schools. Still, there is much here to cheer for our local school boards and the taxpayers who support the schools through our property taxes. These school bonds can be used for construction.

Additionally, to ensure that families can send their children to college, this bill would increase the maximum Pell Grant by $500, to $5,350 and would help 4 million more students attend college with a new $2,500 college tuition tax credit for families.

What pleases me most is the commitment in this legislation to science. I am deeply gratified that this bill reflects a profound commitment to renewing our nation's innovation infrastructure. Research not merely luxury to be undertaken only in times of economic prosperity. The truth is that scientific research is perhaps the most powerful economic engine, creating jobs in the short-term and building our economy for the long-term.

All together, the recovery package includes nearly $23 billion to support scientific research and facilities, including $3 billion for the National Science Foundation, $2 billion for the Department of Energy's Office of Science, and $10 billion for the National Institutes of Health. There is no doubt that these funds will create jobs. Lab technicians will be hired to carry out projects that previously went unfunded. Electricians will be put to work wiring new laboratory work. And construction workers will begin refurbishing our neglected laboratories and building the facilities that will transform science for the twenty-first century.

Of course, the ideal project is one that keeps on giving, and that is exactly what scientific research does. The innovation and discoveries that come from research form the roots from which our economy grows and prospers. For too long, we have underinvested in science, and we will never know the resulting costs to our prosperity. But we know that science will be the foundation of our nation's future economic vitality. In his inaugural address, President Obama said, ''We will restore science to its rightful place.'' That place is at the very heart of our nation's progress. The American Recovery and Reinvestment Act acknowledges this fact and provides an important first step toward the sustained investment that will prevent the need for future recovery packages.

As American workers lose their jobs, more and more face losing their health insurance coverage as well. Job losses have caused Medicaid and SCHIP rolls rise by 1.0 million, further straining state budgets already stretched thin due to lower tax revenues. This bill would increase temporarily the federal government's contribution to Medicaid, giving New Jersey an additional $2 billion. For workers able to continue their health coverage through COBRA, the bill would subsidize COBRA premiums by 65 percent for nine months. This two-prong approach will provide health care for millions of newly unemployed workers and their families.

In addition to helping families maintain their health insurance coverage, this bill seeks to improve health care quality and its value. This bill would promote Health Information Technology systems, which could help reduce medical errors while lowering administrative costs by accelerating their adoption and usage among doctors and hospitals. This bill provides additional funding for prevention, which improves health at a good value by treating problems at the earliest stage before they become costly health care crises. Finally, this bill includes $1.1 billion for medical research to improve the value of health care spending by identifying the most effective treatments for given health conditions,

The American Recovery and Reinvestment Act would address the struggling economy by putting money back in the pockets of American families, workers, students and businesses through $276.5 billion worth of tax cuts. Ninety-five percent of working Americans would receive a tax cut through a refundable tax credit of up to $400 per worker that will be quickly distributed by reducing tax withholding from workers' paychecks. It would prevent 26 million Americans from getting hit by the Alternative Minimum Tax and lower the taxes of more than 16 million families by increasing the child tax credit and expanding the earned income tax credit.

This bill includes a number of provisions that would help businesses create new jobs in this difficult economy. It would allow businesses to improve cash flow by allowing businesses to write off 90 percent of losses incurred in 2008 and 2009 against taxes assessed over the previous five years. In addition, it would help businesses expand by extending the increased bonus depreciation for businesses making investments in new plants and equipment in 2009. Finally, this legislation would double the amount of money businesses can deduct on their taxes for capital investments and new equipment.

Through this comprehensive approach, we can begin to put the American economy back on the right track. We must approve the American Recovery and Reinvestment Act, and I urge my colleagues to support this legislation.

Mr. BACHUS. Mr. Speaker, we all recognize the need to get the people of our country back

to work. Americans are hurting and they are looking to Washington for leadership.

Borrowing and spending got us into this problem, and more borrowing and spending will not solve it. Presidents Kennedy and Reagan cut taxes across-the-board, allowing families and small businesses to decide how to spend their money, instead of government. President Carter used this spending approach, and it didn't work.

This bill will cost every American household at least $7,000. Some constituents have told me, ''I might get a thousand dollars back.'' However, creating $7,000 in debt for $1,000 now is a bad deal at best.

This is twice as big as the New Deal, and that was over ten years. This is one bill. Every dollar in this bill is borrowed, adding more than a trillion dollars to our national debt at a time when we are already overloaded with the financial bailout and our long-term Social Security and Medicare obligations. This spending will ultimately be paid by our children and grandchildren, and that is generational theft.

I desperately wanted to support a bipartisan bill that will help put Americans back to work. But this bill has turned into a grab-bag that will not stimulate anything but government. There's $2 billion in this bill for a wasteful pro-foreclosure program, rewarding partisan action groups like ACORN. In the meantime, my governor, Bob Riley, told me yesterday that health and education programs in small states like Alabama are being shortchanged by billions. The American people deserve better.

The federal government has never been able to borrow and spend our way to prosperity. The strength of our country is the innovation and ingenuity of our people—not our government. When we put capital in their hands, they put it to use, supporting their families, building their businesses, and creating jobs. That is what has always kept our economy going through good times and bad. And I am confident we will be seeing good times again—most likely before much of this trillion dollar bill is actually spent.

The decisions we make today have long-term consequences. Today we are being rushed to make a trillion-dollar decision that will affect every American taxpayer for decades.

As a member of the Republican Economic Working Group, led by Whip CANTOR, we have offered a better plan to help struggling Americans immediately. Our alternative would create twice as many jobs at half the cost through across-the-board tax relief for working American families and small businesses.

We must remember that government has no money of its o to give away. It all comes from the taxpayer.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise with today with great expectations and hope for a brighter economic future.

I rise in support of H.R. 1, the American Recovery and Reinvestment Act also known as the ''Economic Stimulus.'' I want to especially thank our House and Senate conferees for coming together on one of the most important pieces of economic legislation of our time; Congressman OBEY, Congressman RANGEL, Congressman WAXMAN, Congressman LEWIS, Congressman CAMP, Senator REID, Senator INOUYE, Senator BAUCUS, Senator COCHRAN, and Senator GRASSLEY.

INTRODUCTION

Critical times call for critical measures. Over the last 13 months, our economy has lost a total of 3.6 million jobs—and continuing job losses in the next few months are predicted. The national unemployment rate is at 7.6 percent, with the great state of Texas seeing an unemployment rate of 6.0 percent and my district of Houston fairing only slightly better at approximately 6 percent. Right now, those unemployed, which represent over 1 million Texans, await with bated breath to see our pledge to enact change. That change is in the form of this stimulus measure.

''The harvest is past, the summer is ended, and we are not saved'' as is stated in Jeremiah in the Bible. The summer has indeed ended. This stimulus provides a piece of America's salvation. Spring is on the horizon and today we will have a stimulus!

Our schoolhouses are badly in need of repair and modernization in order for our students to participate in, and be competitive in the global marketplace. Indeed in Texas the number of persons who have obtained graduate education trails the national average by one whole percentage point. It is critical that we encourage our students to attend graduate programs in important subjects such as mathematics, engineering, law, medicine, the building trades, and foreign languages.

The education provisions in this legislation are all about preparing our nation's children for the future. Our students in Houston are not competing with just students in Abilene, San Antonio, Houston and Grand Prairie; the competition is global which is why H.R. 1 must not be delayed!

Our healthcare system needs to be upgraded to allow for more Americans to receive coverage without going bankrupt. Our workforce needs to be retooled to keep up with innovative and new technologies; and our transportation systems need to be expanded. These are only a fraction of the many needs our nation is facing today.

I am proud to say that Congress heard the call of not only Main Street, but of mothers, and children, the working poor, the aged, and the sick. We heard your cry for help and we have done our best to answer that call.

This comprehensive legislation is designed to save and create jobs, get our economy moving again, and transform it for long-term growth and stability. The landmark legislation is the first dramatic new investment in the future since the creation of the interstate highway system a half century ago. It will spend nearly $800 billion and would provide billions in job creation and stimulus in city of Houston, the State of Texas, and the entire country.

HEALTHCARE

This legislation includes a number of provisions that will help aid in the nation's economic recovery, provide badly needed protections for people losing health coverage when they lose employment, and provide temporary assistance to states to preserve critical Medicaid coverage for low income families.

Specifically, in Texas Medicaid recipients will receive $5 million in assistance. Food Stamp Assistance in Texas will increase by $1,812 for each participant under the stimulus.

Other benefits include:

Premium Subsidies for COBRA Continuation Coverage for Unemployed Workers. To help people maintain coverage, the bill provides a 65 percent subsidy for COBRA continuation premiums for up to 9 months for workers and their families who have been involuntarily terminated. The Joint Committee on Taxation estimates that this provision would help 7 million people maintain their health insurance by providing a vital bridge for workers who have been forced out of their jobs in this recession. (Estimated cost $24.7 billion.)

Medicare Payments for Teaching Hospitals. The bill blocks a FY09 Medicare payment reduction to teaching hospitals related to capital payments for indirect medical education (IME). (Estimated cost $191 million.)

Medicare Payments to Hospice. The bill blocks FY09 Medicare payment cut to Hospice providers related to a wage index payment add-on. (Estimated cost $134 million.)

Medicare, Medicaid and SCHIP Payments to Long Term Care Hospitals. The bill makes technical corrections related to Medicare payments for long-term care hospitals. (Estimated cost $13 million.)

Temporary Federal Medical Assistance Percentage Increase. The bill increases FMAP funding for a 27-month period with an across-the-board increase to all states of 6.2 percent. (Estimated cost $86.6 billion.)

Temporary Increase in Disproportionate Share Hospital (DSH) Payments. (Estimated cost $460 million.)

Extension of Moratoria on Medicaid Regulations. The bill extends moratoria on Medicaid regulations for targeted case management, provider taxes, and school-based administration and transportation services through June 30, 2009. (Estimated cost $105 million.)

Extension of Transitional Medical Assistance (TMA). The bill extends TMA to December 31, 2010. (Estimated cost $1.3 billion.)

Extension of the Qualified Individual Program. The bill extends the QIP, which assists certain low-income individuals with Medicare Part B premiums, through December 31, 2010. (Estimated cost $550 million.)

Protections for American Indian Health Care. (Estimated cost $134 million.)

Prompt Payment Requirements for Nursing Facilities and Hospitals. The temporarily provides Medicaid prompt pay requirements to nursing facilities and hospitals. (Estimated cost $680 million.)

Promoting the adoption and use of health information technology. This bill promotes the use of health information technology (health IT), such as electronic health records, to protect identifiable health information from misuse and abuse as the health care sector increases use of health IT. (Estimated savings to the government more than $12 billion.)

$1 billion for prevention and wellness programs to fight preventable diseases and conditions with evidence-based strategies.

$10 billion to conduct biomedical research in areas such as cancer, Alzheimer's, heart disease and stem cells, and to improve NIH facilities.

$1.1 billion to the Agency for Healthcare Research and Quality, NIH and the HHS Office of the Secretary to evaluate the relative effectiveness of different health care services and treatment options.

EDUCATION

There are several key investments to education at the early childhood/Head Start, K–12, and higher education levels. On February 2, 2009, I met with eleven school superintendents and university presidents in my district of Houston, Texas. I convened this meeting to better understand the needs of the students, their families, and the schools administrators. Collectively, they arrived at five distinct priorities: maintaining and increasing Pell Grant

monies in order to keep access to higher education affordable; retention of funding for school construction, modernization, and repair; retention of formula funding on school construction; retention of the State Fiscal Stabilization Fund; and no decrease in the amount of funding for Head Start and Early Childhood.

My school superintendents and administrators were concerned about Section 1413 in the Senate amendment which granted the Secretary of Education the authority to waive the maintenance of effort and ''supplement, not supplant'' requirements placed on Title I money. Since the purpose of Title I is to provide additional financial assistance to states and school districts to meet the needs of educating economically disadvantaged children, allowing the waiver of these requirements would have undermined the fundamental purpose of this funding.

In promoting this economic stimulus, President Obama indicated that the government's investments must not only create jobs in the short-term but must spur economic growth and competitiveness in the long-term. Investments in education can accomplish both ends. In fiscal year 2008, states spent over $424 billion on elementary, secondary, and higher education. Elementary, secondary, and higher education represent nearly 40 percent of total state spending and comprise the first, second, or third largest spending categories for almost all states. Federal investment in education is essential to creating a new and retooled workforce.

That is why I am pleased to see a heavy investment in education and workforce training including:

$53.6 billion for the State Fiscal Stabilization Fund, including $39.5 billion to local school districts using existing funding formulas, which can be used for preventing cutbacks, preventing layoffs, school modernization, or other purposes; $5 billion to states as bonus grants for meeting key performance measures in education; and $8.8 billion to states for high priority needs such as public safety and other critical services, which may include education and for modernization, renovation and repairs of public school facilities and institutions of higher education facilities.

$13 billion for Title 1 to help close the achievement gap and enable disadvantaged students to reach their potential.

$12.2 billion for Special Education/IDEA to improve educational outcomes for disabled children. This level of funding will increase the Federal share of special education services to its highest level ever.

$15.6 billion to increase the maximum Pell Grant by $500. This aid will help 7 million students pursue postsecondary education.

$3.95 billion for job training including State formula grants for adult, dislocated worker, and youth programs (including $1.2 billion to create up to 1 million summer jobs for youth).

JOBS/WORKFORCE

As we dive more deeply into a hard hit recession, it is important that this body take aggressive action, along with President Obama, to help right the ship. Our gross domestic product, (GDP) increased the United States budget deficit by 1 percent upon passage of the first stimulus measure in October. That is an astounding number when put into context. In a healthy year , the U.S. economy grows by 3 percent. Nothing resonates as loudly with the American people as being gainfully employed.

The unemployment rate in Texas is 6.0 percent. The National average is at 7.6 percent. The agreement does much in the way of helping Americans put food on their tables while reeling from the depressed economy and struggling to look for jobs.

Importantly, the agreement would continue to provide up to 33 weeks of extended unemployment benefits through the end of the year, as well as temporarily increase the amount of both regular and extended unemployment benefits by $25 a week. In addition, the legislation would provide up to a total of $7 billion to States modernizing their unemployment programs to provide improved coverage for low-wage, part-time and other workers. The measure would provide temporary emergency funds for States with rising caseloads in their Temporary Assistance for Needy Families program, and temporarily restore child support funding reduced in 2006. Finally, this section of the bill would provide a one-time payment of $250 to recipients of Social Security, Supplemental Security Income, Railroad Retirement benefits, VA disability and pension benefits, as well as to certain local, State and Federal government retirees.

TRANSPORTATION AND INFRASTRUCTURE IMPROVEMENTS

The United States is facing its deepest recession and economic crisis since the Great Depression. Consequently, the goal of this legislation is to strengthen the economy and invest in America's future.

The legislation is intended to create and save jobs. Transportation and infrastructure development play a pivotal role in job creation.

The bill provides $1 billion for Community Development Block Grant programs for community and economic development projects including housing and services for those hit hard by tough economic times.

I am pleased that the Compromise Agreement that we are debating today retains significant amounts of funding for transportation. Specifically, it contains $27.5 billion for highway investments; $8.4 billion for investments in public transportation and $9.3 billion for investments in rail transportation, including Intercity Rail.

Indeed, this is good news for Houston. In the previous version of the bill, there was language that the Federal Transit Authority would give priority to transportation projects that were ready to go, meaning that they would be able to begin construction within 90 days of enactment or those projects would lose the money allowed under the stimulus.

I have been meeting with METRO since December 2008, and it has indicated that it can complete construction of the Northeast and South RAIL lines. METRO has indicated that it only requires $183 million to complete this rail line. I have worked to help METRO complete its rail line for over 20 years.

Houstonians need this infrastructure to relieve congestion and provide adequate public transportation, and an investment means jobs for our constituents through the transportation sector in our communities. Creating this critical infrastructure in Houston will allow Houstonians to work and will provide a tremendous boost to community development and mobility.

I have engaged Chairman OBERSTAR and his staff on the funds that might be made available to METRO. I was pleased that the Chairman indicated that METRO would be able to receive the funds it needs under this stimulus to complete its New Start transit project in Houston, Texas. Such funding is critical for the regional mobility of the citizens of the vast communities in and around the 18th Congressional District of Texas.

Cities around the country are struggling with a backlog of transportation projects and have difficulty in securing federal, state, and local resources in light of the struggling economy. At the same time, we are facing growing unemployment, particularly in our cities.

Houston has $1.5 billion in transit projects that could be under contract within 90 days of enactment of the legislation. Not only do we need this infrastructure to relieve congestion and provide adequate public transportation, but an investment in Houston's New Start Transit Project means jobs for our constituents through the transportation sector in our communities and around the nation.

Other salient provisions of the bill include the following:

Modernize Roads, Bridges, Transit and Waterways: To build a 21st century economy, we must create jobs rebuilding our crumbling roads and bridges, modernizing public buildings, and putting people to work cleaning up our air, water and land.

Prioritizing Clean Water/Flood Control/Environmental Restoration

Provides $18 billion for clean water, flood control, and environmental restoration investments, which will create more than 375,000 jobs.

Experts note that $16 billion in water projects could be quickly obligated.

Modernizing Public Infrastructure, Including To Achieve Major Energy Cost Savings

Provides billions to modernize federal and other public infrastructure with investments that lead to long-term energy cost savings, including about $5 billion to make improvements in DOD facilities, including housing for our troops and about $4.5 billion to make federal office buildings more energy-efficient in order to achieve long-term savings for taxpayers.

INFRASTRUCTURAL IMPROVEMENTS

Modernizing Roads and Bridges

Provides $29 billion for modernizing roads and bridges, which will create 835,000 jobs. This investment creates jobs in the short term while saving commuters time and money in the long term.

Requires states to obligate at least half of the highway/bridge funding within 120 days.

States have over 6,100 projects totaling over $64 billion that could be under contract within 180 days.

Improving Public Transit and Rail

Provides $8.4 billion for investments in transit and $8 billion for investment in high-speed rail. These investments will reduce traffic congestion and our dependence on foreign oil.

Includes funds for new construction of commuter and light rail, modernizing existing transit systems, and purchasing buses and equipment to needed to increase public transportation and improve intermodal and transit facilities.

States have 787 ready-to-go transit projects totaling about $16 billion.

PUBLIC HOUSING

Provides a total of $6.3 billion for increasing energy efficiency in federally-supported housing programs.

Specifically, establishes a new program to upgrade HUD-sponsored low-income housing (elderly, disabled, and Section 8) to increase energy efficiency, including new insulation, windows, and frames.

Also invests in energy efficiency upgrades in public housing, including new windows, furnaces, and insulation to improve living conditions for residents and lower the cost of operating these facilities.

ENERGY AND ENVIRONMENT

Tax Incentives to Spur Energy Savings and Green Jobs

Provides $20 billion in tax incentives for renewable energy and energy efficiency over the next 10 years.

Includes a three-year extension of the production tax credit (PTC) for electricity derived from wind (through 2012) and for electricity derived from biomass, geothermal, hydropower, landfill gas, waste-to-energy, and marine facilities (through 2013).

Provides grants of up to 30 percent of the cost of building a new renewable energy facility to address current renewable energy credit market concerns.

Promotes energy-efficient investments in homes by extending and expanding tax credits through 2010 for purchases such as new furnaces, energy-efficient windows and doors, or insulation.

Provides a tax credit for families that purchase plug-in hybrid vehicles of up to $7,500 to spur the next generation of American cars.

Includes clean renewable energy bonds for State and local governments.

Establishes a new manufacturing investment tax credit for investment in advanced energy facilities, such as facilities that manufacture components for the production of renewable energy, advanced battery technology, and other innovative next-generation green technologies.

SCIENCE AND TECHNOLOGY

Restore science and innovation as the keys to new American-made technology, preventing and treating disease, and tackling urgent national challenges like climate change and dependence on foreign oil. The bill provides $600 million to NASA, including 4400 million to put more scientists to work doing climate change research including Earth science research recommended by the National Academies, satellite sensors that measure solar radiation critical to understanding climate change, and thermal infrared sensors necessary for water management. The bill also includes $150 million for research and development to improve air traffic control and $50 million to repair NASA centers damaged by hurricanes and floods in the last year.

TAX RELIEF

The economic stimulus legislation will help give $13 million more children access to the child tax credit. The use of this credit will likely provide the most immediate stimulus which is the ultimate goal of this package. Trends show that low-to-moderate income families are more likely to spend the stimulus monies and accelerate the much-needed rebound in our economy.

The city of Houston has over 73,000 families below the federal poverty level and a per capita income that is $1,500 dollars below the federal level. The extra boost that the child tax credit provides is in many cases critical to lower income families in my district. Any legislation that would help over 100,000 children in Texas has got to be labeled a winner. Based on estimates from the center on budget and policy priorities, there is a dollar-for-dollar reduction in poverty levels.

OTHER PROVISIONS FOR WORKERS AND FAMILIES

The earned income tax credit provides a tax incentive for families to continue working hard. Because it is refundable, it helps the lower bracket taxpayer, often the ones most in need. The credit has also been modified to be more ''family-friendly.''

The dreaded marriage-penalty has been modified substantially, thereby acknowledging the institution of marriage as opposed to making it a fiscal encumbrance.

TRANSPARENCY AND OVERSIGHT OF FUNDS

The compromise bill beforeus today provides unprecedented oversight, accountability, and transparency to ensure that taxpayer dollars are invested effectively, efficiently, and as quickly as possible to infuse the economy with the strongest stimulus.

Funds are distributed through existing formulas and numerous provisions provide for expedited relief so that much needed funds are invested as quickly as possible into the economy.

The Government Accountability Office and the Inspector General are provided with additional funding for auditing and investigating recovery spending. Moreover, a new Recovery Act Accountability and Transparency Board will coordinate and conduct oversight of recovery spending and provide early warning signs of problems.

WHISTLEBLOWER PROTECTIONS

The act retains significant whistleblower protections. This is something that I care a tremendous amount about and is something that I actively fought to ensure that the language protecting whistleblowers was retained.

As chairwoman of the Subcommittee on Transportation Security and Infrastructure Protection, I urged the conferees to retain the whistleblower language in the bill. This language was included in the bill to encourage government and contract workers to come forward in the face of wrongdoing, fraud and corruption.

Specifically, the language in H.R. 1 provides: ''. . . an employee of any non-federal employee receiving funds made available in this Act may not be discharged, demoted or otherwise discriminated against as a reprisal for disclosing to the Board, an inspector general, the Comptroller General, a member of Congress, or a federal agency head, or their representatives, information that the employee reasonably believes is evidence of . . . a substantial and specific danger to public health and safety . . .''

This language is important because public safety is at stake and the American people need to be reassured that they will be safe and secure while traveling. The function of the whistleblower is in many respects similar to that of a canary in a coal mine. They are there to warn of us of impending dangers.

An historic level of transparency, oversight and accountability will help guarantee taxpayer dollars are spent wisely and ensure that Americans can see the results of their investment. No wasteful spending will be tolerated in this.

In many cases, funds are distributed to existing initiatives with proven track records and with tough accountability measures already in place.

How funds are spent, all announcements of contract and grant competitions and awards, and formula grant allocations must be posted on a special website created by the President. It must also include the names of agency personnel to contact with concerns about infrastructure projects.

Public notice of funding must include a description of the investment funded, the purpose, the total cost, and why recovery dollars should be used. Governors, mayors, or others making funding decisions must personally certify that the investment has been fully vetted and is an appropriate use of taxpayer dollars. This information will also be placed on the internet.

The Council of Economic Advisors must report quarterly on the results for the American economy.

A Recovery Act Accountability and Transparency Board will be created to review management of recovery dollars and provide early warning of problems. The board is made up largely of Inspectors General.

The Government Accountability Office and the Inspectors General are provided additional funding and access for special review of recovery funding.

IN CONCLUSION

As Thomas Wolfe once wrote in his book You Can't Go Home Again, ''We have been lost during the past here in America, but I believe that we shall be found.'' I believe this bill allows America to return to its rightful place and put our economy back on track.

I strongly urge my colleagues to support H.R. 1, ''The American Recovery and Reinvestment Act of 2009'' and get this country moving again. I firmly believe that this bill creates jobs, stimulates the economy, and provides the oil, grease, and machinery to get the economic engine in this great country, operating and churning again. I have faith in our economic system and our country. I know that a brighter day is upon the horizon. I urge my colleagues to support this bill and look forward to real change and direction in this country.

Mr. POE of Texas. Mr. Speaker, the stimulus bill we're voting on today is supposed to stimulate business and create jobs. However, one provision of the bill will do just the opposite. Title II of the Conference Report on H.R. 1, under the Office of Justice Programs, State and Local Law Enforcement Assistance, provides $2 billion in Byrne Justice Assistance Grants (JAG). This funding is frequently used by local government agencies to fund pretrial release for criminal defendants. The problem is that it's at taxpayer expense.

When a defendant is given a pre-trial release bond or personal recognizance bond, he is released on his own recognizance. For example, a bond may be set at $10,000, and the defendant is released on his promise to return based on his ''word'' alone. If the defendant does not return, the sheriff has to go find him. The taxpayers are usually out $10,000 because judgments are seldom obtained from defendants for failure to appear.

On the other hand, when a surety bond is used, the court enters into a contractual agreement with a bonding company. The defendant also makes an agreement with the bonding company, and pays the company 10

percent. Then the defendant is released with the understanding that the bonding company will pay the court $10,000 if the defendant does not show up. Plus the bonding company is obligated to go and look for the defendant if the defendant does not appear in court. This form of free enterprise takes taxpayers off the financial hook.

Mr. Speaker, by allowing taxpayer money to go to pretrial release, the free enterprise system is greatly hindered. Instead of providing jobs, jobs are taken away from the private sector—namely the bonding and insurance community.

As a former judge, I found that defendants released on pretrial bonds seldom reappeared in court. With surety bonds, however, they were much more likely to show up because they had a vested financial interest in appearing. Plus, the bondsman looks for defendants who fail to appear.

During my 22 years as a criminal court judge, I saw how if left alone, the free enterprise system guarantees the best result. By allowing private enterprise to take part in the process, people are held accountable, and taxpayers are protected.

Mr. Speaker, this so-called ''stimulus'' bill will not stimulate the economy with jobs. It will only further stifle the free enterprise system, take jobs, and will leave taxpayers with the bill. This is just one of many examples of flaws in this bill.

Mr. LARSON of Connecticut. Mr. Speaker, 8 years of the Bush Administration's failed policies have left our economy in a deep and cavernous hole. The climb out will be steep. With the strength and courage of President Obama, this Congress and the American people it will be steady. Today we are voting on one bold and historic step out of this hole. The American Recovery and Reinvestment Act offers the short term help and long term solutions that this country needs. It invests quickly in our economy to create or save at least 3.5 million jobs nationally—41,000 in my home state of Connecticut, and provide tax cuts for the middle class. And, it puts us on a path towards economic strength and stability for the future with bold reforms and new priorities.

This legislation makes a critical investment in our country's greatest resource: our children. We are helping local school districts in the short-term with over $53 billion in aid, to keep our teachers in the classroom. We are also making a down-payment on our country's future. With this legislation, we are helping to build the workforce of the future with funding for Head Start programs and Pell Grants, and modernizing our schools to give our students the tools they need to succeed.

The American Recovery and Reinvestment Act recognizes the important role our infrastructure will play in our economic recovery. Our roads and bridges are in serious need of repair and our public transportation desperately needs modernization. The funding provided in this legislation for infrastructure will create good paying jobs—many within the next few months. It also invests in the transportation of tomorrow with over $8 billion in funding for high speed rail—taking cars off the road, and improving our environment.

With this legislation we will begin to make the tough choices to create a new American energy industry that will create jobs now and decrease our dependence on foreign oil. This investment will help families reduce their energy bills and create ''green jobs'' while advancing American ingenuity and innovation.

Our work will not end when this bill is signed into law. As President Obama has said, it will take time and a lot of hard work to get this economy moving. This President, this Congress and the American people have the courage and fortitude to rebuild and recover. Today we begin that journey.

Ms. SCHAKOWSKY. Mr. Speaker, I rise today in strong support of the American Recovery and Reinvestment Conference Report.

Two weeks ago, I stood on the House floor and listed the top ten reasons to support this bill. Here we are today and the only thing that has changed is that more Americans are losing their jobs, homes and healthcare. We have to stop the economy from continuing to spiral out of control before it is too late.

Our country is facing the worst economic crisis since the Great Depression—we lost 2.6 million jobs last year—the largest job loss since 1945. In Illinois, the unemployment rate increased by 40 percent in one year. We are seeing job losses at iconic American companies like Kodak and Ford, and at major Illinois companies like Caterpillar.

The American Recovery and Reinvestment Act will help get our economy back on track and put America back to work. The bill will create 3.5 million jobs, cut taxes for working families, rebuild our infrastructure, prevent state and local cuts to crucial services and programs, and invest in the long-term health of our economy.

Under this bill, Illinois will receive billions of dollars and it is estimated that this bill would save or create over 148,000 jobs in Illinois. This bill isn't a hand out to Wall Street fat cats and corporate CEOs; this is a hand up for the American people. The bill helps working families in Illinois, and across the country, by providing income tax credits, making college and health insurance more affordable, giving first-time homebuyers a tax credit and providing assistance to low-income families to make their homes more energy efficient and lower their energy costs.

As President Obama has said, this bill is not perfect, but it provides immediate and targeted relief to American families and will help lead our country out of the greatest economic crisis we have faced since the Great Depression. American families are depending on us to act—not tomorrow, not next week—but today.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in strong support of H.R. 1, the American Recovery and Reinvestment Act.

When we return home for our district work period, we do not have to look far to see the impact this recession has had—workers are being laid off, consumer confidence is down, and people are spending less because they have less to spend. Despite my opposition, we voted last year to give $750 billion to Wall Street to try to slow this recession; that did not work. I supported the House version of the American Recovery and Investment Act, and I am supporting the Conference Report because it is time we invest in Main Street, not just Wall Street.

The White House Council of Economic Advisers, along with the Departments of Labor and Commerce have estimated this bill will create nearly 270,000 jobs in my home state of Texas—more than in any other state besides California—and 7,400 of those jobs will be in our 29th Congressional District.

Unlike the $750 billion Troubled Asset Relief Program, this isn't just a bill for white collar workers—the H.R. 1 is a bill for teachers, construction workers, medical professionals, electrical workers and engineers, police and firefighters, as well as those who may not be working because of the dire state of our economy. This bill will create and save jobs by reinvesting in roads, highways, public transportation, schools, education, the electrical grid, health technology and services, communications infrastructure, and numerous other areas of our economy. For the last eight years, too many of these areas have been neglected. Today, we have the opportunity to invest in these areas to stimulate the economy and create jobs to get our economy started back in the right direction.

The bedrock of America's competitiveness is a well-educated and skilled workforce and we must prepare our students for our globalized economy. This bill takes key steps towards ensuring that we do just that. Starting with our youngest generation, H.R. 1 provides $2.1 billion for Head Start and Early Head Start to allow an additional 124,000 children to participate in these programs.

Harris County, where our district lies, serves a combined total of 6,649 Head Start children per year through four direct Head Start grantees. In fact, Houston in 2003 served the lowest percentage of eligible children compared to other cities in Texas.

Harris County is the third most populous county in the nation and in review of the U.S. Department of Health and Human Services Biennial Reports to Congress on Head Start, Los Angeles County served 29,703 eligible children, Cook County served 20,406 children, and the New York boroughs served 24,260. Funding Head Start grantees is based on the number of children under the age of 5 years whose family income is below the federal poverty line.

According to U.S. Census figures for 2005, not only is the poverty rate for Harris County's population under age 5 higher than the national average in 2005 of 21 percent, but Harris County represented the highest percentage of children below the poverty line for all above listed counties. The poverty rates for 2005 are: Los Angeles County 23.8 percent, Cook County 22.5 percent, NYC boroughs 27.3 percent and Harris County 28.7 percent. I look forward to working with the Department of Health and Human Services to address this disparity in funding now that new monies will be available to serve more eligible children.

Additionally, this bill will provide much-needed investments in our elementary and secondary schools including $13 billion for Title I grants to help disadvantaged kids reach high academic standards and $39.5 billion to local school districts that can be used for preventing teacher cutbacks and layoffs and make key investments in things like modernizing our schools.

Finally, this bill will invest in preparing our younger generations for our globalized economy by providing $15.6 billion to increase the maximum Pell Grant by $500. By doing this, we will help seven million students pursue postsecondary education and take the steps they need to get the certification or degree necessary to pursue and keep a job in these difficult times. Additionally, H.R. 1 provides students with a new ''American Opportunity'' tax credit of up to $2,500 of the cost of tuition

and related expenses paid during the taxable year. Combined with the increase in the Pell Grant, this tax credit will give our lower and middle income students additional peace of mind in taking on the financial costs of pursuing a college degree or certificate.

Another way to build a 21st century economy is to engage contractors across the nation to create jobs rebuilding our crumbling roads and bridges and building transit and rail lines. The American Recovery and Reinvestment Act will do this by providing funds to modernize our roads and bridges and invest in transit and rail projects to reduce traffic congestion and gas consumption. I strongly supported the inclusion of these funds as this investment would create or sustain more than 2.4 million jobs and $439 billion of economic activity.

I am pleased to see that H.R. 1 provides for $1.5 billion in supplemental discretionary grants that will be awarded to state or local governments or transit agencies on a competitive basis for projects that will have a significant impact on the country, metropolitan area, or region. This bill reads that this money includes in investing in projects already participating in New Starts or those ready for entry into revenue service. While I would like to have seen a lot more money dedicated to these type projects, I am glad that transit agencies will be able to compete for entry into revenue service.

We have two critical transit projects in the greater Houston area, the North and Southeast light rail corridors. Both projects are near completion of the New Starts process in the Federal Transit Administration. While the final details on the projects are being addressed to prepare the projects for entry into Final Design and for Full Funding Grant Agreements, the projects are ready to begin construction in less than 90 days, have environmental clearances, and have received favorable cost effectiveness ratings. By investing in these two projects, work can begin quickly, creating thousands of jobs in a region that suffers not only from the current economic conditions but also from the lasting effects of Hurricane Ike. I look forward to working with the Department of Transportation to see that these two projects receive the attention they deserve.

I am also pleased H.R. 1 includes valuable health related provisions including COBRA subsidies, health IT funding, an FMAP increase, temporary DSH allotments, a temporary extension of transitional Medical Assistance, and funding for community health centers.

However, the final version of the bill does not include the temporary option for states to provide Medicaid coverage to unemployed or uninsured individuals. Instead, H.R. 1 relies on COBRA subsidies to provide health insurance coverage to the unemployed. The House passed version of H.R. 1 gave states the option to provide Medicaid coverage to the unemployed or uninsured and this provision should be in the final version of the bill.

In our district, most individuals work low wage jobs that often do not provide health insurance and therefore they are not eligible for COBRA coverage. This leaves a large portion of individuals without health insurance or access to Medicaid. More and more lower wage individuals, who never had health insurance, are losing their jobs. They are delaying their health care because they cannot afford to go to the doctor and often end up in the emergency room with more costly medical problems because they delay medical care. It makes sense to give states the option to extend Medicaid coverage to these individuals because it saves money in the long run and provides these individuals with health care coverage.

The legislation also makes critical improvements to the smart grid provisions established in the Energy Independence and Security Act of 2007 by eliminating the cap on the allowable number of smart grid demonstration projects and increasing the grant funding available for these efforts. Houston is a leader in moving toward smart grid solutions. Center Point Energy, a leading energy delivery company in Texas, will invest over $600 million in automatic metering systems, or AMS, over the next five years to support smart grid infrastructure. AMS technology is the first step in moving towards an automatic grid which will allow consumers to manage and monitor the electric use in real-time, reduce energy consumption, and improve grid reliability.

I am also pleased with the changes to the Weatherization Assistance Program which will help low-income families make their homes more energy efficient. This will decrease the amount of fossil fuels needed to heat and cool homes, reduce home energy bills and create jobs in the home weatherization industry: a win-win for everyone.

It creates a temporary $6 billion Department of Energy loan guarantee program for renewable energy and electric transmission projects, up to $500 million of which can be used for the development of leading edge biofuels, including biodiesel.

I applaud the inclusion of $4.6 billion in funding for the Army Corps of Engineers, although the Corps needs much more funding to address its backlog of critical projects. While the funding is not distributed to specific projects, it is my hope the Corps will fund worthy projects by the Port of Houston and the Harris County Flood Control District. I also support the $1.2 billion for EPA's nationwide environmental cleanup programs, including Superfund, which I hope can be utilized to clean up the San Jacinto River Waste Pits.

Mr. Speaker, our economy is crumbling, workers are being laid off, people are losing their health insurance, and families are finding it harder and harder to make ends meet. This legislation will start us back on the right track by looking out for those who have been most affected, and by broadly investing is multiple sectors of our economy. We cannot stand by and do nothing, and for those reasons, I urge my colleagues to join me in supporting this legislation.

Mr. WOLF. Mr. Speaker, I rise today in opposition to the conference report to the economic stimulus legislation.

I understand that Americans are hurting. Many have lost their jobs, are unable to pay their mortgage, don't have health insurance and are struggling to make ends meet. Small businesses have especially felt the brunt of the recession.

Congress needs to come together with the president to restore confidence in the economy and create a climate conducive to job growth. But instead of a narrowly focused effort to stimulate the economy through targeted programs to put more money in the hands of taxpayers and create jobs, this massive spending bill—the largest in our Nation's history—creates new programs and bolsters others, many of which have nothing to do with economic recovery. I don't question the urgency of congressional action to stimulate the economy, but I do question the priorities in this package and its price tag.

I have never been more concerned about the future of our country. The unprecedented amount of borrowing and spending in this package will place a tremendous burden of debt on present and future generations. This economic stimulus package was not only an opportunity to look at short-term solutions to help jump-start the economy and assist struggling taxpayers and homeowners, but also a historic opportunity for Congress to address the long-term financial plan for our country.

I have been speaking out for several years about getting mandatory spending under control. Congressman JIM COOPER and I have authored bipartisan legislation, which I first introduced in 2006, to set up a national commission to review our nation's long-term economy, including entitlement spending, discretionary spending and tax policy, and recommend a plan to Congress to get America on a sustainable financial path. The Securing America's Future Economy (SAFE) Act would address this financial crisis and solve it with bipartisanship. The SAFE effort differs from others because it requires an up or down vote in Congress on the commission's proposal, similar to the process for closing military bases enacted in 1988.

As the piece of the budget pie continues to grow to pay for entitlements, spending for discretionary programs shrinks. That means fewer dollars for education, for medical research, for investment in technology, for national security, for transportation, and a myriad of other programs on which Americans rely. Not only is it unacceptable to shoulder our children and grandchildren with a crushing debt burden, I believe it raises serious moral questions. Is it right for one generation to live very well knowing that its debts will be left to be paid for by others?

I reached out to both Democrats and Republicans to push for a bipartisan entitlement reform commission to be considered as part of the stimulus package. The SAFE idea has garnered growing support. I offered the SAFE Commission as an amendment when the stimulus legislation was marked up in the House Appropriations Committee, and again when the Rules Committee decided which amendments would be made in order for consideration on the House floor as a part of House legislative package. I was disappointed that my amendment was not even allowed to be debated by the House.

I am deeply concerned about the divisiveness in Congress and believe that a bipartisan commission may well be the only way to mandate action on long-term budget controls. President Obama has indicated his willingness to reach across the aisle to find bipartisan solutions. I have always believed that working together in a bipartisan manner is what the American people expect of their leaders.

The Congress had the chance in this measure to take a bold step for America's future financial security and instead we are going down the same road of adding to the deficit and national debt with questionable programs that are touted to create jobs and stimulate the economy. We can do better and we must

do better—for our children and our grandchildren's future.

Mr. Speaker, I insert with my statement an op-ed from yesterday's Washington Times by Stuart Butler of the Heritage Foundation who understands the urgency of Congress and the administration coming together to stop the financial tsunami that threatens the financial future of our country.

[From the Washington Times, Feb. 12, 2009]

BUTLER: CONGRESS NEEDS COVER TO REFORM ENTITLEMENTS

(By Stuart Butler)

The price tag is stunning. Pegged at nearly $800 billion—a figure that doesn't even include interest payments—the so-called ''stimulus'' bill sets an all-time record for deficit spending by a single bill.

Congress has gotten away with deficit spending in the past, because foreign investors were willing to buy U.S. bonds to cover the debt. But the size of this bill will send our deficits sky-rocketing, to the point where overseas investors may have second thoughts about lending us more.

And that's the good news!

The bad news is there's a far bigger problem threatening to undermine overseas confidence in America's finances. That's the looming fiscal tsunami due to wash over us as baby boomers start retiring in ever-growing numbers and start claiming Social Security and Medicare benefits Congress has promised them. They are promises even the most robust economy could not afford to keep.

Some lawmakers fear that Congress is incapable of addressing this problem, given the way it currently does business. They say the entitlement tsunami needs a very different approach. They are right.

Let's understand the situation. Over the next 10 years, Congress says the stimulus will cost about $800 billion we don't have. In its single most expensive year—2010—Congress will borrow just over $350 billion to create ''energy-efficient visitors centers'' and otherwise ''stimulate'' the economy. That's a lot of money.

But let's look at what Medicare alone must borrow—every year—to cover the gap between what it spends and takes in through premiums and payroll taxes. It's already costing taxpayers almost $200 billion this year. Within 10 years, yearly borrowing will hit the equivalent of $285 billion in today's economy. In 20 years it will be close to $600 billion, with hundreds of billions more from red-ink saturated Social Security and Medicaid spending.

And we are worrying about a peak of $350 billion for the stimulus?!

Two congressmen, Rep. Frank R. Wolf, Virginia Republican, and Rep. Jim Cooper, Tennessee Democrat, don't believe Congress has the stomach to rein in such staggering shortfalls in these politically sensitive programs.

To give weak-kneed politicians the cover they need, Mr. Wolf and Mr. Cooper propose a bipartisan commission to recommend long-term structural changes in entitlement programs. Commission proposals would be sent to Congress for an up-or-down vote.

Mr. Wolf and Mr. Cooper reckon their commission would get members off the hook of voting line-by-line for unpopular changes. And a bipartisan commission means both parties get the political pain and gain of taking tough action.

Now, we've had budget commissions before. Sometimes they consist of top congressional leaders who meet behind closed doors and produce few real program changes but more real taxes. Or they produce a report that goes nowhere.

But the Wolf-Cooper plan has two stages that may change the political dynamic.

Before the commission even meets to talk turkey, for several months it would hold a national conversation across the country, with town meetings and other ways to gauge public sentiment. Only then would the commission begin its work. Armed with this public support, Mr. Wolf and Mr. Cooper reason, lawmakers could vote ''aye'' with political protection.

This ''public mandate'' stage is modeled after something called the Fiscal Wake-Up Tour. The tour consists of representatives from the Concord Coalition, a budget watchdog group, as well as the Heritage Foundation and the Brookings Institution, together with former U.S. Comptroller General David Walker.

This left-right panel has held dozens of large meetings around the country, talking with tens of thousands of Americans. As a ''made member'' of the tour, I can tell you how Americans are likely to react to a commission seeking their views:

People want the truth about our fiscal future. If they get the facts in a nonpartisan way, first they are stunned and then they want action.

The elderly, as well as young Americans, are willing to support tough steps on Medicare and other programs—if they are first brought into a serious conversation.

And they doubt that more money sent to Washington would be used to avoid future deficits. They are sure it will be spent.

Here's a thought. Let's say President Obama were to back the Wolf-Cooper two-stage commission. Imagine if he and congressional leaders from both parties were to hold their own tour. They would jointly give Americans the full picture of the future tsunami and an honest description of the major options from all sides. And imagine they asked the American people what to do. Then, say, a commission put together a package of reforms based on the people's mandate and sent it to Congress for a vote.

That's the kind of commission report that could work. The kind of change you can believe in.

Mr. ETHERIDGE. Mr. Speaker, I rise in support of the Conference Report for H.R. 1, American Recovery and Reinvestment Act of 2009. This legislation will start to address the most critical needs of our flagging economy by providing relief to struggling individuals and small businesses, while creating and saving 3.5 million jobs across America.

These are challenging times for families in North Carolina and across the nation. Each month it seems that we get more bad news, or hit a new record on an economic indicator. On Friday, the U.S. Department of Labor announced the unemployment rate was at a 34-year high of 7.6 percent. The increase in the last quarter is the largest since the end of World War II. This increase in the jobless rate is hitting every region, and every state, but North Carolina is particularly hard-hit. We are one of the top five states in terms of month-over-month increases, and one of the top three in increases since last year. Here in North Carolina, unemployment is 8.7 percent. In addition to the unemployed, there are many more workers who are seeing their hours and wages cut.

I have heard from North Carolinians from across the Second District about the need for swift action. H.R. 1 addresses the need by making investments in our economy that will produce new jobs while providing tax relief for 95 percent of Americans. With 3.6 million jobs lost in the past year, the 3.5 million jobs created by this bill will put us on track to an economic recovery.

Some of these jobs will be created, and created quickly, by the $25 billion in school construction bond tax credits in this bill which I have worked on with Ways and Means Chairman CHARLIE RANGEL for more than 12 years. The tax credits will create more than 11,000 jobs in North Carolina alone. This funding will allow work to start on stalled and delayed school building projects and address overcrowding and deteriorating schools. The jobs created by making these investments in our future will invigorate our economy today, and provide a strong foundation for the working families of the future. I am proud that the tax credits in this bill will give local school districts support to improve their schools and the education they provide.

As the former Superintendant of Schools in North Carolina, I have a special understanding of the needs of our students, and I am pleased that H.R. 1 includes significant investments in education. In addition to the ABCs Act tax credits, the bill includes $39.5 billion to help schools modernize their facilities and prevent layoffs or cutbacks to essential educational services. It provides $25 billion to support our most vulnerable students through Title I and IDEA, and $4 billion for early childhood education to ensure that kids have the right start on the path to learning. This package also invests in higher education with a new tax credit for individuals seeking a college education and a $500 increase to Pell Grants. We must give the next generation the tools to support learning throughout their lives, to enable them to compete in our 21st Century economy.

To jump start our economy and turn the tide on unemployment, the American Recovery and Reinvestment Act of 2009 makes investments to create or save 3.5 million jobs. At the same time, it provides a down payment on our most important national priorities. H.R. 1 will also get the stagnant economy moving again supporting targeted infrastructure investments to improve bridges and roads, modernize public buildings, and expand mass transit. H.R. 1 also strategically invests in America's ''green sector,'' supporting alternative and environmentally-friendly energy, like the biofuels we grow and produce in North Carolina, and new technology that creates energy from waste products. It also expands energy tax provisions like the Production Tax Credit and Clean Renewable Energy Bonds while providing the funds we need to transform our energy distribution system and weatherize and modernize our homes and public buildings to increase efficiency.

Millions of Americans will see their taxes reduced by H.R. 1, and others will receive support in making purchases that help our economy. More than 95 percent of the nation's taxpayers will see an increase in their take-home pay through the ''Making Work Pay'' tax credit, $400 for individuals and $800 for working families. H.R. 1 will prevent 26 million families from being subjected to the Alternative Minimum Tax. It also includes relief for Americans that will spur our economy by providing an $8,000 tax credit for first-time home-buyers.

In addition, the small businesses that form the backbone of our economy will get relief under the recovery package. H.R. 1 includes bonus depreciation to help them invest in new equipment, loss carry back to help them weather reduced sales, a delay of the 3% withholding tax on payments to businesses

that sell goods or services to governments, and a cut in the capital gains tax cut for investors in small businesses who hold stock for more than five years. It also provides incentives for businesses that create new jobs.

For those suffering in the economic downturn, this bill provides temporary support to help struggling families make ends meet and help workers train and find jobs. It extends and improves unemployment benefits, increases food stamps and food support, and provides aid to seniors, disabled veterans, and Social Security recipients. It extends Trade Adjustment Assistance for displaced workers, and extends and improves local job training, job placement, and vocational rehabilitation initiatives. This spending quickly makes its way into the economy, and will help those most in need.

Our country is facing difficult times, and though we have many challenges to meet, this package is a bold step in the right direction. I support H.R. 1, American Recovery and Reinvestment Act of 2009, and I urge my colleagues to join me in voting for its passage.

Mr. OLVER. Mr. Speaker, I rise in strong support of this Economic Recovery bill that will put America back to work and throw a life-line to the millions of people that are struggling to support their families.

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

Mr. Speaker, the transportation and housing investments in this bill will create jobs, generate economic growth, and significantly improve our transportation and housing infrastructure.

The bill appropriates over $48 billion for surface transportation and aviation and over $13 billion for housing investment.

Within the $48 billion for transportation over 75 percent of that money will quickly go to the states through existing authorized formula programs for ready to go highway and transit projects. This funding will create over 1 million new jobs.

Among discretionary transportation initiatives, $8 billion is provided for high-speed and intercity passenger rail which is an historic investment in America's future.

The bill invests in the nation's public housing, provides funding to communities hardest hit by the foreclosure crisis to purchase and rehabilitate foreclosed housing, and includes money to fill financing gaps in the Low Income Housing Tax Credit caused by the collapse of the credit market. Together these housing appropriations will yield about 250,000 jobs.

While I believe more must still be done to adequately invest in public transit and to help communities with the growing number of foreclosures, we must not let the perfect be the enemy of the good.

This is a good bill Mr. Speaker and I urge a yes vote.

Mr. SMITH of Texas. Mr. Speaker, in the interests of transparency, because Republicans, the media and the American public were shut out of negotiations, I am suggesting a new name for the American Recovery and Reinvestment Act, this so-called stimulus bill.

Based on what we know, I propose that we call it the Emergency Massive Expansion of Federal Spending to Double Our Budget Deficit by Circumventing the Legislative Process to Roll Back Welfare Reform, Intrude on Individual's Healthcare Decisions, Buy Green Golf Carts When We Don't Know How They Will be Used, Bail Out Fiscally Irresponsible States, But We'll Give People an Average Whopping $13 per week of Tax Relief, So We Hope They Won't Mind, Non-Stimulus, Non-Recovery Act of 2009.

There, I think that does a much better job of describing this bill.

Mr. PAULSEN. Mr. Speaker, we need a stimulus bill that will put people back to work and create jobs. We don't need a big government spending bill that has become a grab bag of special interest spending.

I have several concerns about the bill, but I would like to speak today about a specific issue involving special education funding.

Like most of my colleagues I'm sure, I hear all the time from educators—teachers, parents, superintendents—about special education funding. When the federal government enacted the special ed mandate back in 1974, it promised to provide 40 percent of the funds.

But it has only provided about 17 percent annually, which means local school districts have to make up this shortfall. This is patently unfair to our local school districts.

But now this bill contains a particularly troubling provision that would further exacerbate the problem. The stimulus bill contains restrictions on special education funding that would not provide the needed relief to local schools because it would only allow them to use the funds for specified programs and services—not give local school districts the flexibility they need to make up for the current shortfall in funding. Even worse, the ''maintenance of effort'' provision in the stimulus would force states and local schools to sustain spending in these tight budget times or lose their federal funding.

And the conference report extends this mandate from two years to three years—through 2011.

Mr. Speaker, our teachers play an exceptionally integral role in shaping our children and our Nation's future. They understand the needs of each student—far better than Washington bureaucrats ever will. We need to ensure that our educators are properly equipped and given the proper decision rights in how to make each child succeed.

I believe we should allow local schools more flexibility, and I urge the Secretary of Education to keep that important principle in mind as he implements the ''maintenance of effort'' provision.

Mrs. BIGGERT. Mr. Speaker, I rise today in opposition to the conference report to H.R. 1, the so-called economic stimulus package.

Congressional Democrats crafted this bill behind closed doors and only released all the details to us at midnight last night.

Their plan makes a bad bill worse by reducing tax relief for working families in order to fund more wasteful spending.

Our economy needs a shot of adrenaline, not a load of long-term pet projects.

I believe we need to act now; but we must get it right.

Much of this spending is for worthy projects, but they're not stimulative and should go through the regular appropriations process.

I joined my Republican colleagues and proposed a plan that focuses on letting individuals, families, and small businesses keep more of their hard-earned money through tax relief. It would create 6.2 million jobs at half the cost, and that's using the Obama Administration's own statistical models.

Only 18 percent of conference report is dedicated to lowering federal income taxes. In fact, it provides for even less tax relief than the original House-passed bill. Infrastructure spending, similarly comprises only 17 percent of the discretionary spending in this package—down from $1 billion in the original House bill.

Shovel-ready infrastructure projects and individual tax relief for small businesses should be part of our efforts to boost the economy. But that doesn't mean Congress should use this crisis as an excuse to spend hundreds of billions in taxpayer dollars on 33 new programs that won't have any economic impact in the near-term.

Mr. TANNER. I rise today in support of the American Recovery and Reinvestment Act. I do so with a strong sense of responsibility and a heavy heart.

Throughout my career in this body, I have stood up to champion the cause of fiscal restraint. I have seen the majority in this House change two times; presidents of both parties come and go. In all that time, I have called on the powers that be not to spend more than we can afford, whether it be in the form of excessive spending or unaffordable tax cuts.

This is truly an economic and financial crisis unlike any we have ever seen, and it is forcing tough decisions unlike any we have ever faced. Economists from across the ideological spectrum believe that our nation is in the midst of an economic catastrophe that requires government action. The papers are filled with sobering stories: small and large businesses on the verge of collapse, massive layoffs, historic levels of unemployment and families unable to afford their homes. The numbers are grim: 3.6 million people out of work since this downturn started; in my district alone nearly 6,000 citizens have been laid off in the last 13 months. Eight counties in my district have an unemployment rate of over 10 percent, and all but one county's unemployment rate is considerably above the current national average of 7.2 percent.

Blame for this crisis can be found far and wide: greedy Wall Street giants, irresponsible lenders and consumers, and regulators that were asleep at the switch. I truly believe that without action our economy will get much worse, and our nation will enter a period of hardship not known since the Great Depression. Inaction is simply not an option.

The bill before us is not perfect. It contains spending measures that I believe may have merit but should be vetted through the regular appropriation process. But the perfect cannot be the enemy of the good in these serious times.

This legislation contains critical infrastructure spending that invests in communities, roads, waterways and needed technology upgrades in West Tennessee and across this great country. The stimulus package contains tax provisions that will provide relief for families living on the margins and businesses struggling to meet payroll. Under this legislation, in fact, 95 percent of Tennessean and American taxpayers will receive a tax cut. Most importantly though, it will help create and save 7,900 private sector jobs in my district. By putting people to work, we will put money

in the pockets of all Americans to reenergize the economy.

There is no doubt that this bill comes at a cost, one greater than the $787 billion price tag associated with it. Money will be borrowed and interest will have to be paid. Madam Speaker, as a fiscal conservative, that gives me great pause; I would not support this package if I did not believe that our country's future hung in the balance.

So I rise in support of the American Recovery and Reinvestment Act. I know that the recovery will not be immediate, but without this package recovery may not be possible at all.

Mr. SKELTON. Mr. Speaker, it is often said that legislating is the ''art of compromise.'' Today, the House is considering a carefully negotiated economic recovery bill that represents a good balance of tax cuts and spending stimulus to help get our economy back on track and help get people in this country working again.

As a representative of small town Missouri and Chairman of the House Armed Services Committee, I am particularly pleased that the legislation directs needed resources to rural parts of the country and further addresses an economic downturn that has become a national security threat to the United States.

Over the past year, the Government has taken steps to help reduce the impact of the recession on the American people. Some of those actions have proven helpful, while others must be reviewed and improved. But, economists from across the political spectrum have indicated that further economic stimulus is necessary to help reduce layoffs and create jobs.

Since January, bipartisan consensus has been built around a $789 billion economic recovery bill designed to boost employment and invest in the health, education, and safety of the American people.

This legislation invests heavily in rural priorities, such as boosting funds for rural water programs; for rural highway and infrastructure projects, for school modernization initiatives; for Corps of Engineers projects; for agricultural-based alternative energy development; and for expanding Internet broadband technology. It directs additional funds toward military and VA construction projects and toward streamlining the VA claims process. And, it provides individual and small business tax relief, helps turn our country toward greener energy solutions, and strengthens the safety net for workers who have fallen on hard times.

The economic recovery bill is not perfect. But, sitting on the sidelines, simply watching our economy deteriorate, is simply not an option. Inaction on our part would undercut America's national security and would imperil jobs, savings, farms, and small businesses. We must do what we can to prevent such a tragedy, which is why enacting this legislation is in the best interest of our country.

Mr. STEARNS. Mr. Speaker, I rise today in opposition to this wasteful, unfocused, and massive government-spending bill. It is true that our country is in the middle of a severe economic downturn and economists on both sides of the financial debate agree that the current housing market and lack of available credit are at the root of this problem. Yet, Democrat leaders in the House and Senate decided to strip this legislation of an obviously stimulative $15,000 homebuyer tax credit, in favor of a $5 billion earmark to make federal buildings ''green.'' This is one of many glaring examples that this bill is not about stimulating the economy; it is about expanding the Federal Government in a time of crisis.

I believe White House Chief of Staff Rahm Emanuel characterized this democrat-spending bill best when he said, ''You never want a serious crisis to go to waste. And what I mean by that is an opportunity to do things you think you could not do before.'' In a rush to capitalize on our country's economic situation the other side of the aisle has used fear and pronouncements of imminent catastrophe to fulfill their wants and achieve their goals of government expansion, longstanding liberal spending policies, and political payback.

Many have looked to our economic history to provide guidance during this difficult time, particularly to the New Deal instituted by President Franklin Roosevelt. Looking to the past we discover that Henry Morgenthau, Jr., FDR's Treasury Secretary, gave this quote in May of 1939 during the Great Depression.

''We have tried spending money. We are spending more than we have ever spent before and it does not work. And I have just one interest, and now if I am wrong somebody else can have my job. I want to see this country prosper. I want to see people get a job. I want to see people get enough to eat. We have never made good on our promises. I say after eight years of this administration, we have just as much unemployment as when we started. And enormous debt to boot.''

Unfortunately, what many economists have found at present and in the past is that New Deal principles are stale ideas that do not translate into economic stimulus in the 21st century. To find further confirmation that unfocused infrastructure and public works projects fail to stimulate a recessive economy one need only look to Japan during the 1990s.

Like this country's current situation, Japan in the late 1980s experienced the bursting of a real estate bubble. To combat the economic situation, the Japanese government embarked on a colossal spending spree pouring trillions of taxpayer dollars into wasteful roads, bridges and infrastructure projects. Japan finally came out of its economic tailspin, but many economists contend that it was not infrastructure spending that caused the economy to recover, but rather an intensive cleanup of the banks, and a growing export sector that boosted the country. According to a February 5, 2009, New York Times article, ''Among Japanese citizens, the spending is widely disparaged for having turned the nation into a public-works-based welfare state and making regional economies dependent on Tokyo for jobs. Much of the blame has fallen on the Liberal Democratic Party, which has long used government spending to grease rural vote-buying machines that help keep the party in power.''

For these, and many other reasons, I regret that I cannot support this unprecedented big government grab for citizen reliance on the federal government. History shows that the best way to encourage an economic turnaround, preserve jobs, and spur widespread economic growth, is to ensure that job-creators face a lower tax burden. It is evident that this country needs to lower its corporate and small business tax rates, and provide tax relief to middle-class families. What this country does not need is a scatter shot approach of federal spending that will only increase the debt burden on future generations and create government dependence, while doing nothing to stimulate or create meaningful long-term job growth.

Mr. BOOZMAN. Mr. Speaker, I rise today in opposition to the stimulus package that our colleagues behind closed doors because of the lack of stimulus.

The American people are hurting. Too many jobs have been lost, and too many hard working Americans are worried about their future. Every day I receive calls from Arkansans opposed to Congress recklessly throwing around billions of dollars in an attempt to spend our way out of this crisis by getting more into debt.

The American people do need action; but responsible, focused action that will create jobs and return tax dollars to working Americans immediately. This is the time-proven and fastest way to truly stimulate our economy. We cannot afford nor can our children afford—an $800 billion mistake which gives too little attention to creating and saving jobs and securing our retirement savings. I can't says to the average Arkansan who is fearful he or she will lose their job that this stimulus will save their jobs and help their lives it—so it does not deserve our support.

I urge Congress to work harder and together for a focused, responsible bill that will save and create jobs and protect pensions.

Mr. TERRY, Mr. Speaker, I rise today in opposition to H.R. 1, the American Recovery and Reinvestment Act of 2009.

I come to the floor to oppose this bill reluctantly. When I am home in my District I talk to my neighbors, old school friends, and folks in the coffee shop, they share with me the economic problems they are facing—fellow workers being laid off, difficulty in meeting the house payment because there is now only one wage earner. Small business owners are laying off people due to slow sales especially at car dealerships, retail stores, and restaurants.

The slow down of the U.S. economy has not missed my community—folks are hurting and Congress needs to act in ways that will jump start the housing markets, get credit and lending flowing, increase U.S. exports and provide tax relief so families have more money in their pocket to pay for daily household expenses.

But Mr. Speaker, I have many worries about the massive bill that we have before us today.

I worry there is too much spending in this so-called ''Stimulus'' package. The cost of this bill today is $791 billion. Over time the bill will cost $1.138 trillion. There is too much spending on government programs that should be funded through the normal appropriations process, not in this bill. Under the guise of stimulus, the huge increase in these government programs significantly raises the baseline on which future spending cannot be sustained without large tax increases. This policy could be devastating to our economy and prolong the current economic recession.

I worry that too little of the package goes toward the most effective tools for creating jobs for small business owners, like lower taxes and tax credits. In fact, the only help directed to small business, net operating loss, carryback was reduced by this bill from $1 billion to $2 billion. The home buyer tax credit was reduced from $35 billion to $2 billion; the car tax credit to purchase a new car was reduced from $11.5 billion to $2 billion.

Infrastructure money for roads and bridges was $67 billion, which I appreciate, although my request to add $13 billion for combined

sewer operations funds in the infrastructure section fell on deaf ears. Compare this to Senate Majority Leader HARRY REID $8 billion for a high speed train from Las Vegas to Disneyland. The priorities in this bill are wrong.

The small business tax breaks and infrastructure spending make up about $100 billion of the total $791 billion in the bill, but accounts for 2.5 million jobs of the 3.5 million jobs the White House has estimated will be retained or created by H.R. 1.

Mr. Speaker, to state it another way, $691 billion of the spending may retain or create just one million jobs, most of which will be government bureaucrats that populate the big gray buildings in Washington, DC. That does little or nothing for job creation in my District.

I worry that printing nearly a trillion dollars of new money will result in inflation that will create economic problems over the next several years that will negate any short term gains that might be achieved by this package.

I worry that this additional trillion dollars of new money will create new economic problems by ''crowding out'' private investment dollars that otherwise might be available to stimulate our private sector economy, create new jobs, and grow the economy. Instead, the U.S. government will be sucking up those dollars to pay off its debt. Not to mention the burden this places on our children and grandchildren who will be saddled with the responsibility of paying off that debt.

I am also very frustrated with the non-stimulus liberal policies that found their way into this bill. Two of these policies have earned a lot of attention. First, there is more than $1 billion for ''comparative medical treatment research'' that will be spent by a new panel of non-physicians that reviews the medical treatment decisions of physicians and healthcare professionals. Many feel that this treatment review committee could result in the rationing of treatments of drugs for patients, or even deny medical care to some people, especially seniors. Some have labeled this a form of ''euthanasia.'' While I don't foresee that any time soon, it is very scary.

Another liberal policy that was put in this bill is the reversing of welfare reform, which was the ''Welfare to Work'' program that was enacted on a bipartisan basis in 1996. This legislation will encourage individuals to remain on welfare who would otherwise be given two years to develop skills and training to get a job and move off of the welfare rolls. The roll-back of this program will end up costing the taxpayers more money and reduce a job pool that many employers looked to for entry level hires.

Mr. Speaker, this 1,100 page bill was made available to Members at 10:30 p.m. last night. I suspect the majority of my colleagues, like me, have not had time to read through this bill line for line. We do not know what other policy shenanigans have been tucked into this massive bill.

I am also frustrated that a viable alternative, at least half the cost, was not even considered. The Republican alternative focused on small business owners and manufacturers, tax relief, consumer incentives to purchase new homes and cars and truck, along with infrastructure funding. Economists estimate this alternative would have created over 6 million jobs, twice the jobs at half the cost of the measure before us. But this alternative bill was stiff-armed by the Majority.

Mr. Speaker, it is because of all these worries and frustrations that I am not able to support this package. We could have worked on a bipartisan basis to craft a bill that we could all support. But we were not given a chance to do that. This bill was written behind closed doors by a small group of House Democrats. The American people deserve better from us. I will be voting against this bill.

Mr. STARK. Mr. Speaker, I rise in support of the Conference Report on H.R. 1, the ''American Recovery and Reinvestment Act of 2009.''

The economic challenges we are confronted with are as serious as any we've faced since the Great Depression. There is no doubt that we are paying the price for eight years of unregulated markets, regressive tax breaks, and a lack of investment in the needs of the American people. Now is the time to act boldly to create jobs, strengthen the frayed safety net, begin to fix our health care system, and make long-overdue investments in education, scientific innovation, and infrastructure that will spur our economy forward in the years to come. This legislation achieves all of these goals.

As Chairman of the Ways and Means Health Subcommittee, I am most proud of the health provisions in this legislation.

It is no overstatement to say that the development of an interoperable health information technology system in America will revolutionize medicine. H.R. 1 does just that. In addition to increasing efficiency and reducing unnecessary spending in our medical system, electronic health records will enable doctors to have the information they need—at their fingertips—to best treat their patients.

By building financial incentives into Medicare and Medicaid, and developing new grant programs, the Congressional Budget Office estimates that this bill will encourage 90 percent of physicians in America to adopt standardized health IT and that 70 percent of America's hospitals will do the same. They also calculate that the improvements from this legislation will generate more than $12 billion in savings from federal health programs and reduce health insurance premiums in the private sector as well.

H.R. 1 also makes a substantial investment to expand comparative effectiveness research. Right now, patients with the same diagnosis often receive dramatically different treatment. Medicine is an art, but also must be guided by science. By investing in this research, doctors and other health care providers will be able to obtain unbiased information regarding which procedures, pharmaceuticals, devices and other treatments work best for particular conditions. That way, they can choose the right treatment from options that have been independently evaluated.

If you've heard any controversy about this provision, it's because the pharmaceutical and medical device industries are spending millions of dollars to drum up opposition. They don't want doctors or patients to be able to objectively evaluate the value of their products. The smear campaign of disinformation has also been advanced by conservative ideologues in a cynical effort to foment distrust and discord prior to beginning a national conversation on health care reform. In fact, this research is broadly supported by a wide range of groups representing patients, physicians, health care organizations, unions and others.

H.R. 1 also protects the health care coverage for millions of workers who are losing their jobs because of our economic crisis. COBRA health continuation coverage provides a vital bridge for people to maintain their health benefits when they are between jobs. However, an average family COBRA premium is more than $1000 a month—a financial commitment most unemployed workers can't afford on top of their mortgages and other costs of daily living. By providing a 65 percent subsidy for these premiums for up to 9 months, H.R. 1 will help more than seven million people maintain their health coverage while they seek new employment.

When H.R. 1 is signed into law, the 111th Congress and President Obama will have done more to advance health care in America in less than two months, than was done over the entire two terms of the Bush Administration. We will also have set forth a solid road to move into the debate to guarantee that each and every person in America has affordable, quality health care that can't be taken away.

In addition to the vital health care provisions, H.R. 1 includes essential provisions that will stimulate our economy in the short-term and build a foundation for long-term prosperity. By funding ''shovel-ready'' road, rail, water, school, and energy infrastructure projects we will create millions of new jobs, including more than 7,500 in my district. By bolstering safety net programs such as Unemployment Insurance and Food Stamps we are giving assistance to those hardest hit by the downturn. By investing in all levels of education, science, and clean energy we are setting the stage for economic renewal and the innovation that will drive our economy.

As President Obama has said, we will not get out of this economic mess overnight. But we can take the bold action that the current crisis demands and start the process of rebuilding our economy by passing the legislation before us today.

Mr. BOUCHER. Mr. Speaker, I rise to introduce the Business Activity Tax Simplification Act of 2009, a measure with far-reaching consequences for businesses throughout our nation.

Traditionally, states and localities have levied corporate income, franchise and other taxes only on those businesses that have a physical presence in the taxing jurisdiction. The growth of the Internet and interstate business transactions has made it possible for businesses to conduct transactions without the constraints of geopolitical boundaries. As a result, recently some states have attempted to expand their tax base by assessing business activity taxes against out-of-state companies that have customers but no property or employees in the taxing state. Both large and small companies are facing an increasingly unpredictable tax environment for businesses, which hinders business expansion and threatens the continued development of e-commerce.

The legislation we are introducing today, which I am pleased to champion with my colleague and good friend Mr. GOODLATTE—as well as Mr. ARTUR DAVIS, Ms. BACHMANN, Ms. HERSETH-SANDLIN, Mr. JONES, Mr. BOBBY SCOTT, Mr. JORDAN, Mr. WEINER, Mr. PENCE and Mr. JOE WILSON—will bring certainty to today's increasingly chaotic tax environment for businesses by clarifying that the states cannot

attempt to tax the income of a company that has no physical presence within the taxing state's borders.

Our legislation sets forth clear, specific standards to govern when businesses should be obliged to pay business activity taxes to a state. Generally, a business must use employees or services in a state for more than 15 days in a calendar year before it is liable to pay business activity taxes to that jurisdiction.

The Business Activity Tax Simplification Act also modernizes legislation which Congress enacted 50 years ago that set clear, uniform standards for when states could tax out-of-state businesses for the solicitation of orders for sales. Like the economy of its time, the scope of Public Law 86–272 was limited to income taxes on tangible personal property. Our nation's economy has changed dramatically over the past half-century, and this outdated statute needs to be modernized to apply equally to the sale of intangible property and services, and to other business activity taxes.

I want to emphasize that the Business Activity Tax Simplification Act does not diminish the ability of states and localities to collect tax revenue. Rather, it rationalizes and makes more predictable the process of doing so.

The lack of clarity in current law has led to sometimes absurd results. A collection agent with the New Jersey Department of Taxation stopped a refrigerated truck on the New Jersey turnpike, loaded with product belonging to Smithfield Foods, a company headquartered in my state of Virginia. The agent held the truck and its driver for several hours and demanded that, to release the truck, Smithfield had to wire $150,000 immediately to the New Jersey Department of Taxation. The agent claimed that he had the right to hold the truck and its contents because Smithfield had failed properly to file New Jersey tax returns.

Smithfield informed the New Jersey agent that his claim was unfounded. It explained that Public Law 86–272 protected it from New Jersey income taxation because it only engaged in solicitation in New Jersey and had no physical operations in the state. The agent refused to accept this explanation; however, he finally agreed to release the truck and its driver in return for $8,000.

Smithfield appealed this aggressive and incorrect application of Public Law 86–272 to the New Jersey State tax commissioner. Ultimately, New Jersey accepted Smithfield's contention that it has no physical presence in the state and is not subject to New Jersey income tax. It issued Smithfield a refund and an apology for its roadside justice system, but not before Smithfield had invested much time and expense in resolving a situation which should not have arisen under current law. Our measure will help avoid such scenarios in the future by clarifying the physical presence standard embodied in Public Law 86–272.

New Jersey has used similar tactics against out-of-state companies selling intangible goods to its residents, a situation not covered by 86–272. It has argued that a mom-and-pop South Carolina software company with no physical presence in any states other than South Carolina and Georgia, owes a minimum of $600 per year in corporate income taxes and fees based only on the sale of licensed software to a New Jersey entity, and that the company would owe such tax every year that its software was in use in the state, even for those years in which the company had no income from any customer in New Jersey.

The Louisiana Department of Revenue has threatened to assess business activity taxes on several out-of-state companies based merely on the fact that they broadcast programming into the state, arguing that the companies are exploiting the Louisiana market because the programming is seen or heard by individuals in Louisiana.

Several states attempt to assess business activity taxes on out-of-state credit card companies based on the fact that their customers reside in the taxing jurisdiction and on arguments that the credit card company has engaged in the ''substantial privilege of carrying on business'' in the state.

The Business Activity Tax Simplification Act offers Members the opportunity to put an end to nonsensical situations like these. In doing so, we will provide certainty to both U.S. businesses and to states, thereby fostering economic growth and development. I thank Mr. GOODLATTE and the original cosponsors of the Business Activity Tax Simplification Act for their support, and I urge each of my colleagues to assist us in enacting this much needed bipartisan legislation.

Mr. KUCINICH. Mr. Speaker, I rise in support of the Conference Report to H.R. 1, the American Recovery and Reinvestment Act, and I ask unanimous consent to revise and extend my remarks.

American families, increasingly out of work and burdened by debt, are spending less, and businesses have drastically reduced their spending as a result.

That leaves only the federal government as the spender of last resort.

This bill is not perfect: it is not nearly large enough to replace the losses in Gross Domestic Product that characterize the current recession. But it lays a foundation of targeted government spending that will create millions of jobs.

It will also strengthen the social safety net so that families who have been hit hard by the economic downturn have the basic levels of resources they need.

The bill also addresses a component crisis of this recession: the spillover effects of large concentrations of foreclosed vacant and abandoned houses on our communities. Neighborhoods are the innocent bystanders in the foreclosure crisis.

As foreclosures and the vacant houses they can create continue at a record pace, the bill provides an additional $2 billion to help our neighborhoods prevent the increased crime and deflated property values that come along with abandoned foreclosed properties.

It will also create jobs, and those jobs will be located in some of the hardest hit areas of the country. Fortunately, those funds are there, after being taken out by the Senate. I would like to thank Speaker PELOSI and conferees for including $2 billion for the Neighborhood Stabilization Program.

Ms. JENKINS. Mr. Speaker, Members of the House are being asked to say to vote for a so-called stimulus package. This comes after having only 10 hours in the dark of night to read the final language of the 1,000 page report, which itemizes how we are to spend nearly a trillion taxpayer dollars.

Our economy is struggling right now and Kansans are well aware of that fact. Yet, by overwhelming majorities, they are asking me to vote against this package today. Kansans are pleading with Congress to look beyond just tomorrow and look toward what is best for long-term economic recovery. Even the non-partisan Congressional Budget Office predicted that over the next decade, the extra debt created by this bill will ''crowd out'' private investment and lead to lower GDP. We are about to pass what will be the largest burden that one generation has ever passed on to another. And the non-partisan CBO says it won't even work! This hampers our economy in the long run and burdens our children with even more debt.

My constituents in Kansas are asking for real economic relief, not funding for pet-projects. While the majority continues to claim that this bill contains no earmarks, it still has billions in it to fund ''green'' golf carts, mouse habitats, and other such projects the majority evidently believes is a good use of Kansans' hard-earned tax dollars.

The conference committee, behind closed doors, decided $8 billion for a high-speed railway between Las Vegas and Los Angeles will better stimulate the economy than an additional $200 in the pockets of hard-working families all across our nation. My constituents are the folks who know best how to spend a dollar and stimulate the economy, not a distant federal bureaucracy in Washington.

A real stimulus needs to have a balance of tax relief and targeted investment. The majority is exploiting the current economic downturn to jam through a bill full of irresponsible spending and government expansion.

Mr. PRICE of Georgia. Mr. Speaker, I rise to oppose this non-stimulus package because it is selfish and irresponsible.

It is selfish—because it will burden future generations for years to come with unbelievable debt; trillions of dollars stolen from our children and grandchildren.

It is irresponsible—because it won't work! It will not stimulate the economy. It will not create jobs. It has been shown to be misguided by over 300 prominent economists, including three Nobel Prize winners.

In addition, the process has been an affront to all Americans. Less than 15 hours to read a bill over 1000 pages in length. Less than 2 hours of debate on the floor of the House on the most expensive spending bill in the history of mankind!

This is simply wrong.

Attached are three articles from papers today revealing the folly of this process and product.

[From the Washington Post, Feb. 13, 2009]

DESPITE PLEDGES, PACKAGE HAS SOME PORK

(By Dan Eggen and Ellen Nakashima)

The compromise stimulus bill adopted by House and Senate negotiators this week is not free of spending that benefits specific communities, industries or groups, despite vows by President Obama that the legislation would be kept clear of pet projects, according to lawmakers, legislative aides and anti-tax groups.

The deal provides $8 billion for high-speed rail projects, for example, including money that could benefit a controversial proposal for a magnetic-levitation rail line between Disneyland, in California, and Las Vegas, a project favored by Senate Majority Leader Harry M. Reid (D–Nev.). The 311–mph train could make the trip from Sin City to Tomorrowland in less than two hours, according to backers.

A new alliance of battery companies won $2 billion in grants and loans in the stimulus package to jump-start the domestic lithium

ion industry. Filipino veterans, most of whom do not live in the United States, will get $200 million in long-awaited compensation for service in World War II.

The nation's small shipyards also made out well, with $100 million in grant money—a tenfold increase in funding from last year, when the federal Maritime Administration launched the program to benefit yards in places such as Ketchikan, Alaska, and Bayou La Bate, Ala.

None of the items in the sprawling $789 billion package are traditional earmarks—funding for a project inserted by a lawmaker bypassing the normal budgeting process—according to the White House and Democratic leaders. Republicans also killed or reduced a number of projects they considered objectionable, such as $200 million to re-sod the Mall in Washington and money for a new Coast Guard polar icebreaker.

But many Republicans, anti-tax advocates and other critics argue that the final version of the bill is still larded with wasteful spending and dubious initiatives that will do little to create jobs or spur financial markets. The legislation's sheer size and complexity set off a lobbying spectacle over the past few weeks, as diverse interests including pharmaceutical companies, cement firms and manufacturers of energy-saving light bulbs converged on Washington to elbow for their share.

''You have a moving vehicle, and people are trying to pile on and influence it in any way they can,'' said David Merritt, a health policy adviser to the presidential campaign of Sen. John McCain (R-Ariz.) who is now a project director with Newt Gingrich's Center for Health Transformation.

Stimulus advocates say the GOP complaints are overheated and generally focus on projects that Republicans dislike for ideological reasons. Chad Stone, chief economist at the liberal-leaning Center on Budget and Policy Priorities, defended the bill. ''The overwhelming bulk of what is in the package is effective and well-designed stimulus,'' he said.

Money for high-speed rail ballooned during the stimulus debate, from nothing in the House bill to $2 billion in the Senate version and finally $8 billion in the conference report, which was put together by Reid and other Democratic leaders.

Reid spokesman Jon Summers said in a statement that the transportation secretary ''will have complete flexibility as to which program he uses to allocate the funds,'' but he acknowledged that ''the proposed Los Angeles-Las Vegas rail project would be eligible.'' Summers said the rail funding ''was a major priority for President Obama, and Sen. Reid as a conferee supported it.''

One of the biggest targets of GOP complaints was a measure in the Senate version of the bill that did not name a recipient but would have provided $2 billion for ''one or more near zero emissions power plant(s).'' Sen. Tom Coburn (R-Okla.) and other Republicans say the provision was clearly directed at reviving the FutureGen Alliance project, a proposed ''clean coal'' plant in Illinois.

Coburn called the item the ''largest earmark in American history,'' but in the end he was able to claim only a partial victory, as the conference bill still contains $1 billion that could be spent on FutureGen.

Another $800 million is set aside for other carbon-capture projects, and a clause allows the money to go to projects that use petroleum coke instead of coal. That would probably benefit a company called Hydrogen Energy, which is jointly owned by British Petroleum and the multinational mining company Rio Tinto and has plans to build a power plant in California.

A provision introduced by freshman Rep. Larry Kissell (D–N.C.), a former textile industry employee, will require the Transportation Security Administration to purchase uniforms manufactured in the United States; most TSA clothing is currently assembled in Mexico and Honduras from U.S.-made fabric. The cost of the requirement is unclear—the agency spends about $3 million on 12,000 new uniforms each year—but labor and trade groups argue that it will create 21,000 U.S. jobs.

''We view this as a very inexpensive way to create jobs and also stabilize jobs in place,'' said Lloyd Wood of the American Manufacturing Trade Action Coalition.

[From Indystar, Feb. 13, 2009]

ANALYSIS: STIMULUS WON'T JUMP-START ECONOMY

(By Jeannine Aversa)

WASHINGTON.—No, the big stimulus plan won't ''save or create 3.5 million jobs,'' as the president and congressional Democrats claim—at least not this year.

The economy will remain feeble through 2009, analysts warn, and businesses will keep shedding jobs, though not as many as they would have without the $789 billion boost.

The stimulus agreement, heading for final votes in the next day or so, goes to the heart of President Barack Obama's strategy to revive the economy and will go far in shaping how Americans view his economic leadership.

What it won't do is quickly snap the country out of the painful recession, now in its second year.

It should provide some relief, economists say, though some argue it won't plow enough money into the economy to prop it up.

Tax cuts will spur at least some spending by consumers and businesses, and that should help save or create jobs. Aid flowing to cash-squeezed states will prevent some layoffs.

And money for big public works projects, such as bridge and road repairs, and longer-term ventures, such as networks for more high-speed Internet connections, eventually will generate jobs and stir economic activity.

But even with the stimulus, many economists predict a net loss of 2 million, 3 million or even more jobs this year. The recession already had cost 3.6 million jobs through January. The unemployment rate, now at 7.6 percent, the highest in more than 16 years, will probably hit at least 9 percent by next year.

''The stimulus package is not going to turn the economy around right now,'' said William Gale, director of economic studies at the Brookings Institution.

''The best-case scenario is that it mitigates the depth and the severity of the downturn. That's not a bad thing. It's just not the magic bullet that fixes everything.''

Some analysts say the job market won't return to normal health—with unemployment hovering around 5 percent—until as late as 2013.

And the broader economy? No sudden revival there either.

The economy is expected to slide backward for all of 2009—a decline in gross domestic product of more than 1 percent. That may not sound like much, but it would be the first yearly decline since 1991.

''Congress put the minimum charge into the stimulus battery,'' said Brian Bethune, economist at IHS Global Insight. ''We're taking this big chance, turning the key and praying there is enough juice to turn over the economy. We should have juiced it up so much that we are guaranteed that this engine will start'' through a bigger package of tax reductions.

This recession has proved especially stubborn and dangerous. The root causes—housing, credit and financial crises—are the worst since the 1930s and don't lend themselves to quick fixes.

The package includes Obama's signature ''Making Work Pay'' tax credit for 95 percent of workers. But negotiators scaled it back from Obama's campaign promise: to $400 a year for individuals, instead of his $500, and $800 for couples, down from his $1,000.

That equals around an extra $13 a week in most paychecks, and it should show up very quickly after Obama signs the bill. The hope is Americans will then feel more inclined to go out and buy, which would help bolster the economy.

But will recession-shocked consumers, spooked by vanishing jobs, shattered nest eggs, tanking home values and surging foreclosures, actually spend money?

''Chances are people are going to save much or most of the tax cuts because of the climate of uncertainty and doom and gloom,'' Gale said.

Given the severity of the problems, economists said, the bigger the economic revival package the better. Some said it needed to be $1 trillion to make a noticeable difference this year.

Others argued that the package should have been front-loaded with a lot more money—at least $500 billion—in tax cuts, which tend to act more quickly to boost economic activity.

Mark Zandi, chief economist at Moody's Economy.com, estimates the bill will create just more than 2 million jobs by the end of 2010. The problem is, the recession will probably wipe out many more jobs than that. Zandi's prediction: 6.5 million jobs will disappear.

[From the Washington Times, Feb. 13, 2009]

CBO PREDICTS LOWER GDP IN A DECADE

(Stephen Dinan and S.A. Miller)

The Congressional Budget Office says President Obama's giant economic recovery bill will actually hurt Americans' paychecks in the long run, even if the plan's tax cuts start out putting an extra $13 a week in most worker's pockets.

Building on a report issued last week, the Congressional Budget Office, Congress's official scorekeeper, said the flood of spending will boost the economy in the short term and will create new jobs. But over 10 years, extra debt will ''crowd out'' private investment, leading to a lower gross domestic product, which would hurt workers' wages.

''The reduction in GDP is therefore estimated to be reflected in lower wages rather than lower employment, as workers will be less productive because the capital stock is smaller,'' CBO said in a report issued Wednesday night, although it did not say how much damage would be done.

But for now, Alyson Jacobson, 42, said she'll take the $13. She said she'd spur the economy buying haircuts for her four young children when the tax cut kicks in this spring.

''I'll have to save up for two weeks,'' the social worker in Bowie said of the anticipated spending spree. ''It could go into more fruits because fruits are getting so expensive.''

Her husband's pay is expected to get a $13 boost, and the couple could pocket expanded child tax credits under the bill that leaders of the Democrat-led Congress scrambled to finalize Thursday.

The child tax credit will put about $1,000 more in tax credits in the pockets of qualifying families with at least three children. The bill would expand the 15 percent credit to every dollar earned over $3,000 from the current $10,000 threshold.

As for the economy as a whole, CBO said in the short term, it will be better off with

spending; but over 10 years, the economy would at best break even and could actually be two-tenths of a percent lower than if Congress did not act.

Republicans, who have fought Mr. Obama's stimulus plan, said numbers confirm their fears.

''This is what happens when one party negotiates behind closed doors—you end up with bad legislation,'' said Rep. Dave Camp of Michigan, the top Republican on the House Ways and Means Committee, which writes tax laws. ''What the Democrats are asking the American people to do is buy a $1.1 trillion-dollar plane that barely gets off the ground before crashing. The ones left inside that wreckage will be the American worker and taxpayer.''

Drew Hammill, spokesman for House Speaker Nancy Pelosi, California Democrat, blamed the bulk of the debt problems on former President George W. Bush and said they know they'll need to take more action to produce good-paying jobs.

''We know the deficits created by the previous administration are going to continue to have an impact on the economy,'' Mr. Hammill said. ''We know that we can't afford not to act with the legislation that has been finalized, and we know there's going to have to be other pieces of legislation to address other economic concerns.''

The CBO report said the new spending would create or save between 800,000 and 2.3 million jobs in 2009 and by 2010 would account for between 1.2 million and 3.6 million jobs.

The White House did not comment on the report. Mr. Obama has predicted that his plan could create or save up to 4 million jobs.

The extra $13 a week will show up in pay this spring when the withholding formula is adjusted. Starting next year, the credit will add about $7.70 per week to individual paychecks.

''It's almost pocket change,'' said Cindy Hockenberry, an accountant and research coordinator with the National Association of Tax Professionals. ''To be quite honest, amounts that small I don't think [taxpayers] are going to feel it.''

The tax relief, including business tax breaks, adds up to $275 billion, or about a third of the $789 billion package. The rest of the money—$515 billion—is spending.

The Jacobsons also could be among the 23 million middle-class families to benefit from a suspension of the alternative minimum tax (AMT), which would otherwise wallop families making as little as $50,000 a year with a 26 percent or 28 percent income tax rate.

The AMT was adopted in 1969 to make tax-sheltered wealthy Americans pay at least some income taxes. But it was not indexed for inflation and, over time, hit middle-income taxpayers if not forestalled by temporary ''patches'' passed annually by Congress. This year's patch was included in the stimulus.

The tax cut—which is supposed to help 95 percent of Americans, including low-income workers who do not earn enough to pay income taxes—would give single workers up to $400 a year and families up to $800.

The tax credit phases out completely for workers earning more than $100,000 a year and couple earning more than $200,000.

Mrs. BACHMANN. Mr. Speaker, at about 10:00 p.m. last nite, the text of the $792-billion so-called ''stimulus'' package was finally made available to Republicans. At 11:00 p.m., this 1073-page package was finally posted online for the public to see it. And, votes are expected by 2:00 p.m. today.

Are Republican legislators really supposed to digest and comprehend the single most transformational piece of legislation that has come through Congress in 16 hours? We do a great disservice to the American people today by rushing this package through.

But, the level of disrespect we show the taxpayers today by this perversion of process is far exceeded by the level of disrespect we show the taxpayer by the substance of this package. As the Los Angeles Times stated in an editorial today, this bill ''serves as a case study for the timeworn notion that haste makes waste.''

Whether by design (The Washington Post did report that ''House Speaker Nancy Pelosi . . . called the legislation 'historic and transformational' for its investments in Democratic social priorities.'') or as a byproduct of the political wrangling to get the bill to the floor, this bill is chock-full of the pet projects and political priorities that lobbyists and lawmakers insisted upon.

But, the bill is supposed to have a single purpose: to stimulate the economy. Congress' one and only criterion for any project or program should have been its ability to help grow the economy and help create jobs. Again, the Los Angeles Times noted that scattered throughout the bill ''are proposals that advance a political agenda more than an economic one.''

Targeted investment in transportation construction is proven to grow the economy and create jobs. The U.S. Department of Transportation reported last year that every $1 billion in federal highway investment, when combined with the required state matching funds, supports 34,779 American jobs. Of that, only about 12,000 are actual construction jobs. The rest are in supplier industries or related economic sectors. That's why Republicans in the House had moved to reprioritize spending in the House bill and triple investments in transportation construction—a motion the majority flatly rejected.

There is a substantial and tangible ripple effect to these investments. Yet, it gets lip service in this bill: $27.5 billion of the $792 billion bill (a mere 3.4% of the total bill) is invested in this proven stimulator.

Tax relief is similarly stimulative. The Republican alternative that was rejected by the majority would have created twice the jobs at half the cost. It would have done so by putting money back into the pockets of those who would use it to create jobs and to keep money cycling through the economy.

Amongst other things, this alternative, which I did support would have:

Reduced the lowest individual tax rates from 15% to 10% and from 10% to 5%. In Minnesota's Sixth Congressional District, 272,306 filers would benefit from the reduction in the 10% bracket alone and 228,926 filers would also benefit from the other rate reduction.

Allowed small businesses to take a tax deduction equal to 20% of their income. Nearly half a million Minnesota small businesses—each employing 500 or fewer employees—would benefit from this.

And, provided a home-buyers credit of $7500 for those who can make a minimum down-payment of 5%.

What's more, Mr. Speaker, this package sets upon the shoulders of generations of Americans a debt that I don't think we can even comprehend. With this so-called stimulus, we raise the government's commitment to addressing this economic downturn over the past year to $9.7 trillion. From the first set of rebate checks passed last February to the bill before us now, $9.7 trillion has been spent or pledged to addressing this recession.

And, all reports indicate that there is more to come. Treasury Secretary Timothy Geithner talked about another $2 trillion for financial service sector bailouts just this week. President Obama's economic advisor, Larry Summers, has talked about additional stimulus and financial service bailouts that will be needed in the months to come. President Obama noted that this is just a leg in a stool when he came before the Republican Conference only a couple of weeks ago.

That's just for what's actually in the bill. A long history of expanding federal budgets has made it clear to the American people that no increase in spending is ever temporary. As the Los Angeles Times noted the $191 billion in increased benefit spending in this package ''expand programs that may be hard to trim after the crisis passes. . . . What's worse, there are no accountability measures attached to those funds. . . .''

An analysis by staff at the House Budget Committee looked at what happens if Congress continues to fund just 19 of the most politically popular programs at their new stimulus levels—programs like Pell Grants, Head Start, food stamps. Over the ten-year period ending in 2019, ''these 19 programs alone would increase federal outlays and tax entitlements by $1.59 trillion.'' (Wall Street Journal, February 12, 2009)

Even before we add in the financial service sector bailout and this ''stimulus'' bill, the American people were looking at the largest budget deficit in modern history for 2009—8.3% of the economy. According to an analysis by the Strategas Group, if you add in this bill and the bailout, ''the deficit could hit nearly $2 trillion, or 13.5% of the U.S. economy.'' The Wall Street Journal rightly calls this ''uncharted territory'' and reminds us that the consequences could mean ''new federal debt in the trillions of dollars over the next few years, which could test the limits America's creditworthiness,'' and could mean that ''the U.S. will become less desirable as a destination for the world's capital.''

With this bill today, Congress isn't helping America to dig itself out of the recessionary hole, we're merely digging it deeper. I cannot support this new direction for the American economy, Mr. Speaker. I stand today on the side of the American taxpayer and will vote to oppose this bill.

Mr. RANGEL. Mr. Speaker, the following letters relate to a matter of jurisdiction with respect to a provision included in the conference agreement to H.R. 1

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, February 13, 2009.

Hon. CHARLES B. RANGEL,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN RANGEL: I write regarding the section entitled ''Grants for Specified Energy Property in Lieu of Tax Credits'' in H.R. 1. Although originally passed by the House of Representatives as a program administered by the Department of Energy, under the conference agreement on this bill, this program will reside at the Department of the Treasury.

I am pleased that the consultation process between our Committees has resulted in an

understanding that this grant program will be under the jurisdiction of the Committee on Energy and Commerce despite its administration through the Department of the Treasury.

I would appreciate your response to this letter confirming this understanding with respect to this program. I would also ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the conference report on the House floor.

Sincerely,

HENRY A. WAXMAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, February 13, 2009.

Hon. HENRY A. WAXMAN,
Chairman, Committee on Energy and Commerce, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN WAXMAN: I write in response to your letter regarding the section entitled ''Grants for Specified Energy Property in Lieu of Tax Credits'' in H.R. 1. Although originally passed by the House of Representatives as a program administered by the Department of Energy, under the conference agreement on this bill, this program will reside at the Department of the Treasury.

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I will submit a copy of our exchange of letters on this matter for inclusion in the Congressional Record during consideration of the conference report on the House floor.

Sincerely,

CHARLES B. RANGEL,
Chairman.

Ms. SCHWARTZ. Mr. Speaker, the economy is in crisis—my constituents in Southeastern Pennsylvania and I see it every day.

Our families are struggling with lost income and lost health insurance—even as the demands on household budgets grow.

Our businesses are struggling with lost consumers, increased costs, and difficulties in accessing capital.

Our state, cities and towns are struggling with shrinking revenues in the face of increased demand for services, aging infrastructure and other obligations.

Today we will take the action essential to provide relief, create jobs, and lay the groundwork for future economic growth.

We will: cut taxes for 95% of American workers; reduce the cost of COBRA health coverage for the unemployed; improve access to capital and stimulate growth; repair infrastructure; invest in new energy sources and energy efficiencies; and drive the innovation that will keep America competitive in the global market place.

I am particularly proud of the major new investment in health information technology that will lead to near universal use of electronic medical records within 10 years—improving the quality and coordination of care, saving lives, and saving costs for patients, employers, and taxpayers.

This recovery package is a smart, timely investment to meet today's challenges and fulfill America's promise.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I want to commend my Chairman, Mr. OBERSTAR, and Chairman OBEY for elevating the importance of Obey infrastructure investment towards the economic recovery of our Nation.

I strongly support the Conference Report to H.R. 1, particularly the infrastructure components, which direct desperately needed funds into our Nation's roads, bridges, transit systems, airports, and water-related infrastructure.

Each $1 billion of Federal funds invested in infrastructure creates or sustains approximately thirty-four thousand jobs and $6.2 billion in economic activity.

The $64 billion dollars for infrastructure investments outlined in the bill will provide a real, tangible benefit to the seven hundred thousand individuals currently unemployed in my state—whether as a paycheck for those responsible for constructing these vital projects, or through increased productivity for small businesses that produce the materials needed for infrastructure projects.

However, unlike other economic recovery proposals, infrastructure investment provides not only a short-term benefit to American families, it also provides a long-term benefit in terms of sustainable and reliable infrastructure, as well as the potential for increased productivity for the Nation's economy through the efficient movement of goods and services.

Finally, infrastructure investment provides one of the only benefits that cannot be shipped off to foreign lands. The direct beneficiaries of domestic infrastructure projects are our towns, our local communities, our constituents.

Mrs. EMERSON. Mr. Speaker, the American economy is in dire straits and our constituents are looking to us to act. This is a moment when we should be coming together, putting party differences aside, and crafting responsible legislation that will both solve the problem and unite the country. I do not believe H.R. 1 is this legislation.

I am also disappointed that this conference was so small—with only five Members from the House—that it could have been conducted around the dining room table of my house in Cape Girardeau. It was so brief that it could have been over before I had the chance to make coffee for everyone.

Despite the promises of bipartisanship made at the outset, this legislation has been constructed and finished behind closed doors. The motion to instruct conferees we passed here unanimously gave members of this House 48 hours to review the bill before we vote. We got 14.

The American economy is hurting, families in my district in Southern Missouri are hurting, and we are applying a code of priorities here that doesn't fit the crisis we're facing. These funds should go to the people and places with the greatest potential to create jobs and improve the economy. This bill deviates from that mission while better solutions have been largely ignored.

Regarding the contents of the Financial Services portion of the conference report, I am pleased it reduces funding below both the House and Senate levels. However, $6.9 billion for the Financial Services Subcommittee is still too much.

GSA will get $5.5 billion to build and renovate new Federal buildings and ports of entry. However, in fiscal year 2008, GSA received a total appropriation of only $1.4 billion for construction and renovations. This is a huge windfall for an agency that, in my opinion, already has a hard time managing its regular budget.

The Accountability and Transparency Board created by this bill was provided $14 million in the House bill, and $7 million in the Senate bill. The funding for the Board in this conference report mysteriously increases to $84 million. Even though this is called a ''transparency'' board, as the Ranking Member, I do not know how or why the funding increases by 600 percent over the House bill. Maybe these funds are needed, but no one on my side of the aisle knows who asked for this funding or how it will be spent.

Mr. CLYBURN. Mr. Speaker, I rise today in strong support of the American Recovery and Reinvestment Act and I congratulate President Obama, our leadership, all of the committee chairs, and the staffs for crafting this legislation under extraordinary circumstances.

Mr. Speaker, this country is facing the worst recession in its history. Economists across the globe have confirmed this fact stating ''the U.S. recession will be the longest and will worsen without heavy government spending.'' Just last month nearly 600,000 jobs were lost which is the deepest cut in payrolls in 34 years and the jobless rate of 7.6 percent is at its highest level in more than 16 years. Moreover of the top 20 monthly job losses in the history of this country 5 have happened in the last seven months.

Mr. Speaker as a student of history, I have tried to find a moment when our country faced such economic and political uncertainty. And as fate would have it, that moment was yesterday, as we marked the 200 year anniversary of President Abraham Lincoln's birthday and the 100 year anniversary of the NAACP.

As President Lincoln focused his efforts on keeping the Union whole, a great economic and social question loomed. What should the country do with its slaves? President Lincoln felt so strongly about maintaining the Union that he emancipated the slaves but the question of their economic and social well-being remained largely unaddressed.

It took a civil rights movement, Mr. Speaker, led by organizations like the NAACP to highlight the deplorable and inequitable economic conditions freed blacks faced. These conditions lay bare for the world to see in areas like: education, employment, housing, nutrition, and health. And it is these issues, Mr. Speaker, which are addressed in this bill.

For history has taught us that, you cannot pull a country out of recession or move a country forward unless you address these inequities. So while many of my colleagues will talk about all the new technologies and great ideas in this bill, I prefer to focus on the check Dr. Martin Luther King Jr. spoke about in 1963 at the Lincoln Memorial. Where he stated the following:

In a sense we have come to our nation's capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men, yes, black men as well as white men, would be guaranteed the unalienable rights of life, liberty, and the pursuit of happiness.

It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America

has given the Negro people a bad check, a check which has come back marked insufficient funds. But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. So we have come to cash this check—a check that will give us upon demand the riches of freedom and the security of justice.

We have also come to this hallowed spot to remind America of the fierce urgency of now. This is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism. Now is the time to make real the promises of democracy. Now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial justice. Now is the time to lift our nation from the quick sands of racial injustice to the solid rock of brotherhood. Now is the time to make justice a reality for all of God's children.

Mr. Speaker, we have to act now, so that the families in Sumter, South Carolina will have clean water, so that children at J.V. Martin Junior High School in Dillon, South Carolina will no longer have to learn in a 150 year old school, so that a mother in Charleston, South Carolina will not be homeless, so that kids in Columbia, South Carolina will have a summer job, so that a teacher in Anderson Primary School in Williamsburg, South Carolina will not lose their job, and so that family in Florence, South Carolina looking for a way out of this economic recession will not suffer under a Governor's political ideology.

Mr. Speaker, America works when all of America is working and today we are ensuring that this promise of work in America will not be marked ''insufficient funds.''

Mr. BLUMENAUER. Mr. Speaker, I support the American Recovery and Reinvestment Act of 2009. While this legislation is not perfect, it marks a strong response to the economic challenges faced by Oregon's hard-working families and it deserves support. In particular, I would like to highlight several elements of the legislation that are important to Oregonians and to the nation.

This legislation will create 3.5 million jobs and will give 95 percent of American workers an immediate tax cut. The bill also offers significant tax relief to homebuyers, manufacturers, and small businesses.

The legislation provides a significant extension of unemployment benefits, provides aid to Oregon to modernize our unemployment system and expand its coverage, and helps unemployed workers maintain their healthcare coverage.

This legislation puts a down payment on a much-needed investment in roads, bridges, mass transit, energy efficient buildings, flood control, clean water projects, and other infrastructure projects. These efforts will begin rebuilding and renewing America.

The legislation invests in health information technology to modernize our health care system and improve health outcomes. This investment will put people to work and will create a more efficient, effective health care system with fewer deaths, fewer complications, and lower health care costs.

The economic recovery package also represents a leap forward for the nation's clean energy economy. It includes about $37.5 billion in funding for energy programs, almost double the Energy Department's typical entire annual budget, and more than 10 times the amount normally spent on conservation and renewable energy. It also includes about $20 billion in tax incentives for energy efficiency and renewable programs, which I helped design as a member of the Ways and Means Committee.

Oregon is known for the progress that we have made developing a new energy future and for the innovative ways that we approach healthcare, sustainability, and transportation. This legislation will buttress those endeavors, while creating jobs and easing the economic impacts on those already hard hit. So, while I retain concerns about elements of the legislation, I feel strongly that we must seize this opportunity to rescue our economy and transform it to meet the challenges of the twenty-first century.

Mr. CONNOLLY of Virginia. Mr. Speaker, I am pleased that the conferees restored some of the state stabilization dollars previously approved by the House to help soften the financial crunch on local governments and schools. Having just come from the local government ranks—representing Fairfax County, Virginia, which if it were a city would be the nation's 13th largest city with the nation's 12th largest school system—I can tell you our local governments are hemorrhaging in the current economic crisis and are facing steep reductions in staff and services. You see, our state and local government partners do not have the luxury of printing money or enacting continuing resolutions. By statute they must balance their budgets annually.

While the final number for local and state aid is not as much as we wanted—and significantly less than what is needed—this investment is nonetheless critical to ensuring that our state and local partners are in a position to quickly advance on the investments and initiatives as the dollars begin to flow from this stimulus package. The aid we provide will help prevent layoffs for the very workers who will be carrying out the mission of this historic recovery package.

With respect to education, I and many of my colleagues, continue to be disappointed that the House's original proposal for school construction was not maintained. Some argued that school construction is not a federal responsibility when, in fact, the federal government has supported school renovation and construction in the past expressly for the purpose of creating jobs. During the Great Depression, the Works Progress Administration created hundreds of thousands of new jobs through the construction of 4,383 new schools and the renovation of thousands more in response to the greatest economic crisis of the 20th Century. Thankfully, some flexibility remains within the bill to allow school districts a means to address their growing capital needs and create new jobs.

Current data indicate our economy may contract by as much as $2 trillion during this global crisis. With our action today, the Congress is investing $789 billion to provide some cushion for workers, families and employers. We must do something. We must act. This bill is not the perfect solution, but, in the worst economic meltdown in 80 years, it is about stimulating economic activity, restoring credit flow to consumers and small businesses, financing critical investments that will have continuing returns for generations to come, and restoring the confidence of consumers and investors in our economy.

Mr. LEWIS of California. Thank you, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 168, the previous question is ordered.

MOTION TO RECOMMIT

Mrs. MILLER of Michigan. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mrs. MILLER of Michigan. In its current form, yes, I do oppose the bill.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Miller of Michigan moves to recommit the conference report on the bill H.R. 1 to the committee of conference with instructions to the managers on the part of the House to—

(1) accept section 1008 of subtitle A of division B of the Senate amendment (relating to above-the-line deduction for interest on indebtedness with respect to the purchases of certain motor vehicles), and

(2) accept section 1009 of subtitle A of division B of the Senate amendment (relating to above-the-line deduction for State sales tax and excise tax on the purchase of certain motor vehicles).

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mrs. MILLER of Michigan. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on adopting the conference report; and suspending the rules with regard to House Resolution 139, if ordered.

The vote was taken by electronic device, and there were—yeas 186, nays 244, not voting 3, as follows:

[Roll No. 69]

YEAS—186

Aderholt	Broun (GA)	Cuellar
Akin	Brown (SC)	Culberson
Alexander	Brown-Waite, Ginny	Davis (KY)
Arcuri	Burgess	Deal (GA)
Austria	Burton (IN)	Dent
Bachmann	Buyer	Diaz-Balart, L.
Bachus	Calvert	Diaz-Balart, M.
Barrett (SC)	Camp	Dreier
Barrow	Cantor	Duncan
Bartlett	Cao	Ehlers
Barton (TX)	Capito	Emerson
Biggert	Carney	Fallin
Bilbray	Carter	Fleming
Bilirakis	Cassidy	Forbes
Bishop (UT)	Castle	Fortenberry
Blackburn	Chaffetz	Foxx
Blunt	Chandler	Franks (AZ)
Boehner	Childers	Frelinghuysen
Bonner	Coble	Gallegly
Bono Mack	Coffman (CO)	Gerlach
Boozman	Cole	Gingrey (GA)
Boustany	Conaway	Gohmert
Brady (TX)	Crenshaw	Goodlatte
Bright		Granger

Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Peters
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
Scalise
Schauer
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NAYS—244

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Buchanan
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Clarke
Clay
Cleaver
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Flake
Foster
Frank (MA)
Fudge
Garrett (NJ)
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
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
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Perriello
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis (CA)
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—3

Campbell
Clyburn
Lee (NY)

□ 1415

Messrs. SERRANO, ADLER of New Jersey, LARSEN of Washington, Ms. WATSON, Messrs. HINCHEY, PASCRELL, CARDOZA, RUSH, and ELLSWORTH changed their vote from ''yea'' to ''nay.''

Messrs. McKEON, SOUDER, CARNEY, MORAN of Kansas, and YOUNG of Alaska changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 246, nays 183, answered ''present'' 1, not voting 3, as follows:

[Roll No. 70]

YEAS—246

Abercrombie
Ackerman
Adler (NJ)
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)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
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)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Perriello
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
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis (CA)
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—183

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
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)
DeFazio
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
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
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Peterson
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	Simpson	Tiberi
Royce	Smith (NE)	Turner
Ryan (WI)	Smith (NJ)	Upton
Scalise	Smith (TX)	Walden
Schmidt	Souder	Wamp
Schock	Stearns	Westmoreland
Sensenbrenner	Sullivan	Whitfield
Sessions	Taylor	Wilson (SC)
Shadegg	Terry	Wittman
Shimkus	Thompson (PA)	Wolf
Shuler	Thornberry	Young (AK)
Shuster	Tiahrt	Young (FL)

ANSWERED ''PRESENT''—1

Lipinski

NOT VOTING—3

Campbell	Clyburn	Lee (NY)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1424

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

OFFERING CONDOLENCES TO THE VICTIMS AND GRATITUDE TO THE RESCUE WORKERS OF CONTINENTAL CONNECTION FLIGHT 3407

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

Mr. HIGGINS. Madam Speaker, I am certain that everyone knows by now approximately 50 people lost their lives in a tragic plane crash last night in western New York. This crash occurred in the hometown of our colleague, CHRIS LEE, who has left Washington to assist in efforts ongoing in western New York.

I know that the whole House joins Mr. LEE, Mrs. SLAUGHTER, Mr. MASSA, and me in offering our deepest condolences to the loved ones of those killed in this tragic event and in offering tremendous gratitude to the firefighters, emergency personnel, and other first responders who bravely worked through the night and are still working today to deal with this accident.

I would now yield to my western New York colleague, Mrs. SLAUGHTER.

Ms. SLAUGHTER. I appreciate very much your yielding to me.

We have suffered a terrible blow in western New York. I got home last night about midnight to turn on the television to see the suffering of my people, and my heart breaks for Upstate New York. Our worst fears were confirmed when we learned that no one survived that crash, and that one person on the ground was lost. They were less than 5 minutes away from the runway at the airport that might have saved their lives.

It is always a tragedy; and just this week we stood with our colleague Mr. COLE to worry and concern with him for the loss that he had in his district due to the tornado. We appreciate that in western New York we take care of each other, and in the House of Representatives we care very much for each other as well.

The first responders and all the citizens of western New York who rushed to help and all the officials of New York and Washington and the local officials have our thanks and our good wishes. We will do everything that we can to try to ease the pain and to ease the suffering, and hope to God that this does not happen to us again.

MOMENT OF SILENCE

Mr. HIGGINS. Madam Speaker, I ask the House observe a moment of silence for the families and the victims of this tragic event.

□ 1430

RECOGNIZING DALE OAK

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

Mr. OBEY. Mr. Speaker, this is the last time that Dale Oak will be on this floor serving us as a member of the staff of the Appropriations Committee. He has been serving as the chief clerk for the Financial Services Subcommittee. He has served the Appropriations Committee in this House for 14 years, working for both the Republicans and Democrats, as has often been the tradition on the Appropriations Committee. He is leaving, and I simply want to thank him for the service he has given to the Committee and to the House, and wish him all the best in his new endeavor. He has been an incredibly hard worker, and we are all lucky to have public servants like him helping us.

I yield to the gentleman from California.

Mr. LEWIS of California. I very much appreciate our chairman yielding. I, too, want to express our deepest gratitude to Dale Oak and his family for the years and years of work and sacrifice they have put in on our behalf.

As the chairman indicated, Dale has worked on both sides of the aisle in the front office, was very helpful to BILL YOUNG, I know, and to myself, and now to DAVID OBEY.

The people who really deserve our recognition and thanks, however, involve first and foremost Dale's wife, Janet, and their children, Eric and Anna.

Thank you all for your great service. Godspeed.

Mr. OBEY. I yield to the gentleman from New York.

Mr. SERRANO. With the indulgence of the Members, I know we all want to leave and catch a plane or train, but I have been fortunate during the 2 years that I have been chairman of this committee to have Dale Oak as the committee clerk. And I want to wish him all the best and tell the Members that those individuals who work 24/7 into late at night are people like Dale Oak who make us look good and who serve the American people although their name and their work sometimes is not seen on a daily basis.

And so I thank you, Dale, for your service to our country.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

COMMEMORATING ABRAHAM LINCOLN ON THE BICENTENNIAL OF HIS BIRTH

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 139.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 139.

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

The yeas and nays were ordered.

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

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

[Roll No. 71]

YEAS—403

Abercrombie	Braley (IA)	Crenshaw
Aderholt	Bright	Crowley
Adler (NJ)	Broun (GA)	Cuellar
Akin	Brown (SC)	Culberson
Alexander	Brown, Corrine	Cummings
Altmire	Buchanan	Dahlkemper
Andrews	Burgess	Davis (AL)
Arcuri	Burton (IN)	Davis (CA)
Austria	Butterfield	Davis (IL)
Baca	Buyer	Davis (KY)
Bachmann	Calvert	Davis (TN)
Bachus	Camp	DeFazio
Baird	Cantor	DeGette
Baldwin	Cao	Delahunt
Barrett (SC)	Capito	DeLauro
Barrow	Capps	Dent
Bartlett	Capuano	Diaz-Balart, L.
Barton (TX)	Cardoza	Dicks
Bean	Carnahan	Dingell
Becerra	Carney	Donnelly (IN)
Berkley	Carson (IN)	Dreier
Berry	Carter	Driehaus
Biggert	Cassidy	Duncan
Bilbray	Castle	Edwards (MD)
Bilirakis	Castor (FL)	Edwards (TX)
Bishop (GA)	Chaffetz	Ehlers
Bishop (NY)	Chandler	Ellison
Blackburn	Childers	Ellsworth
Blumenauer	Clarke	Emerson
Boccieri	Cleaver	Engel
Boehner	Coble	Eshoo
Bonner	Coffman (CO)	Etheridge
Bono Mack	Cohen	Fallin
Boozman	Cole	Farr
Boren	Conaway	Fattah
Boswell	Connolly (VA)	Filner
Boucher	Conyers	Flake
Boyd	Cooper	Fleming
Brady (PA)	Costa	Forbes
Brady (TX)	Courtney	Fortenberry

Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
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)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
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
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nye
Oberstar
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
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 (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Snyder
Solis (CA)
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—29

Ackerman
Berman
Bishop (UT)
Blunt
Boustany
Brown-Waite, Ginny
Campbell
Clay
Clyburn
Costello
Deal (GA)
Diaz-Balart, M.
Doggett
Doyle
Gohmert
Hinchey
Johnson, E. B.
Lee (NY)
Marchant
Murphy, Tim
Nunes
Obey
Paul
Petri
Ryan (OH)
Shadegg
Smith (TX)
Sullivan
Taylor

□ 1440

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.

Stated for:

Mr. SHADEGG. Madam Speaker, on rollcall No. 71, had I been present, I would have voted "yea."

Mr. NUNES. Mr. Speaker, on rollcall No. 71, the motion to suspend the rules and agree to H. Res. 139—Commemorating the life and legacy of President Abraham Lincoln on the bicentennial of his birth, had I been present, I would have voted ''yea.''

CONGRATULATING THE PITTSBURGH STEELERS

The SPEAKER pro tempore (Mr. BRIGHT). The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 110.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 110.

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.

SUPPORTING THE GOALS AND IDEALS OF AMERICAN HEART MONTH AND NATIONAL WEAR RED DAY

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 112.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 112.

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.

YVONNE INGRAM-EPHRAIM POST OFFICE BUILDING

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 663.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 663.

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.

CONDITIONAL ADJOURNMENT TO TUESDAY, FEBRUARY 17, 2009

Mr. DEFAZIO. Mr. Speaker, I ask unanimous consent that when the House adjourns today on a motion offered pursuant to this order, it adjourn to meet 10 a.m. on Tuesday, February 17, 2009, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 47, in which case the House shall stand adjourned pursuant to that concurrent resolution.

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

There was no objection.

TAXPAYER FUNDED GET-OUT-OF-JAIL-FREE CARD

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

Ms. FOXX. Mr. Speaker, I would like to highlight one component of the so-called stimulus package that is particularly egregious. There is a pile of money for grants for ''pretrial release and pretrial release agencies'' in the stimulus. This is an unacceptable use of taxpayer dollars. Why? Because this program is a criminal bailout. Expanding the budgets of taxpayer-funded pretrial release programs is fiscally irresponsible when the private surety bail industry can be utilized to a greater degree with no expense to taxpayers.

In fact, this provision not only puts taxpayers on the hook for bailing out criminals, it also would squeeze out private-sector solutions, in effect, killing jobs. So much for job creation.

Mr. Speaker, this is a taxpayer-funded get-out-of-jail-free card that will end up costing our economy jobs. It's no wonder we were given only 12 hours to analyze this 1,000-page bill.

□ 1445

OUR COMMITMENT TO SCIENCE

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

Mr. HOLT. Mr. Speaker, what pleases me most about the economic recovery bill that we just passed is the commitment in this legislation to science. I'm deeply gratified that the bill reflects a profound commitment to renewing our Nation's innovation infrastructure. Research is not merely a luxury to be undertaken only in times of prosperity. The truth is that scientific research is perhaps the most powerful economic engine, creating jobs in the short-term and building our economy for the long-term.

Altogether, the recovery package includes nearly $23 billion to support scientific research and facilities, the National Science Foundation, the Department of Energy's Office of Science, the National Institutes of Health. There is no doubt that these funds will create jobs. Lab technicians will be hired to carry out projects previously that went unfunded. Electricians will be put to work wiring new laboratory experiments, and construction workers will begin refurbishing our neglected laboratories and building the facilities that will transform science for the 21st century.

A TRIBUTE TO STAFF SERGEANT JASON E. BURKHOLDER

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

Mr. JORDAN of Ohio. Mr. Speaker, I rise today to honor the life of Staff Sergeant Jason Burkholder, an American hero and a native son of Ohio's Fourth Congressional District who at the age of 27 made the ultimate sacrifice in defense of our Nation on February 8, 2009, in Afghanistan.

Jason graduated from Elida High School in 2000 and joined the United States Marine Corps where he served for 4 years. In December 2004 he enlisted in the Ohio Army National Guard, with whom he served as part of Operation Iraqi Freedom. He later joined the Illinois National Guard in 2008.

Jason was an athlete, a leader, a trusted colleague and a loyal friend. He brought energy and excitement to the lives of others. He was a good son and a loving husband. It was a great privilege to speak with Jason's wife, Amanda, as well as his parents, Bruce and Diane. I pray that they will know the fullness of God's peace.

I was moved by the outpouring of affection for Jason from his friends in Allen County, Ohio and beyond. He had a dramatic impact on the lives of many people.

A marine and a soldier, he fought to promote freedom. He gave his life in defense of his family, community, State and Nation. He made our world safer. He made his family and every American proud. For this, each and every American owes him and his family a great debt of gratitude.

Jason will be deeply missed, but the strength of his character and the courage he demonstrated through his service will live on.

WHY WE VOTED FOR THE ECONOMIC STIMULUS

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I think it is very important that we explain the actions that took place on the floor of the House today.

I'd like to, first of all, indicate that I'm glad to have heard that tribute to a very fine individual's sacrifice for this country. And I want you to know that when we think about economic stimulus, we're not leaving out people, we're putting them in.

I think the American people understand that when we lose 598,000 jobs, we need to do something. And so you can imagine my friends on the other side of the aisle, their criticism represents this little red spot. But there has to be much agreement, because the criticism is very narrow.

How can you criticize $4 billion for our veterans? How can you criticize encouraging businesses to invest through working to ensure businesses, increasing capital flows for business through a 5-year NOL; encouraging hiring of veterans and disconnected youth through the work opportunity tax grant. That's what's happening with the stimulus. Encouraging businesses to invest through a bonus depreciation and small business expensing, that's what's in this bill. We believe in small businesses and minority-owned businesses and women-owned businesses. And, yes, we believe that the majority of the American people are for this.

We're going home to take money to our constituency. That's why we voted for the economic stimulus plan.

AMERICANS DESERVE BETTER

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

Mr. FLEMING. Mr. Speaker, I rise today to speak about the stimulus bill that was just passed this afternoon, a bill of wasteful spending, a bill that does not directly deal with the economic crisis. Tax cuts for individuals and families have been sacrificed and businesses will not be given the help they need.

But the good news is we're going to buy new cars for government employees, doorbells in Mississippi, and mice protection in San Francisco.

The bill also includes a very scary marker for universal health care, foreshadowing the policy of letting the government decide whether people are too old or too sick to receive treatment.

Americans need a bill that directly affects families and small businesses now. But it won't come. Even liberal economists predict that the unemployment rate will remain around 8 percent over the next couple of years, and that is a near 25-year high. The nonpartisan CBO is predicting that this plan will hurt the economy. The majority of Americans do not agree with this plan. They deserve better and we can do better.

Mr. Speaker, I pray that God will help America after Congress has passed such an expensive, expansionary and socialist legislation today.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. BRIGHT). 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 SELECT COMMITTEE ON ENERGY INDEPENDENCE AND GLOBAL WARMING, 111TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. MARKEY) is recognized for 5 minutes.

Mr. MARKEY of Massachusetts. Mr. Speaker, pursuant to the House Rules, I am submitting the Rules of the Select Committee on Energy Independence and Global Warming as well as our list of Members for the 111th Congress.

RULES FOR THE SELECT COMMITTEE ON ENERGY INDEPENDENCE AND GLOBAL WARMING, U.S. HOUSE OF REPRESENTATIVES, 111TH CONGRESS

Rule 1. General Provisions. The Rules of the House are the rules of the Select Committee on Energy Independence and Global Warming (hereinafter ''Committee'') so far as they are applicable.

Rule 2. Time and Place of Meetings.

(a) Regular Meeting Days. The Committee shall meet on the first Tuesday of each month at 10 a.m., for the consideration of any pending business, if the House is in session on that day. If the House is not in session on that day and the Committee has not met during such month, the Committee shall meet at the earliest practicable opportunity when the House is again in session. The Chairman may, at his discretion, cancel, delay, or defer any meeting required under this section, after consultation with the Ranking Minority Member.

(b) Additional Meetings. The Chairman may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of Committee business. The Committee shall meet for such purposes pursuant to that call of the Chairman.

(c) Vice Chairman; Presiding Member. The Chairman may designate a member of the majority party to serve as Vice Chairman of the Committee. The Vice Chairman shall preside at any meeting or hearing during the temporary absence of the Chairman. If the Chairman and Vice Chairman are not present at any meeting or hearing, the most senior present member of the majority party shall preside at the meeting or hearing.

(d) Open Meetings and Hearings. Each meeting and hearing of the Committee for the transaction of business shall be open to the public, including to radio, television and still photography coverage, consistent with

the provisions of Rule XI of the Rules of the House.

Rule 3. Agenda. The agenda for each Committee meeting other than a hearing, setting out the date, time, place, and all items of business to be considered, shall be provided to each member of the Committee at least 24 hours in advance of such meeting.

Rule 4. Procedure.

(a) Hearings. The date, time, place, and subject matter of any hearing of the Committee shall be announced at least one week in advance of the commencement of such hearing, unless the Chairman, with the concurrence of the Ranking Minority Member, determines in accordance with clause 2(g)(3) of Rule XI of the Rules of the House, that there is good cause to begin the hearing sooner. In such cases, the Chairman shall make the announcement at the earliest possible date.

(b) Meetings. The date, time, place, and subject matter of any meeting (other than a hearing) scheduled on a Tuesday, Wednesday, or Thursday when the House is scheduled to be in session shall be announced at least 24 hours (exclusive of Saturdays, Sundays, and legal holidays, except when the House is in session on such days) in advance of the commencement of such meeting.

(c) Motions. Pursuant to clause 1(a)(2) of rule XI of the Rules of the House, privileged motions to recess from day to day, or recess subject to the call of the Chair (within 24 hours), shall be decided without debate.

(d)(1) Requirements for Testimony. Each witness who is to appear before the Committee shall file with the clerk of the Committee, at least two working days in advance of his or her appearance, sufficient copies, as determined by the Chairman, of a written statement of his or her proposed testimony to provide to members and staff of the Committee, the news media, and the general public. Each witness shall, to the greatest extent practicable, also provide a copy of such written testimony in an electronic format prescribed by the Chairman. Each witness shall limit his or her oral presentation to a brief summary of the testimony. The Chairman, or the presiding member, may waive the requirements of this paragraph or any part thereof.

(2) Additional Requirements for Testimony. To the greatest extent practicable, the written testimony of each witness appearing in a non-governmental capacity shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of any federal grant (or sub grant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years by the witness or by an entity represented by the witness.

(A) Questioning Witnesses. The right to question witnesses before the Committee shall alternate between majority and minority members. Each member shall be limited to 5 minutes in the interrogation of witnesses until such time as each member who so desires has had an opportunity to question witnesses. No member shall be recognized for a second period of 5 minutes to interrogate a witness until each member of the Committee present has been recognized once for that purpose. While the Committee is operating under the 5-minute rule for the interrogation of witnesses, the Chairman shall recognize, in order of appearance, members who were not present when the meeting was called to order after all members who were present when the meeting was called to order have been recognized in the order of seniority on the Committee.

(B) Questions for the Record. Subject to the Rules of the House, each member may submit to the Chairman additional questions for the record, to be answered by the witnesses who have appeared. Each member shall provide a copy of the questions in an electronic format to the clerk of the Committee no later than ten business days following a hearing. The Chairman shall transmit all questions received from members of the Committee to the appropriate witness and include the transmittal letter and the responses from the witnesses in the hearing record.

(C) Opening Statements. (1) All written opening statements at hearings conducted by the Committee shall be made part of the permanent hearing record.

(2) The Chairman and Ranking Minority Member (or their respective designees) are entitled to deliver a 5 minute opening statement prior to the recognition of the first witness for testimony. Opening statements by other members of the Committee are subject to the discretion of the Chairman.

Rule 5. Waiver of Agenda, Notice, and Opening Statement Requirements. Requirements of rules 3, 4(a)(1), 4(a)(2), and 4(d) may be waived for good cause by the Chairman, with the concurrence of the Ranking Minority Member.

Rule 6. Quorum. Testimony may be taken and evidence received at any hearing at which there are present not fewer than two members of the Committee. A majority of the members of the Committee shall constitute a quorum when otherwise required by the Rules of the House. For the purposes of taking any action other than those specified in the preceding sentences, one third of the members of the Committee shall constitute a quorum.

Rule 7. Journal. The proceedings of the Committee shall be recorded in a journal which shall, among other things, show those present at each meeting and hearing, and shall include a record of the votes on any question on which a record vote is demanded, a description of the motion, order, or other proposition voted, and the name of each member voting for and each member voting against such motion, order, or proposition, and the names of those members voting present. A copy of the journal shall be furnished to the Ranking Minority Member and made available to the public in a timely fashion.

Rule 8. Committee Professional and Clerical Staff.

(a) Committee staff members are subject to the provisions of clause 9 of Rule X, as well as any written personnel policies the Committee may from time to time adopt. The Chairman shall determine the remuneration of legislative and administrative employees of the Committee.

(b) The Chairman shall appoint, and may remove, the legislative and administrative employees of the Committee not assigned to the minority.

(c) Minority Professional Staff. Professional staff members appointed pursuant to clause 9 of Rule X of the House of Representatives, who are assigned to the Ranking Minority Member, and not to the Chairman, shall be assigned to such Committee business as the Ranking Minority Member considers advisable.

(d) Additional Staff Appointments. In addition to the professional staff appointed pursuant to clause 9 of Rule X of the House of Representatives, the Chairman shall be entitled to make such appointments to the clerical staff of the Committee as may be provided within the budget approved for such purposes by the Committee. Such appointees shall be assigned to such business of the Committee as the Chairman considers advisable.

Rule 9. Supervision, Duties of Staff.

(a) Committee staff members are subject to the provisions of clause 9(b) of Rule X.

(b) Supervision of Majority Staff. The professional and clerical staff of the Committee not assigned to the minority shall be under the supervision and direction of the Chairman, who shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he determines appropriate.

(c) Supervision of Minority Staff. The professional and clerical staff assigned to the minority shall be under the supervision and direction of the Ranking Minority Member, who shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he determines appropriate.

Rule 10. Committee Expenditures. Copies of each monthly report (prepared by the Chairman of the Committee on House Administration and showing expenditures made during the reporting period and cumulative for the year by the Committee), anticipated expenditures for the projected Committee program, and detailed information on travel, shall be available to each member.

Rule 11. Broadcasting of Committee Hearings. Any meeting or hearing that is open to the public may be covered in whole or in part by radio or television or still photography, subject to the requirements of clause 4 of Rule XI of the Rules of the House. The coverage of any hearing or other proceeding of the Committee by television, radio, or still photography shall be under the direct supervision of the Chairman and may be terminated in accordance with the Rules of the House.

Rule 12. Subpoenas. The Committee may authorize and issue a subpoena under clause 2(m) of Rule XI of the House.

Rule 13. Travel of Members and Staff.

(a) Approval of Travel. Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, travel to be reimbursed from funds set aside for the Committee for any member or any staff member shall be paid only upon the prior authorization of the Chairman. Travel may be authorized by the Chairman for any member and any staff member in connection with the attendance of hearings conducted by the Committee or any subcommittee thereof and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the Chairman, in writing, the following: (1) the purpose of the travel; (2) the dates during which the travel is to be made and the date or dates of the event for which the travel is being made; (3) the location of the event for which the travel is to be made; and (4) the names of members and staff seeking authorization.

(b) Approval of Travel by Minority Members and Staff. In the case of travel by minority party members and minority party professional staff for the purpose set out in paragraph (a), the prior approval, not only of the Chairman but also of the Ranking Minority Member, shall be required. Such prior authorization shall be given by the Chairman only upon the representation by the Ranking Minority Member, in writing, setting forth those items enumerated in (1), (2), (3), and (4) of paragraph (a).

Rule 14. Reports.

(a) Committee reports. Any report printed by the U.S. Government Printing Office that purports to express the views, findings, conclusions or recommendations of the Select Committee must be approved, in a meeting, by a majority of the members in attendance of the Select Committee. Members shall have three days from the time of the approval to submit supplemental, minority or additional views, which will be included as part of the printed report.

(b) Other reports. Any report printed by the U.S. Government Printing Office to be published as a Committee print other than a document described in paragraph (a) of this Rule: (A) shall include on its cover the following statement: ''this document has been printed for informational purposes only and does not represent either findings or recommendations adopted by this Committee.''; and (B) shall not be published following sine die adjournment of Congress, unless approved by the Chairman of the Committee after consultation with the Ranking Minority Member of the Committee.

THE FUTURE FOR AFGHANISTAN

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, I rise today to shine a light on U.S. foreign policy, specifically our military presence in Afghanistan.

President Obama did not ask for this war. He inherited it, along with Iraq, a destabilized Middle East and a weakened American reputation overseas.

Mr. Speaker, President Obama is doing exactly what he said he would. He has called on his top military and diplomatic leaders to develop a plan for the future of Afghanistan. Already he has reached out to Congress to get our input.

That's why this week Congresswomen BARBARA LEE and MAXINE WATERS and I sent a letter to the President outlining congressional priorities regarding Afghanistan. We applauded the President for his strong leadership on an intelligent foreign policy and national security strategy, particularly his emphasis on diplomacy and international partnerships.

We pledged to work with him and work with his administration to implement a foreign policy that stresses cooperation, conflict resolution and humanitarian assistance.

We expressed our support and pleasure over his commitment to bring our troops home from Iraq in 16 months.

Mr. Speaker, this administration has called Afghanistan the central front in the fight against terrorism. So, in an effort to promote better cooperation in our Nation's diplomatic development and military involvement in Afghanistan, our letter to President Obama outlined policy benchmarks which many of us in Congress support and, by the way, most Americans. These benchmarks include a clear authorization of the use of military force be established. Defined goals and objectives and benefits of U.S. involvement in Afghanistan.

We asked that he determine the human and financial resources necessary to carry out the administration's plan and provide us with a time line for the redeployment of troops and military contractors.

The role of the North Atlantic Treaty Organization, NATO; the United Nations, the U.N.; and other international partners must also be clearly delineated.

The immediate humanitary and economic needs of Afghan people must also be met, we told him.

Well, Mr. Speaker, as our national policy for Afghanistan is established, Members of Congress and all Americans anticipate an honest and open discussion about the challenges that lie ahead. And with that, we look forward to working with this administration to advance a responsible and a smart strategy through the Middle East and Central Asia, a path to real peace, and a path to economic security worldwide.

KEEP THE GOVERNMENT OUT OF MEDICAL TREATMENT DECISIONS

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

Mr. HERGER. Mr. Speaker, we just voted on this so-called stimulus bill that wasn't even available for us to see until late last night. It should come as no surprise that in this monumental piece of legislation, there are items in it that could not have survived careful scrutiny in the light of day.

Many of my colleagues have pointed out the wildly extravagant spending and the lack of real job creation and economic recovery in this bill. I fully share those concerns, but I also want to call to attention a little-known provision tucked six pages deep inside this 1,100 page bill. The Democrats are spending $1.1 billion on a new Federal board to conduct health care research. Sounds innocent enough, right?

Unfortunately, this provision is the camel's nose under the tent in the Democrats' quest to have the Federal Government push doctors aside and put Washington in charge of patients' health treatment options. This board, the Federal coordinating Council on Comparative Effectiveness Research, will be comprised of 15 Federal bureaucrats, all appointed by the President. Not a single practicing physician or patient advocate will be allowed to sit on this board.

Mr. Speaker, this is the first step of government-run health care. Despite numerous requests from patient groups, this bill does not include a single protection to ensure that this research will not be used by Medicare, Medicaid, VA, DOD or private health insurance to deny access to needed treatments. The goal of this board is to conduct research that will allow the Federal Government to deny needed health care. Physician groups are very concerned that this board and its research will significantly harm the patient/doctor relationship.

Other governments have been using this research to deny medically necessary care for years. The British Government currently uses similar research to restrict treatment using a formula that divides the cost of the treatment by the number of years the patient is likely to live. Treatments for younger patients are more often approved than treatments for diseases that affect the elderly. For example, in 2006, the British Government used comparative effective research to say that elderly patients with macular degeneration had to wait until they went blind in one eye before they could get a new drug to save the other eye. It took almost 3 years of public protest before the board reversed its decision.

Mr. Speaker, Americans expect better and deserve more. Physicians and patients, not faceless Federal bureaucrats, should be in charge of health care decisions.

Republicans will continue to fight to keep this Federal Government out of our American's medicine cabinets. In the very near future I'll be introducing legislation to protect patients from the misuse of comparative effective research and ensure that seniors continue to have access to medically necessary treatments.

Mr. Speaker, I urge every Member of this House to join me in this effort.

□ 1500

THE STIMULUS BILL—A LOST OPPORTUNITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. There has been a lot of talk in Washington, D.C. over the last few years about the bridge to nowhere in the last highway bill, an anomaly from a lot of good investment that was in that bill.

But what we have with the passage of this bill today are a lot of tax cuts to nowhere. I never met a tax cut that could build a bridge or that could rebuild 160,000 bridges in our National Highway System that need rebuilding. They are crumbling or falling or they are functionally obsolete. I never met a tax cut that could even fill in a pothole. I never met a tax cut that could build a school.

I went to elementary school in a new post-World War II school. It is still there today, serving future generations of kids. That was money borrowed and money well spent. Money borrowed for tax cuts, ephemeral tax cuts—very small tax cuts—for the average family are not going to rebuild our economy, put us on the path to prosperity and put people back to work.

Three Republican Senators insisted on a lot more tax cuts. They hijacked the bill because of the arcane, obsolete and, in fact, discretionary rules of the Senate. It did not need to be that way. Let's just look at a couple of things they cut.

We had an amendment here on the floor of the House to add $3 billion back to transit. That would have provided for thousands of jobs. Twelve thousand buses are obsolete. There are backlogs of orders for buses sitting on the shelf. There are options that are not funded. That would have put American workers to work in building the

buses, and it would have put American workers to work by driving the buses, taking Americans to work and to school. $3 billion was cut from there to make room for tax cuts. There was money cut from highways to go to tax cuts. All of the money to build schools was cut from the bill for tax cuts. The list goes on and on and on. We could have done so much more to rebuild our infrastructure with this bill. We could have done so much more to help our kids get a good education and get safe and new schools and facilities, but they went out the door to tax cuts.

Now, there was one tax cut, actually, that would have helped a business in my district that employs 1,300 people. That tax cut was taken out of the bill. The CEO called me yesterday, saying, ''We'll probably be closing our doors because we're not going to be getting that tax relief.''

Then there is money to help the States with the deficit and with the school budgets—that's great—except it cannot be spent until July. My schools are in crisis now. They're talking about lopping a month off of the school year, and we are being told we cannot spend that money now, that you'll need it for next year. Well, we're in the last 3 months of a 9-month year. That means our cuts are going to be twice as big as they would need to be on an annual basis. We need to have access to that money now, but we won't have access to that money now under this bill.

This bill ultimately is a lost opportunity, and I fear that, when it comes time to do further investments, the borrowing well may have run dry. Who is going to lend us this $800 billion to spend on these sorts of things like tax cuts?

They might lend us money to build a bridge because they know it makes us more productive, and it puts people to work, and it provides returns. They might lend us money for other substantial things. They might lend us money for education, but they're going to lend us money so we can cut taxes.

If they'll lend it to us, we're probably going to borrow it from China or from Japan. We'll think there are not going to be any consequences, and we'll think that maybe we can go back to the well again later when we want to meet real needs and when we want to make real investments. I fear that the well will have run dry. So I voted ''no'' today, and I am proud of that vote.

THE STIMULUS BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, today we passed the largest spending bill in the history of the United States. When you add the interest and everything into it, it is going to cost over $1 trillion. I don't think the American people really understand how much $1 trillion is, but it is an awful lot of money.

I want to congratulate my Democrat colleagues on getting this passed. I certainly did not vote for this bill. I think it is going to be very detrimental to the future economy of these United States, and I think it is going to hurt our economy instead of creating the jobs that it was intended to create. So I think we made a big mistake today, but the Democrats got their bill passed, and they're going to get it passed in the Senate. It is going to become law, and every American is going to have to live with it.

One of the things that concerns me is not only the $1 trillion we have spent today but that Mr. Geithner, the Secretary of the Treasury, said the other day that we would have to spend another $1 trillion, $2 trillion or maybe even more to help the financial institutions of this country stay afloat. So we're looking at $2-, $3-, $4-, maybe $5 trillion.

If you will look at this chart, Mr. Speaker, it shows the amount of money that is in circulation. You will see it was pretty consistent at around $1 trillion-plus over the last couple of decades. Then just recently, it shot up like a rocket, and that was before all of this spending that we put through the House today or the amount of money that Mr. Geithner is going to spend. So we are looking at a tremendous increase in the amount of money that is going to be in circulation.

Now, one of the things that helps stave off this inflationary problem is that we have people around the world, other countries, that loan us money. For instance, China right now has loaned us $682 billion. That is what we owe them. We owe Japan $577 billion. We owe the United Kingdom $360 billion. We owe Brazil $120 billion to $130 billion.

China said just the other day that they were very concerned about loaning us money because they said that they did not think that the currency in the United States would be stable, so the value of their currency would go down. They were calling Mr. Geithner, Secretary Geithner, to say, ''Hey, we want some stability here because the value of the currency in our country is going to be depreciated because of what you're doing.''

Well, a day later, after it was brought up on this floor, they changed their minds and said, ''Well, the only place to loan this money where we have any kind of security is the United States. We are going to continue to loan money.'' So they are going to loan money to us in the billions and in the trillions of dollars, but the kicker is: How much is the interest going to be that they're going to charge? Because that interest is added to the loan that they are giving us on a month-to-month basis. I believe they kicked that interest rate up, so we are going to see an inflationary trend not only in the money they are loaning to us but in the interest that is going to be accumulating.

I know this is an awful lot for my colleagues to digest and for the people across this country who might be paying attention to digest, but let me just say this, Mr. Speaker: It is going to cause an inflationary trend at some point in the future. I think it is going to be earlier rather than later. When that inflationary trend starts, this chart is going to be minuscule to what we are going to see. We are going to see inflation shoot up at a very rapid rate, which means that the value of the dollar that every American has in their bank or in their home is going to be devalued.

That means, if you buy a car for $30,000, it may cost $60,000 or $90,000. If you buy a loaf of bread, it may cost 2 or 3 times as much or more. That is called hyperinflation. This happened back in the 1970s when we had a very similar situation to what we have today. We had double-digit inflation, double-digit unemployment, and they raised the interest rates to 21 percent to stop all of this. That may happen again. If it does, it will put a real hammer on the economy, and it will put more and more and more, thousands and millions of people out of work.

But the problem early on is the inflation that we are going to have to deal with. This is a problem that is very real, and I hope my Democrat colleagues will think ahead and will realize that we have to do something to stifle the growth in government and the spending because we are not going to be able to deal with this inflation as we should, and our kids and our grandkids and the future generations of this country are going to have to pay, not only with inflation, but with higher taxes and with a lower quality of life. That is something we should not have to deal with, Mr. Speaker.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

TURKEY'S GENOCIDE HYPOCRISY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. On Saturday, February 7, The Washington Post reported that a Turkish Islamic-oriented human rights group, the Association of Human Rights and Solidarity for Oppressed Peoples, known as Mazlum-Der, initiated a probe to investigate if war crimes and genocide were committed by Israel during the recent Gaza conflict.

I was startled to read that Mazlum-Der plans to investigate 19 Israelis, including Prime Minister Olmert, President Peres, Foreign Minister Tzipi

Livni, and Defense Minister Ehud Barak, for orchestrating genocide. For a Nation that for 94 years has practiced widespread genocide denial of the killing of 1.5 million Armenians, hypocrisy runs deep today in Ankara.

Last week, I expressed my concerns regarding Turkey's recent rash of anti-Semitism, but this probe is going too far. Israel did not commit genocide, but this has not stopped Ankara's chief prosecutor from launching this war crimes probe.

The probe out of Turkey will investigate Israel's actions in the Gaza conflict to see if they amount to ''genocide, torture and crimes against humanity.'' If the prosecutor finds evidence against the Israeli leaders, under Turkish law, they can be detained if they enter Turkey.

The absurdity of this probe and of the fact that Turkey is issuing that it must be exposed. Israel did not commit genocide. Israel was not attempting to eliminate the Palestinian people. Israel was protecting itself from the hundreds of bombs Hamas has been shooting into its cities.

Mazlum-Der has no ground to stand on, and Turkey has no ground to stand on. Neither this NGO nor the Turkish Government has ever attempted to discuss the truth of the Armenian genocide, nor has Turkey or Mazlum-Der taken action against the present genocide that continues to rage in Darfur.

While Israelis are defending themselves against constant attacks from Hamas, Mazlum-Der insists this is genocide. How can this organization accuse Israel of committing genocide when it has yet to categorize the thousands of killings in Darfur as genocide?

The Turkish people need to step back and question their skewed understanding of genocide. Look in the mirror. Look at your own history. Come to terms with the fact that 1.5 million Armenians died and that, when contemporary genocides, like Darfur, take place, they should be denounced.

Instead of denouncing it, Turkey's relationship with Sudan is strong. Last year, Turkish President Abdullah Gul warmly welcomed Sudanese President Omar al-Bashir to Ankara. Yet al-Bashir continues to preside over a genocidal regime responsible for the deaths of 300,000 Sudanese people in the Darfur region of the country.

Today, 2.7 million Darfuris have lost their homes since the conflict and now live in internally displaced persons' camps. While all of this happens, President Gul of Turkey has said that the situation in Darfur adds up to a ''humanitarian tragedy'' caused by economic difficulties.

Now, this watering down of state-sponsored government killing is an affront to the thousands who have perished in Darfur. Yet a Turkish organization is investigating genocide in Israel? What hypocrisy.

President Gul greeted the Sudanese leader with a military guard of honor only bestowed on Turkey's closest allies. While the international community fiercely works to contain al-Bashir's government, Turkey embraces it. Both governments have a long history of genocide denial.

Mr. Speaker, the Republic of Turkey has had 94 years to recognize the Armenian genocide perpetrated on their soil in 1915. Like the Sudanese Government, the Turkish Government's state-sponsored ethnic cleansing of the Armenians in the early 20th century left 1.5 million Armenians tortured, murdered and displaced. Yet, to this day, the Republic of Turkey continues to deny the slaughter of the Armenians—instead, launching an absurd investigation into Israel.

If Turkey and its NGOs want to take a stand against genocide, they should not be pointing at Israel, nor should Turkish Prime Minister Erdogan be threatening Israel with comments like these:

''Allah will sooner or later punish those who transgress the rights of innocents.''

Well, if Turkey wants to move closer to the West, it should practice some self-reflection on its own history regarding the Armenian genocide and help to end the genocide in Darfur.

□ 1515

DOES CONGRESS KNOW

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. MCCOTTER) is recognized for 5 minutes.

Mr. MCCOTTER. You know, the Chamber is empty, the voting is over. But as regards to the stimulus bill that was in front of us today, I had a request from Greg, who lives in Milford in my district, if I could read a part of his letter to me regarding that bill.

''Dear Congressman McCotter, I spoke with you on WJR Friday morning. I couldn't get out everything I wanted to say because of my frustration. I would love to talk before Congress and the Senate. I would like to talk to them about the deplorable, reprehensible, and egregious waste they are considering with our tax dollars. I'm sorry this is long, but I want them to see what I see. And I want to ask them a few questions.

''You see, I just lost my job. The company I worked for is eliminating 700 sales positions nationwide, about 15 will be affected in Michigan.

''I would like to ask the Congress and Senate if they know what it's like to sit at the dinner table and tell your 11-year-old daughter that she can't get a school yearbook because we need the money to buy groceries. Do they know what it's like to see the tears in your wife's eyes when you tell her the conference call you were just on eliminated your position?

''Do they know what it feels like to tell your father-in-law that the daughter I married and promised to provide for that you just lost your job?

''Do they know what it feels like to return the shirts you just bought for work on clearance, because you really needed new shirts, and now you don't even have a job?

''Do they know that when I told my 7-year-old son we just had to make cuts, and he responded, 'Can we still have our donut on Sunday morning before church?' That's all he said he wanted. I had to tell him we'd try our best.

''Do they know we've made sacrifices but you haven't?

''Do they know what it's like to speak with someone who was in tears over losing their job because they think they will lose their house? How about the always upbeat guy who sounded depressed that he could lose his house because he had just lost his job?

''Do they know what it's like to have another coworker lose their job and are worried their spouse's job could be next?

''Do they know how fearful it is to turn your heat down at night to 59 degrees and 65 in the day when your child is asthmatic and it can flare up from the cold?

''Do they know about the guy I just met whose entire company just took a 20-percent pay cut so they wouldn't have to lay off employees?

''Congressman McCotter, why doesn't the Senate have the guts to reject the pork spending portions of this bill and start over? Why don't you get off your ivory tower, pork barrel, earmarked, pet project behinds and do what we need you to do?''

And Greg finished, ''The wasteful spending they are considering is unconscionable to me. What jobs in the U.S. does that create?''

Earlier today we heard the Speaker ask Members of this body to remember the people at home and feel their hand upon theirs as they cast their vote upon this bill. I did not need to feel the hand upon mine. I felt their pain in my heart because I saw it every day in our Michigan neighborhood, our Michigan community.

And the reality was that the bill before us was a trillion-dollar mistake that will harm working families like Greg, deprive them of hope, and damage our already recessed economy.

So before today's vote, I called Greg and I talked to him. He was as set in his position as he was when he wrote me this letter. And Greg thanked me for voting against it. And the fundamental reason was this: I live in Lavonia, Michigan. I live with people who are suffering. And they sent me here to work for them to try to make things better.

And when I go home, after a vote, to my wife and children, I go home to the people who are suffering as well; and I will have to look them in the eye and tell them whether this trillion-dollar bill helped them or not. And with God as my witness, I will at least be able to tell them the truth that it will not.

And I will tell them that we will keep trying until we do right by them.

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 addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

INDIVIDUALS ARE SUFFERING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DREIER) is recognized for 5 minutes.

Mr. DREIER. Following up on the very thoughtful remarks of my friend, Mr. MCCOTTER, I'd like to say that we all have instance after instance of individuals who have been suffering greatly.

I, this morning, as we opened this debate, talked about a great tragedy, that being the fact that a man called my office saying that his young son's best friend had just informed him that his father had committed suicide. That's clearly the most painful story you can hear of the impact of what we're feeling now with this economic downturn.

It has been absolutely devastating. Friends who've lost their homes, lost their jobs, lost their savings; we are dealing with what obviously is a very, very difficult time. That's the reason that there is such passion on this debate.

Now, I quoted earlier during the debate the words of Henry Morgenthau who was the Secretary of the Treasury under Franklin Delano Roosevelt who, in 1939 after going years through the New Deal, said the following before the House Ways and Means Committee in testimony. He said, ''We have tried spending money. We're spending more than we have ever spent, and it does not work. I say after 8 years of this Roosevelt administration, we have just as much unemployment as when we started, and an enormous debt to boot.''

Now, Mr. Speaker, that is the reason that we feel that we can't just say ''no.'' We know that that is not the panacea that many people believe that it is, and instead we need to focus on what works. And instance after instance, Mr. Speaker, has shown what does work.

In 1961, President John F. Kennedy—and this underscores this great quest for bipartisanship—delivered a speech to the Economic Club of New York—actually it was a year later in 1962. And in that speech, he said ''to increase demand and lift the economy, the federal government's most useful role is not to rush into a program of excessive increases in public expenditures, but to expand the incentives and opportunities for private expenditures.''

Now, those are the words, Mr. Speaker, of Democratic President John F. Kennedy in the early 1960s. He had just brought about broad, across-the-board, marginal rate reduction.

Let me tell you what that brought about, too. It brought about an increase in the flow of revenues to the Federal Treasury. In fact, the top income tax rate was cut from the 90 percent to 70 percent, and revenues to the Federal Government increased by 62 percent. It actually grew revenues to the Treasury by reducing those rates.

Also at that same period of time, tax collections from the top bracket, those in the top bracket, grew by 57 percent, meaning those who had marginal rate reduction at the top end actually paid more in taxes because of the economic growth and that was juxtaposed to tax collections all the way across the board from the Kennedy tax cuts which only grew revenues by only 11 percent.

And then, Mr. Speaker, I was very privileged to come here following the 1980 election, and we had the last serious economic downturn that we faced as a Nation, nearly three decades ago, and Ronald Reagan pursued the same policies that were pursued by John F. Kennedy. He brought about sweeping marginal rate reduction; and Mr. Speaker, that grew the flow of revenues to the flow of Treasury nearly doubling that flow of revenues.

And the share of tax payments by the top ten percent—again, the top 10 percent of wage earners in this country grew from had 48 percent to more than 57 percent. That means those in the top ten percent of income levels actually had an increase of nearly 10 percentage points, nearly 10 percentage points in the flow of revenues that came in from the Federal Treasury—or actually they were paying more in taxes, from 48 percent to 57 percent while the share that was borne by the top 1 percent—the very rich—grew even more dramatically, 17 percent to nearly 28 percent, thus, the flow of tax payments that came from those people who were the very richest in this country.

That's why, Mr. Speaker, we are arguing that the economic stimulus working group that was put together by Leader BOEHNER and shared by our distinguished whip Mr. CANTOR used these models of proven examples, not the failed policies that were pointed to by Secretary Morgenthau in 1939, but the success following the 1961 cut and the 1981 cut. That's why we're not simply saying ''no,'' Mr. Speaker. We are saying, let's put a positive economic growth package together. We're going to continue to fight on behalf of that.

IF WE WORK TOGETHER, WE CAN PUT AMERICA BACK TO WORK

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MALONEY) is recognized for 5 minutes.

Mrs. MALONEY. Mr. Speaker, today we took a historic step toward economic recovery, and four financial giants took another important step in announcing that they will impose a moratorium on mortgage foreclosures.

In response to a request from Congress during hearings chaired by Chairman FRANK, CitiGroup, Morgan Stanley, J.P. Morgan, and Bank of America today announced plans to suspend foreclosures for the next few weeks or until the President's new plan is in place.

These actions create breathing space to allow the new administration to develop and the private sector to implement a new plan to reduce foreclosures and to help Americans stay in their homes.

We cannot solve our economic crisis until we solve our housing crisis. And leaders of our financial sector have the ability and responsibility to help lead our recovery.

As a representative from the State of New York, I applaud these New York financial institutions for being the first to step forward and take up this challenge. And I urge all other mortgage institutions to follow their example, to take similar steps to help Americans stay in their home.

Mr. Speaker, I would also like to really underscore the importance of the vote, the historic vote that we had a chance to vote on today. And I cast a ballot to help create 3.5 million new jobs and give tax credits to 95 percent of working Americans. This was a chance to begin to move our country forward by investing in and modernizing our health and education systems, and we can do it in a way that is accountable and transparent, as the legislation required. And as I noted, the private sector is also playing a crucial and important role.

If we work together, we can put America back to work.

Thank you very much.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

(Mr. PAUL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. CASSIDY) is recognized for 5 minutes.

(Mr. CASSIDY 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 New Jersey (Mr. HOLT) is recognized for 5 minutes.

(Mr. HOLT 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 New Jersey (Mr. SCHOCK) is recognized for 5 minutes.

(Mr. SCHOCK 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 Georgia (Mr. BROUN) is recognized for 5 minutes.

(Mr. BROUN of Georgia addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

(Ms. FOXX addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. FLEMING) is recognized for 5 minutes.

(Mr. FLEMING addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

(Mr. SCHIFF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

RUSH TO JUDGMENT ON STIMULUS BILL VOTE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. CONAWAY) is recognized for 5 minutes.

Mr. CONAWAY. Mr. Speaker, I appreciate your indulgence this afternoon.

Earlier this afternoon, this House passed the single largest spending bill that has ever come across the work activity of this body. There was tepid applause on the other side of the aisle for the passage of this bill, I think in recognition that none of us really know if it will work. Most of us on our side of the aisle don't believe it will work, believe it was the wrong issue to do, the wrong way to address a very serious issue.

Americans all across this country are suffering: people losing their jobs, losing their homes, struggling to make ends meet. All of the things that go on during a recession. These are serious times.

My colleagues have been up here all day stating over and over ad nauseam the lack of consideration given to our ideas on how we could have made this better, the overall lack of consideration considering the substantial size of this particular bill that was given over the last 2 weeks. You hate to use a phrase that's been worn out, but ''rush to judgment'' comes to mind when you look at the activity that went on.

This House voted earlier this week—it was a unanimous vote—which doesn't happen except on post office namings—a unanimous vote that we would have 48 hours to look at this bill, that our constituents would have 48 hours to look at this bill, that America would have a chance to see what we were voting on, and that was unanimous.

And, Mr. Speaker, it's totally within your prerogatives as to when things come to the House. That's one of the wonderful things about being Speaker, and it is great to be Speaker. But I'm disappointed that you didn't honor the wishes, the unanimous wishes of 403 of us, that thought we needed 48 hours to look at this bill.

□ 1530

The real losers in this bill—and there are lots of losers—but the real losers in this bill are our future children, future generations of Americans who will be forever saddled with the debt that is going to be borrowed to pay for this bill. Tucked away in the corner of one of these bills is an increase in the debt limit to $12 trillion. That debt will never get paid back.

I had an interesting exchange with a young fifth grader in Fredericksburg, Texas, last October who asked me the single best question I've ever been asked during a town hall meeting. He said, Mr. Congressman, what's the plan to pay off the national debt? And I was rocked back on my heels because I had never been asked anything that straightforward important, and I had to say, well, young man, there is no plan to pay off the national debt. The money we borrow today is permanent debt. In order to pay debt off, you have to run a surplus. This Federal Government rarely ever runs a surplus, certainly never to the tune of $12 trillion

And so future generations will be paying interest not only on this $800 billion but also the $12 trillion that we've accumulated—and there's plenty of blame to go around for that—for the rest of their lives and the lives of their children and the lives of their children because this debt will not get paid off.

It is a sad day, Mr. Speaker, for the taxpayers and future generations of taxpayers that my generation, the one just ahead of me and the one just behind me, believe in our core that it is an appropriate way to address problems that we're having by taking money that we haven't earned, that has not even yet been earned by our grandkids and working on problems that we need to solve that are important to us. If the problems are important enough that we need to spend money on them, then we clearly ought to be spending our own money on them and not future generations of Americans.

So, Mr. Speaker, just before I yield back, I appreciate the time. I just wanted to express how disappointed I am in the action of the House today in passing a monster of a bill that does not address the jobs that it was supposed to. It simply spends more money and is a legacy, generates higher spending on an annual year-after-year basis because of some of the floors that we've put under many of these problems that we couldn't afford before we did this, and we simply can't afford on a going-forward basis as well.

APPOINTMENT OF MEMBER TO U.S. GROUP OF THE NATO PARLIAMENTARY ASSEMBLY

The SPEAKER pro tempore. Pursuant to 22 U.S.C. 1928a, and the order of the House of January 6, 2009, the Chair announces the Speaker's appointment of the following Member of the House to the United States Group of the NATO Parliamentary Assembly:

Mr. TANNER, Tennessee, Chairman

THE ECONOMIC STIMULUS BILL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Georgia (Mr. GINGREY) is recognized for 60 minutes as the designee of the minority leader.

Mr. GINGREY of Georgia. Mr. Speaker, it's a pleasure to have the hour—I probably won't take a full hour—but to have the opportunity to speak to my colleagues on both sides of the aisle and, in particular, follow my colleague from Texas, the gentleman who just spoke, the words of wisdom that he expressed, the gentleman, Mr. CONAWAY, who is a certified public accountant, as he described the problems with this bill that was passed on the floor today, Mr. Speaker, and no doubt will be passed by the Senate tomorrow and probably signed into law by President Obama on Monday.

The thing that I want to express, and I think that Mr. CONAWAY and some other speakers on our side of the aisle said as they spoke about this bill, was not that we on the Republican side are opposed to doing something. I mean, we don't want to just do nothing. Although, Mr. Speaker, I firmly believe that doing nothing would be better than the harm that's likely to be inflicted on our economy and, as Mr. CONAWAY said, on our children and grandchildren by the enactment of this legislation where we're spending almost $1.2 trillion when you include the interest on the debt, that putting that burden on the backs of our future generations without an absolute assurance, without an absolute assurance, Mr. Speaker, that those 4 million jobs would be created and that this would

jump-start our economy and get us out of this deep recession.

Even with that, I would have some concerns, but Vice President BIDEN just said the other day that he thought that this bill had about a 30 percent chance of failure. Now, you think about that. We're going to take money, Federal money, that we really don't have in the Treasury. We hope that we can sell these bonds and this Federal paper, Treasury notes to people on the open market. Probably some foreign governments like China and others might buy some of this. But if they don't, then it's just simply a matter of running the printing press to come up with this money, and of course, as we all know that weakens our dollar. It leads to inflation. And so I'm not surprised when Vice President JOE BIDEN said, well, look, there was no guarantee, we're doing the best we can. We hope it works, but it's probably got about a 30 percent chance of failure.

For my money, Mr. Speaker, that is too great a chance of failure. It is just not worth that, and that's why I say that, in fact, doing nothing probably would be better. And although we would go through some tough times economically, as we are now, indeed people are suffering, and it may take 2 or 3 years to get out of this recession, but the Republican minority has a plan. We're not just standing in the doorway blocking any kind of meaningful, good legislation. We want something to work. We don't want it to take 3 or 4 years. We want to try to stimulate this.

And that's what our leader said on the floor this afternoon as we debated this issue, and finally, Madam Speaker spoke and our leader BOEHNER spoke, the chairman of the Appropriations Committee on the majority side, Mr. OBEY, spoke. But it's really the words of Mr. BOEHNER I think I would want my colleagues and anybody within shouting distance to remember what he said.

We who voted ''no'' on this bill are fully aware, fully cognizant of the fact that people in every single district in this country, all 435 of them, my 11th of Georgia absolutely—the State of Georgia is facing a $3 billion deficit, and like most States, they have to balance their budget. So times are tough, and as JOHN BOEHNER said, and I would repeat here now, Mr. Speaker, we want to do something.

Unfortunately, the plan that the minority Republican party had was given no opportunity to be presented. There was no subcommittee hearings. There were no full committee hearings. There was no opportunity for amendments to be presented on the floor, so-called at least a modified open rule, where both Republicans and Democrats would have an opportunity to say, you know, we need to change this. There are some good in this bill. I think it's a 1,000-page bill. We had it on the floor earlier. Remember, it was about that high. It's probably six or eight Bibles thick. And within that, yeah, there were some good things but a whole lot of things that are not good, and I will try to speak to some of that as we proceed.

But the idea of shutting out the minority and not letting them speak on behalf of the constituents that they represent, every one of us, 178 Republicans represent about 675,000 people in their respective districts. And quite honestly, 50 very conservative Democrats, they call themselves the Blue Dogs. Many of them are from Southern States, good Members, also representing 675,000 people, and fiscally conservative. They were shut out. They didn't get an opportunity. That's why this vote ended up being—even though the Democratic majority prevailed, the bipartisanship on the vote was on the ''no'' side. That means that every single Republican in this body, Mr. Speaker, all 178 of us voted no, and we were joined by six or eight Democrats who all voted ''no,'' and all for the same reason.

The Republican Members are not all the same on every issue. We have conservative Members on social issues, like myself, and we have some Members who are socially moderate. But what you saw today is the coming together of the Republican minority on one thing that we absolutely always agree on and that we will always stand for and what I think defines us from the majority party. There's a difference. There's no question about it, and that difference is, we on the Republican side, Mr. Speaker, believe in limited Federal Government, and we believe in reduced spending and let the States do what they can for themselves and the people do what they can for themselves. Let them keep more of their own hard-earned money. That means individual employees. It also means employer—these small, mom-and-pop companies.

Most of the jobs in this country, as we all know, are created by those small, mom-and-pop companies, less than, far less than 50 employees. We're not talking about the Microsofts and the Home Depots and the Coca-Colas and the huge companies. We're talking about these small companies that would, if you gave them an opportunity to keep more of their own money—and that's basically what the Republican plan was, Mr. Speaker, as you know, that we felt like in this bill, that there should be some spending, and the amount of spending should be significant on infrastructure projects. After all, that's what was talked about for a month or 6 weeks ahead of time: we are going to put people back to work in this country on repairing bridges, rebuilding roads, putting more money into rapid transit across all 50 of the States.

And each State, Mr. Speaker, was asked to submit a list of projects called shovel ready—shovel-ready projects so that they could start turning dirt within 90 days. I think the bill finally extended to 120 days. We were in favor of that. We are in favor of that. But in this final bill that was passed on the floor of this House today, about 7 percent of the money, about 7, not 70, Mr. Speaker, but 7 percent of the money goes to those infrastructure projects within our States. And I do believe that more money spent on those projects would indeed put people back to work and get the economy going, and I was very much in favor of that.

But the other thing that we felt very strongly about, though, was the opportunity to let people keep more of their own money, and that's why the Republican alternative had a 5 percent cut in the tax rate of everybody who pays taxes, no matter what your income. If you're paying at the 36 percent bracket, you'd pay 31 percent. If you're paying at the 28 percent bracket, you'd pay 23 percent. If you're paying at the 15 percent, 10, and the 10, 5. You get it. Everybody, across-the-board 5 percent cut in their Federal tax burden, and immediately start seeing that money in their paycheck, not going to Uncle Sam.

And also, you know, that the Republican alternative felt very strongly the way to create jobs in this country or to preserve jobs—President Obama said create 4 million or save 4 million. He's a little vague on that. But if you cut the corporate income tax rate from 35 to 25, and that's in the Republican alternative, the small businessmen and -women who usually pay as individuals, they're not S corporations or C corporations or LLCs or whatever you call it. But that would give them an opportunity, Mr. Speaker, to make more profit, to be able to expand their product line, add on to the size of their building, bring in more people, hire more people and get more people who are earning a paycheck and indeed paying taxes but at a lower rate.

□ 1545

And the final analysis, as we have proven under Presidents Kennedy in 1960, Reagan in 1980, and during the Bush administration in the early 2001, 2000, when you cut taxes and you let people keep more of their money, you do grow jobs. And we did that. Nobody can deny that. They could be critical of a lot of things. And mistakes are always made. And it's easy to be Monday morning quarterbacking.

But, without question, that type of economic philosophy and approach is what increases the Federal revenue because it grows jobs, it expands the job base.

So, these were some of the things that we had proposed but yet never saw the light of day. And it's sad because I truly believe that that would work.

In addition, Mr. Speaker, to the tax cuts, the other things of significance in the Republican alternative was to pledge—indeed, it's law, had we passed it—1 percent reduction. One percent. I know that doesn't sound like a lot but, believe me, up here inside the Beltway it's pretty hard to cut anything. But

we were talking about cutting 1 percent of spending across the board, except for our national defense. Preserve the spending on our national defense. Continue to keep this country safe and not pull the rug out from under the men and women who are doing the fighting and the suffering and the dying to keep us safe. But, across the board, every other spending category, 1 percent cut.

These are the kind of things that I wanted to talk about to my colleagues and make sure, on both sides of the aisle, but I am particularly talking to my friends on the majority side so that they do understand and your constituents understand that we're not in the minority hoping for failure, we're not hoping that President Obama is unsuccessful. Nothing could be further from the truth. We want President Obama to be successful. And I hope that he is successful.

But I don't want for some socialized program to be so successful that all of a sudden we get away from a market-driven economy and the democracy that we have all enjoyed and loved and what makes this country unique and wonderful. We don't want a European-type socialism.

And so if you hear someone say, Well, I hope this thing fails, please don't get the idea, my colleagues, that it's directed toward our new President. Of course not. Of course not. But we just want to make sure that our country succeeds in the right way. And this is for our children and our grandchildren.

I wanted to take a moment to paraphrase an article that I read in the newspaper today when I got up early this morning that I was looking at, Mr. Speaker. The Hill, the newspaper that we get daily when we're in session. And Hill and Roll Call and Politico, we all reads these things. There's some fine, fine writers on these newspapers. And this was an article penned by Cheri Jacobus. And here's what she said. I think it really cuts right to the chase in regard to $1 trillion worth of spending. And I'm going to quote just parts of her article:

''Congress should throw this greasy pile of pork into the grinder. Instead,'' instead, ''give every American household a $10,000 stimulus check to spend as we please. With approximately 100 million households nationwide, we hit that magic number of $1 trillion.''

So you give $10,000 to every one of 100 million households, that is spending the $1 trillion. So you spend it in a different way. You give it, Mr. Speaker, to the families. And, along with that, we have a 2-year moratorium on capital gains taxes, and then we will get this economy off life support.''

And I want to point out in the Republican alternative this idea of giving $10,000 to each of 100 million families was not part of it, but the suspension of capital gains tax definitely was. And then you would see the stock market not go down 350 points when something like this passes, you would see it go up 350 points.

So, doing this now, instead of letting the government decide how we spend the $1 trillion. Let the families decide how the $1 trillion are spent. ''Instead of condoms, green golf carts, mouse habitats, and government-run health care, Americans would spend based on individual priorities, thus spurring competition, resulting in higher-quality goods and services. Good banks succeed; bad banks fail. Well-priced, quality automobiles hit the streets; lemons fade away. Capitalism lives to fight another day and the greatest country on earth narrowly survives its near-death experience with socialism.''

She goes on to say, ''So here's a challenge for every Member of Congress.'' Mr. Speaker, that is us, me and you and our colleagues on both sides of the aisle. ''So here's a challenge to every Member of Congress or, more accurately, a dare. Ask your constituents what they would do with $10,000. Compare their list to what is in the stimulus bill. Then see who has the best ideas for spending $1 trillion.

Mr. Speaker, I wanted to use a couple of posters to help my colleagues understand and put in perspective the amount of money we're spending because, you know, $1,000 is a heck of a lot of money to me. You get up to a million, a billion, and a trillion, I don't even know how many zeroes we're talking about. But let's just use this poster to help us.

Sizing up the stimulus. Well, this proposed stimulus, as I said to my colleagues, is $1.2 trillion, if we can focus on this first poster. $1.2 trillion. Now, let's put that in perspective.

Back in the late sixties, and that terrible, terrible time of the Vietnam War. We lost almost 60,000 of our precious men and women in that battle, and $111 billion was spent. Now if you adjust that for inflation in today's dollars, it's $698 billion, compared to $1.2 trillion. That is a few more zeroes.

The invasion of Iraq, inflation adjusted, $597 billion. The money has gone up a little bit now, but it's certainly under $1 trillion. Well under.

Now, let's go back. Let's back to the 1932 to the 1939, 1940 era. The era of the New Deal. $32 billion adjusted for inflation—it's been a long time ago. $500 billion. In comparison, this is the largest spending bill not just in the history, Mr. Speaker, of the United States. I believe, if I am not wrong on this, and I don't think I am, this is the largest spending bill that any government has enacted in the history of the world. In the history of the world.

We're talking about increasing our national debt, not the deficit, but the national debt, which today is about $10.7 trillion, with a T. We're talking about increasing that by 10 percent in one snap of your finger. As soon as President Obama signs this bill into law Monday, all of a sudden we have increased the national debt 10 percent. Up to $12.5 trillion.

How in the world, Mr. Speaker, are we ever going to pay that off? I mean, it's downright depressing, is what it is. Not just scary, but it's downright depressing.

And speaking of that money that was spent on the New Deal, and I know people love to say, Well, FDR was one of our greatest Presidents, and no doubt he was a man of great courage; great personal courage. Overcame tremendous adversity physically and was our President during very difficult times of World War II, and did some wonderful things. And I commend him for that.

But I am not so sure the New Deal was such a good deal. In fact, it may very well have been a raw deal. Let me quote someone who should know better than I, because he was there. He lived through it. He advised President Roosevelt. He was President Roosevelt's Secretary of the Treasury, and his name was Henry Morgenthau.

And listen to what the Secretary of the Treasury under President Roosevelt said to a hearing before the Ways and Means Committee of this House in 1939. And I will quote, ''We have tried spending money. We are spending more than we have ever spent before, and it does not work. I want to see this country prosperous. I want to see people get a job. I want to see people get enough to eat. We have never made good on our promises. I say, after 8 years of this administration, we have just as much unemployment as when we started, and an enormous debt to boot.''

Secretary of Treasury Henry Morgenthau, under President Roosevelt, 1939, some 7 years into the New Deal. That is probably why Vice President BIDEN, Mr. Speaker, said that, Look, this thing has got a 30 percent chance of not being successful. And allowing this recession to be deeper and more prolonged than if we indeed did nothing.

Well, let me ask my colleagues to join with me in looking at a few more posters to just, again, put this spending in perspective. With this amount of money, the $789 billion—and when I say $1.2 trillion, that's the interest over 10 years on the debt. But when you do the math, fairly simple, and you say that you're going to create 4 million jobs, 4 million jobs with this, that means you're spending $275,000 for every job.

That's $275,000 for every job. That's what it's going to cost. And a lot of these jobs are going to pay $30,000, $35,000, maybe even $20,000, $25,000 a year. That is shocking when you think about it. That that much money to create one job, $275,000 worth of spending.

Here's another chart that I think is real instructive that I wanted my colleagues to also look at. Those of you in the back of the Chamber, you may not be able to see this, or the far left or far right, but this says, Can you afford to pay for the Democratic spending bill? At $825 billion, or $789 billion, the economic stimulus plan sailing through Congress would cost each American family, each American family, more than $10,000 on average.

□ 1600

Here is how that price tag compares with the typical family expenses in a year:

Stimulus spending: $10,500.

What the family spends on food, clothing, and health care: $10,400. What the family spends on shelter, whether they are renting or owning their own home: $11,657.

So one-third of their expenditure in a year, that is what it is going to cost them in the final analysis, $10,500, every year, every family, to pay for this $1.1 trillion, $1.2 trillion.

That is why, going back, remember when I said or read the article about, literally, why doesn't the Federal Government just write a $10,000 check and give it to every family, and say: Look, I don't know your situation. You may have a mortgage past due, a car payment past due. You may need to pay down a credit card debt. You may have a child that wants to go back to college and you don't have the tuition for the next semester. Indeed, you may even have a family member that needs an operation or some dental work or something and you can't pay for it, and you can take money out of that $10,000. Or maybe you just simply want to save it for a rainy day. Lord knows, we have got a rainy day now. Or you might, if your situation is such and you think the old clinker of a car is falling apart and we want to buy American, and General Motors or Ford Motor Company has got a great new car that gets good gas mileage and we will go ahead and buy a car, or whatever, a washing machine. And all of a sudden, the economy starts moving. And so this shows it, I think, Mr. Speaker, in a very vivid, vivid way.

Before I finish up, Mr. Speaker, and I didn't want to take the entire hour, but I wanted to talk just a little bit about some of the health care things that are in this bill.

There is money toward moving us as a Nation for complete electronic medical records. I am for that, Mr. Speaker. I think that would be a good thing. I think that would save lives and save money, and I clearly feel that that is something that we want to do. But there are a number of provisions, and I will just mention one that really, really concerns me, and that is this comparative effectiveness commission. Comparative effectiveness, where the Federal Government, and I think $1 billion, if I am not mistaken, I think $1 billion goes into creating this other layer of government bureaucracy called comparative effectiveness that would decide which medical procedures or medications were cost effective and in certain instances will just simply say that, ''Well, we don't think that is cost effective,'' that MRI that mom had in the emergency room last week or the CAT scan or electroencephalogram because a child had a seizure.

To say that it is not effective, who are these bureaucrats that would have the ability to do that? Have they ever had a stethoscope around their neck? Have they ever had a white lab coat on? No. They are just number crunchers, and all of a sudden they are going to come in between you, our constituents, men and women, and your health care provider, your physician, whether it is a pediatrician or obstetrician or general surgeon or a family doctor.

So as we look at this massive bill, what we are seeing is a lot of things in there, Mr. Speaker, that really don't have anything to do with putting people back to work. That 7 percent spending on infrastructure, that ought to be 25 percent of the spending. It ought to be much more than it is. But yet, there are things in there, and I could go through a list of them and it is almost appalling.

I mention that about that health care. It is just trying to set policy in this bill, moving us in a direction that I don't think, I do not think, the American people want. And I think, the American people, my colleagues, remember back in 1993, 1992, under President Clinton, when current Secretary of State Clinton now but first lady at that time was sort of put in charge of trying to develop a single payor national health care system just like they have in the United Kingdom or in Canada or other countries where it doesn't work so well and care is rationed.

My fear, and as you read this bill and you try to read through, the devil is in the details, and you see these things and you see what is happening in the health care provision, it is definitely trying to move us in that direction once again.

So again, our opposition to the bill is not that we don't want to help people and help them right now, that we don't have compassion. Indeed, there is no one more compassionate in this Chamber than the minority leader, Mr. BOEHNER. In fact, many times he is almost to the point of tears, he is so compassionate.

So we just want to look at this thing, as we have, and realize that so much of the money, Mr. Speaker, in this bill is all about pushing an agenda and spending money, some of which may be worthwhile, but it should go through the regular order. That is why we are up here, mainly, to authorize and appropriate spending. That is a major responsibility of the Members of Congress in the House and Senate. And we should do that under regular order. But it is like the chief of staff now, our former colleague here in the House, the chief of staff to President Obama, Rahm Emanuel, the gentleman from Illinois, the same State as the President, said it would be a tragedy to let any crisis go unused, or something to that effect. I am paraphrasing, but it would be a tragedy to let a crisis go to waste. In other words, take a crisis and try to do some good things and put people back to work; but, at the same time, pump all kind of other stuff in there that you have been trying to get passed for years and have not been successful because the majority of the Congress doesn't want it, so you throw it in there as emergency spending and drag it along as we tug at heartstrings.

And that is just not right, Mr. Speaker. That is unfair. It is deceiving the American public, and it is putting a burden on them that I will have no part of. And my colleagues on this side of the aisle, 178 of us, Republicans, and six to eight conservative, fiscally conservative Democrats feel the same way.

I just feel that if we had had an opportunity, Mr. Speaker, if we had had an opportunity to present an alternative, we could do that in a bipartisan way. We don't hate each other, as you know, Mr. Speaker. We respect each other, and in many cases best friends are on opposite sides of the aisle. We can do these things. But somehow this top down, my way or the highway, closed rules, no opportunity to go through committee, we are losing out, and it is not right, because the minority represents, what, 48 percent? A lot of people, a lot of people in this country, Mr. Speaker, elected Republican Members of this House and Senate.

So as I conclude, I just want to the say to all of my colleagues, on the Republican side we voted ''no,'' and we voted no for a very good reason. We have great fear, just as Vice President BIDEN said, that this won't work. And it is not like, well, it just didn't work, and we lost that game and we will play another one. No. This is too big a risk. It puts too big a burden on our future generations, and it has the likelihood of leaving us in this recession for a long time to come.

We had an opportunity. My colleague, my Senate colleague from Georgia, JOHNNY ISAKSON, had an amendment on the Senate side that would give every person, every family that bought a new home a $15,000 tax credit. It passed on the Senate side I think by a voice vote, unanimous consent, everybody. I heard Senator SCHUMER say what a wonderful, wonderful idea that the gentleman from Georgia, Senator JOHNNY ISAKSON, had, because this whole mess started with the downturn of the housing market; and until we get those houses moving and sold, that will get us out of this mess. And the Senate knew it. And yet, when they got to conference committee, what happened? They pulled that amendment out. Pulled that amendment out.

I really believe if that and maybe an opportunity for people to get a fixed-rate mortgage at 4 percent or 5 percent, 30-year fixed rate, let them have that opportunity over the next year or so, the Johnny Isakson amendment, maybe we can pass it as a stand-alone bill. The Republican alternative to this spendulous bill where we emphasize tax cuts and spending cuts and we spend more money on infrastructure, I think if we came back and did that, we would be out of this the recession in 12 months to 18 months.

And so that is why I am here this afternoon, Mr. Speaker, just to share those thoughts with my colleagues. And I hope and pray that President Obama will be successful; but when it is something that I have great fear of hurting the country, taking us down a road that our Founding Fathers never intended us to go, then I am going to stand up and I am going to say, ''No, Mr. President,'' as I did today.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LEE of New York (at the request of Mr. BOEHNER) for today on account of helping to coordinate the Federal response and to provide assistance to the families of the victims of the tragic crash of Continental Airlines Flight 3407 in his district.

Mr. CLYBURN (at the request of Mr. HOYER) for today after 1:30 p.m. on account of his daughter's wedding in South Carolina.

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. DEFAZIO) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

(The following Members (at the request of Mr. BURTON of Indiana) to revise and extend their remarks and include extraneous material:)

Mr. CASSIDY, for 5 minutes, today.

Mr. SCHOCK, for 5 minutes, today.

Mr. HERGER, for 5 minutes, today.

Mr. BROUN of Georgia, for 5 minutes, today.

Mr. MCCOTTER, for 5 minutes, today.

Ms. FOXX, for 5 minutes today.

Mr. FLEMING, for 5 minutes, today.

Mr. CONAWAY, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. MARKEY of Massachusetts, for 5 minutes, today.

Mr. DREIER, for 5 minutes, today.

Mrs. MALONEY, for 5 minutes, today.

ADJOURNMENT

Mr. GINGREY of Georgia. Mr. Speaker, pursuant to the order of the House of today, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 13 minutes p.m.), under its previous order, the House adjourned until Tuesday, February 17, 2009, at 10 a.m., unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 47, in which case the House shall stand adjourned pursuant to that concurrent resolution.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

> ''I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me god.''

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 111th Congress, pursuant to the provisions of 2 U.S.C. 25:

ALABAMA

1. Jo Bonner
2. Bobby Bright
3. Mike Rogers
4. Robert B. Aderholt
5. Parker Griffith
6. Spencer Bachus
7. Artur Davis

ALASKA

At Large, Don Young

AMERICAN SAMOA

Delegate, Eni F.H. Faleomavaega

ARIZONA

1. Ann Kirkpatrick
2. Trent Franks
3. John B. Shadegg
4. Ed Pastor
5. Harry E. Mitchell
6. Jeff Flake
7. Raúl M. Grijalva
8. Gabrielle Giffords

ARKANSAS

1. Marion Berry
2. Vic Snyder
3. John Boozman
4. Mike Ross

CALIFORNIA

1. Mike Thompson
2. Wally Herger
3. Daniel E. Lungren
4. Tom McClintock
5. Doris O. Matsui
6. Lynn C. Woolsey
7. George Miller
8. Nancy Pelosi
9. Barbara Lee
10. Ellen O. Tauscher
11. Jerry McNerney
12. Jackie Speier
13. Fortney Pete Stark
14. Anna G. Eshoo
15. Michael M. Honda
16. Zoe Lofgren
17. Sam Farr
18. Dennis A. Cardoza
19. George Radanovich
20. Jim Costa
21. Devin Nunes
22. Kevin McCarthy
23. Lois Capps
24. Elton Gallegly
25. Howard P. ''Buck'' McKeon
26. David Dreier
27. Brad Sherman
28. Howard L. Berman
29. Adam B. Schiff
30. Henry A. Waxman
31. Xavier Becerra
32. Hilda L. Solis
33. Diane E. Watson
34. Lucille Roybal-Allard
35. Maxine Waters
36. Jane Harman
37. Laura Richardson
38. Grace F. Napolitano
39. Linda T. Sánchez
40. Edward R. Royce
41. Jerry Lewis
42. Gary G. Miller
43. Joe Baca
44. Ken Calvert
45. Mary Bono Mack
46. Dana Rohrabacher
47. Loretta Sanchez
48. John Campbell
49. Darrell E. Issa
50. Brian P. Bilbray
51. Bob Filner
52. Duncan Hunter
53. Susan A. Davis

COLORADO

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2. Jared Polis
3. John T. Salazar
4. Betsy Markey
5. Doug Lamborn
6. Mike Coffman
7. Ed Perlmutter

CONNECTICUT

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2. Joe Courtney
3. Rosa L. DeLauro
4. James A. Himes
5. Christopher S. Murphy

DELAWARE

At Large, Michael N. Castle

DISTRICT OF COLUMBIA

Delegate, Eleanor Holmes Norton

FLORIDA

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2. Allen Boyd
3. Corrine Brown
4. Ander Crenshaw
5. Ginny Brown-Waite
6. Cliff Stearns
7. John L. Mica
8. Alan Grayson
9. Gus M. Bilirakis
10. C.W. Bill Young
11. Kathy Castor
12. Adam H. Putnam
13. Vern Buchanan
14. Connie Mack
15. Bill Posey
16. Thomas J. Rooney
17. Kendrick B. Meek
18. Ileana Ros-Lehtinen
19. Robert Wexler
20. Debbie Wasserman Schultz
21. Lincoln Diaz-Balart
22. Ron Klein
23. Alcee L. Hastings
24. Suzanne M. Kosmas

25. Mario Diaz-Balart

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2. Sanford D. Bishop Jr.
3. Lynn A. Westmoreland
4. Henry C. ''Hank'' Johnson Jr.
5. John Lewis
6. Tom Price
7. John Linder
8. Jim Marshall
9. Nathan Deal
10. Paul C. Broun
11. Phil Gingrey
12. John Barrow
13. David Scott

GUAM

Delegate, Madeleine Z. Bordallo

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2. Mazie K. Hirono

IDAHO

1. Walt Minnick
2. Michael K. Simpson

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2. Jesse L. Jackson Jr.
3. Daniel Lipinski
4. Luis V. Gutierrez
5.
6. Peter J. Roskam
7. Danny K. Davis
8. Melissa L. Bean
9. Janice D. Schakowsky
10. Mark Steven Kirk
11. Deborah L. Halvorson
12. Jerry F. Costello
13. Judy Biggert
14. Bill Foster
15. Timothy V. Johnson
16. Donald A. Manzullo
17. Phil Hare
18. Aaron Schock
19. John Shimkus

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2. Joe Donnelly
3. Mark E. Souder
4. Steve Buyer
5. Dan Burton
6. Mike Pence
7. André Carson
8. Brad Ellsworth
9. Baron P. Hill

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2. David Loebsack
3. Leonard L. Boswell
4. Tom Latham
5. Steve King

KANSAS

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2. Lynn Jenkings
3. Dennis Moore
4. Todd Tiahrt

KENTUCKY

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2. Brett Guthrie
3. John A. Yarmuth
4. Geoff Davis
5. Harold Rogers
6. Ben Chandler

LOUISIANA

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2. Anh ''Joseph'' Cao
3. Charlie Melancon
4. John Fleming
5. Rodney Alexander
6. Bill Cassidy
7. Charles W. Boustany Jr.

MAINE

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2. Michael H. Michaud

MARYLAND

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2. C.A. Dutch Ruppersberger
3. John P. Sarbanes
4. Donna F. Edwards
5. Steny H. Hoyer
6. Roscoe G. Bartlett
7. Elijah E. Cummings
8. Chris Van Hollen

MASSACHUSETTS

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2. Richard E. Neal
3. James P. McGovern
4. Barney Frank
5. Niki Tsongas
6. John F. Tierney
7. Edward J. Markey
8. Michael E. Capuano
9. Stephen F. Lynch
10. William D. Delahunt

MICHIGAN

1. Bart Stupak
2. Peter Hoekstra
3. Vernon J. Ehlers
4. Dave Camp
5. Dale E. Kildee
6. Fred Upton
7. Mark Schauer
8. Mike Rogers
9. Gary C. Peters
10. Candice S. Miller
11. Thaddeus G. McCotter
12. Sander M. Levin
13. Carolyn C. Kilpatrick
14. John Conyers Jr.
15. John D. Dingell

MINNESOTA

1. Timothy J. Walz
2. John Kline
3. Erik Paulsen
4. Betty McCollum
5. Keith Ellison
6. Michele Bachmann
7. Collin C. Peterson
8. James L. Oberstar

MISSISSIPPI

1. Travis W. Childers
2. Bennie G. Thompson
3. Gregg Harper
4. Gene Taylor

MISSOURI

1. Wm. Lacy Clay
2. W. Todd Akin
3. Russ Carnahan
4. Ike Skelton
5. Emanuel Cleaver
6. Sam Graves
7. Roy Blunt
8. Jo Ann Emerson
9. Blaine Luetkemeyer

MONTANA

At Large, Denny Rehberg

NEBRASKA

1. Jeff Fortenberry
2. Lee Terry
3. Adrian Smith

NEVADA

1. Shelley Berkley
2. Dean Heller
3. Dina Titus

NEW HAMPSHIRE

1. Carol Shea-Porter
2. Paul W. Hodes

NEW JERSEY

1. Robert E. Andrews
2. Frank A. LoBiondo
3. John H. Adler
4. Christopher H. Smith
5. Scott Garrett
6. Frank Pallone Jr.
7. Leonard Lance
8. Bill Pascrell Jr.
9. Steven R. Rothman
10. Donald M. Payne
11. Rodney P. Frelinghuysen
12. Rush D. Holt
13. Albio Sires

NEW MEXICO

1. Martin Heinrich
2. Harry Teague
3. Ben Ray Luján

NEW YORK

1. Timothy H. Bishop
2. Steve Israel
3. Peter T. King
4. Carolyn McCarthy
5. Gary L. Ackerman
6. Gregory W. Meeks
7. Joseph Crowley
8. Jerrold Nadler
9. Anthony D. Weiner
10. Edolphus Towns
11. Yvette D. Clarke
12. Nydia M. Velázquez
13. Michael E. McMahon
14. Carolyn B. Maloney
15. Charles B. Rangel
16. José E. Serrano
17. Eliot L. Engel
18. Nita M. Lowey
19. John J. Hall
20. Kirsten E. Gillibrand*
21. Paul Tonko
22. Maurice D. Hinchey
23. John M. McHugh
24. Michael A. Arcuri
25. Daniel B. Maffei
26. Christopher John Lee
27. Brian Higgins
28. Louise McIntosh Slaughter
29. Eric J.J. Massa

NORTH CAROLINA

1. G.K. Butterfield
2. Bob Etheridge
3. Walter B. Jones
4. David E. Price
5. Virginia Foxx
6. Howard Coble
7. Mike McIntyre
8. Larry Kissell
9. Sue Wilkins Myrick
10. Patrick T. McHenry
11. Heath Shuler
12. Melvin L. Watt
13. Brad Miller

NORTH DAKOTA

At Large, Earl Pomeroy

NORTHERN MARIANA ISLANDS

Delegate, Gregorio Sablan

OHIO

1. Steve Driehaus
2. Jean Schmidt
3. Michael R. Turner
4. Jim Jordan
5. Robert E. Latta
6. Charles A. Wilson
7. Steve Austria
8. John A. Boehner
9. Marcy Kaptur
10. Dennis J. Kucinich
11. Marcia L. Fudge
12. Patrick J. Tiberi
13. Betty Sutton
14. Steven C. LaTourette
15. Mary Jo Kilroy
16. John A. Boccieri
17. Tim Ryan
18. Zachary T. Space

OKLAHOMA

1. John Sullivan
2. Dan Boren
3. Frank D. Lucas
4. Tom Cole
5. Mary Fallin

OREGON

1. David Wu

2. Greg Walden
3. Earl Blumenauer
4. Peter A. DeFazio
5. Kurt Schrader

PENNSYLVANIA

1. Robert A. Brady
2. Chaka Fattah
3. Kathleen A. Dahlkemper
4. Jason Altmire
5. Glenn Thompson
6. Jim Gerlach
7. Joe Sestak
8. Patrick J. Murphy
9. Bill Shuster
10. Christopher P. Carney
11. Paul E. Kanjorski
12. John P. Murtha
13. Allyson Y. Schwartz
14. Michael F. Doyle
15. Charles W. Dent
16. Joseph R. Pitts
17. Tim Holden
18. Tim Murphy
19. Todd Russell Platts

PUERTO RICO

Resident Commissioner, Pedro R. Pierluisi

RHODE ISLAND

1. Patrick J. Kennedy
2. James R. Langevin

SOUTH CAROLINA

1. Henry E. Brown Jr.
2. Joe Wilson
3. J. Gresham Barrett
4. Bob Inglis
5. John M. Spratt Jr.
6. James E. Clyburn

SOUTH DAKOTA

At Large, Stephanie Herseth Sandlin

TENNESSEE

1. David P. Roe
2. John J. Duncan Jr.
3. Zach Wamp
4. Lincoln Davis
5. Jim Cooper
6. Bart Gordon
7. Marsha Blackburn
8. John S. Tanner
9. Steve Cohen

TEXAS

1. Louie Gohmert
2. Ted Poe
3. Sam Johnson
4. Ralph M. Hall
5. Jeb Hensarling
6. Joe Barton
7. John Abney Culberson
8. Kevin Brady
9. Al Green
10. Michael T. McCaul
11. K. Michael Conaway
12. Kay Granger
13. Mac Thornberry
14. Ron Paul
15. Rubén Hinojosa
16. Silvestre Reyes
17. Chet Edwards
18. Sheila Jackson-Lee
19. Randy Neugebauer
20. Charles A. Gonzalez
21. Lamar Smith
22. Pete Olson
23. Ciro D. Rodriguez
24. Kenny Marchant
25. Lloyd Doggett
26. Michael C. Burgess
27. Solomon P. Ortiz
28. Henry Cuellar
29. Gene Green
30. Eddie Bernice Johnson
31. John R. Carter
32. Pete Sessions

UTAH

1. Rob Bishop
2. Jim Matheson
3. Jason Chaffetz

VERMONT

At Large, Peter Welch

VIRGIN ISLANDS

Delegate, Donna M. Christensen

VIRGINIA

1. Robert J. Wittman
2. Glenn C. Nye
3. Robert C. ''Bobby'' Scott
4. J. Randy Forbes
5. Thomas S.P. Perriello
6. Bob Goodlatte
7. Eric Cantor
8. James P. Moran
9. Rick Boucher
10. Frank R. Wolf
11. Gerald E. Connolly

WASHINGTON

1. Jay Inslee
2. Rick Larsen
3. Brian Baird
4. Doc Hastings
5. Cathy McMorris Rodgers
6. Norman D. Dicks
7. Jim McDermott
8. David G. Reichert
9. Adam Smith

WEST VIRGINIA

1. Alan B. Mollohan
2. Shelley Moore Capito
3. Nick J. Rahall II

WISCONSIN

1. Paul Ryan
2. Tammy Baldwin
3. Ron Kind
4. Gwen Moore
5. F. James Sensenbrenner Jr.
6. Thomas E. Petri
7. David R. Obey
8. Steve Kagen

WYOMING

At Large, Cynthia M. Lummis

OATH FOR ACCESS TO CLASSIFIED INFORMATION

Under clause 13 of rule XXIII, the following Members executed the oath for access to classified information:

Neil Abercrombie, Gary L. Ackerman, Robert B. Aderholt, John H. Adler, W. Todd Akin, Rodney Alexander, Jason Altmire, Robert E. Andrews, Michael A. Arcuri, Steve Austria, Joe Baca, Michele Bachmann, Spencer Bachus, Brian Baird, Tammy Baldwin, J. Gresham Barrett, John Barrow, Roscoe G. Bartlett, Joe Barton, Melissa L. Bean, Xavier Becerra, Shelley Berkley, Howard L. Berman, Marion Berry, Judy Biggert, Brian P. Bilbray, Gus M. Bilirakis, Rob Bishop, Sanford D. Bishop Jr., Timothy H. Bishop, Marsha Blackburn, Earl Blumenauer, Roy Blunt, John A. Boccieri, John A. Boehner, Jo Bonner, Mary Bono Mack, John Boozman, Madeleine Z. Bordallo, Dan Boren, Leonard L. Boswell, Rick Boucher, Charles W. Boustany Jr., Allen Boyd, Bruce L. Braley, Kevin Brady, Robert A. Brady, Bobby Bright, Paul C. Broun, Corrine Brown, Ginny Brown-Waite, Henry E. Brown Jr., Vern Buchanan, Michael C. Burgess, Dan Burton, G.K. Butterfield, Steve Buyer, Ken Calvert, Dave Camp, John Campbell, Eric Cantor, Anh ''Joseph'' Cao, Shelley Moore Capito, Lois Capps, Michael E. Capuano, Dennis A. Cardoza, Russ Carnahan, Christopher P. Carney, André Carson, John R. Carter, Bill Cassidy, Michael N. Castle, Kathy Castor, Jason Chaffetz, Ben Chandler, Travis W. Childers, Donna M. Christensen, Yvette D. Clarke, Wm. Lacy Clay, Emanuel Cleaver, James E. Clyburn, Howard Coble, Mike Coffman, Steve Cohen, Tom Cole, K. Michael Conaway, Gerald E. Connolly, John Conyers Jr., Jim Cooper, Jim Costa, Jerry F. Costello, Joe Courtney, Ander Crenshaw, Joseph Crowley, Henry Cuellar, John Abney Culberson, Elijah E. Cummings, Kathleen A. Dahlkemper, Artur Davis, Danny K. Davis, Geoff Davis, Lincoln Davis, Susan A. Davis, Nathan Deal, Peter A. DeFazio, Diana DeGette, William D. Delahunt, Rosa L. DeLauro, Charles W. Dent, Lincoln Diaz-Balart, Mario Diaz-Balart, Norman D. Dicks, John D. Dingell, Lloyd Doggett, Joe Donnelly, Michael F. Doyle, David Dreier, Steve Driehaus, John J. Duncan Jr., Chet Edwards, Donna F. Edwards, Vernon J. Ehlers, Keith Ellison, Brad Ellsworth, Jo Ann Emerson, Eliot L. Engel, Anna G. Eshoo, Bob Etheridge, Eni F.H. Faleomavaega, Mary Fallin, Sam Farr, Chaka Fattah, Bob Filner, Jeff Flake, John Fleming, J. Randy Forbes, Jeff Fortenberry, Bill Foster, Virginia Foxx, Barney Frank, Trent Franks, Rodney P. Frelinghuysen, Marcia L. Fudge, Elton Gallegly, Scott Garrett, Jim Gerlach, Gabrielle Giffords, Kirsten E. Gillibrand*, Phil Gingrey, Louie Gohmert, Bob Goodlatte, Charles A. Gonzalez, Bart Gordon, Kay Granger, Sam Graves, Alan Grayson, Al Green, Gene Green, Parker Griffith, Raúl M. Grijalva, Brett Guthrie, Luis V. Gutierrez, John J. Hall, Ralph M. Hall, Deborah L. Halvorson, Phil Hare, Jane Harman, Gregg Harper, Alcee L. Hastings, Doc Hastings, Martin Heinrich, Dean Heller, Jeb Hensarling, Wally Herger, Stephanie Herseth Sandlin, Brian Higgins, Baron P. Hill, James A. Himes, Maurice D. Hinchey, Rubén Hinojosa, Mazie K. Hirono, Paul W. Hodes, Peter Hoekstra, Tim Holden, Rush D. Holt, Michael M. Honda, Steny H. Hoyer, Duncan Hunter, Bob Inglis, Jay Inslee, Steve Israel, Darrell E. Issa, Jesse L. Jackson Jr., Sheila Jackson-Lee, Lynn Jenkins, Eddie Bernice Johnson, Henry C. ''Hank'' Johnson Jr., Sam Johnson, Timothy V. Johnson, Walter B. Jones, Jim Jordan, Steve Kagen, Paul E. Kanjorski, Marcy Kaptur, Patrick J. Kennedy, Dale E. Kildee, Carolyn C. Kilpatrick, Mary Jo Kilroy, Ron Kind, Peter T. King, Steve King, Jack Kingston, Mark Steven Kirk, Ann Kirkpatrick, Larry Kissell, Ron Klein, John Kline, Suzanne M. Kosmas, Frank Kratovil Jr., Doug Lamborn, Leonard Lance, James R. Langevin, Rick Larsen, John B. Larson, Tom Latham, Steven C. LaTourette, Robert E. Latta, Barbara Lee, Christopher John Lee, Sander M. Levin, Jerry Lewis, John Lewis, John Linder, Daniel Lipinski, Frank A. LoBiondo, David Loebsack, Zoe Lofgren, Nita M. Lowey, Frank D. Lucas, Blaine Luetkemeyer, Ben Ray Luján, Cynthia M. Lummis, Daniel E. Lungren, Stephen F. Lynch, Carolyn McCarthy, Kevin McCarthy, Michael T. McCaul, Tom McClintock, Betty McCollum, Thaddeus G. McCotter, Jim McDermott, James P. McGovern, Patrick T. McHenry, John M. McHugh, Mike McIntyre, Howard P. ''Buck'' McKeon, Michael E. McMahon, Cathy McMorris Rodgers, Jerry McNerney, Connie Mack, Daniel B. Maffei, Carolyn B. Maloney, Donald A. Manzullo, Kenny Marchant, Betsy Markey, Edward J. Markey, Jim Marshall, Eric J.J. Massa, Jim Matheson, Doris O. Matsui, Kendrick B. Meek, Gregory W. Meeks, Charlie Melancon, John L. Mica, Michael H. Michaud, Brad Miller, Candice S. Miller, Gary G. Miller, George Miller, Jeff Miller, Walt Minnick, Harry E. Mitchell, Alan B. Mollohan, Dennis Moore, Gwen Moore, James P. Moran, Jerry Moran, Christopher S. Murphy, Patrick J. Murphy, Tim Murphy, John P. Murtha, Sue Wilkins Myrick, Jerrold Nadler, Grace F. Napolitano, Richard E. Neal, Randy Neugebauer, Eleanor Holmes Norton, Devin Nunes, Glenn C. Nye, James L. Oberstar, David R. Obey, John W. Olver, Pete Olson, Solomon P. Ortiz, Frank

Pallone Jr., Bill Pascrell Jr., Ed Pastor, Ron Paul, Erik Paulsen, Donald M. Payne, Nancy Pelosi, Mike Pence, Ed Perlmutter, Thomas S.P. Perriello, Gary C. Peters, Collin C. Peterson, Thomas E. Petri, Pedro R. Pierluisi, Chellie Pingree, Joseph R. Pitts, Todd Russell Platts, Ted Poe, Jared Polis, Earl Pomeroy, Bill Posey, David E. Price, Tom Price, Adam H. Putnam, George Radanovich, Nick J. Rahall II, Charles B. Rangel, Denny Rehberg, David G. Reichert, Silvestre Reyes, Laura Richardson, Ciro D. Rodriguez, David P. Roe, Harold Rogers, Mike Rogers (AL–03), Mike Rogers (MI–08), Dana Rohrabacher, Thomas J. Rooney, Peter J. Roskam, Ileana Ros-Lehtinen, Mike Ross, Steven R. Rothman, Lucille Roybal-Allard, Edward R. Royce, C.A. Dutch Ruppersberger, Bobby L. Rush, Paul Ryan, Tim Ryan, Gregorio Sablan, John T. Salazar, Linda T. Sánchez, Loretta Sanchez, John P. Sarbanes, Steve Scalise, Janice D. Schakowsky, Adam B. Schiff, Jean Schmidt, Aaron Schock, Kurt Schrader, Allyson Y. Schwartz, David Scott, Robert C. ''Bobby'' Scott, F. James Sensenbrenner Jr., José E. Serrano, Pete Sessions, Joe Sestak, John B. Shadegg, Mark Shauer, Carol Shea-Porter, Brad Sherman, John Shimkus, Heath Shuler, Bill Shuster, Michael K. Simpson, Albio Sires, Ike Skelton, Louise McIntosh Slaughter, Adam Smith, Adrian Smith, Christopher H. Smith, Lamar Smith, Vic Snyder, Hilda L. Solis, Mark E. Souder, Zachary T. Space, Jackie Speier, John M. Spratt Jr., Bart Stupak, Cliff Stearns, John Sullivan, Betty Sutton, John S. Tanner, Ellen O. Tauscher, Gene Taylor, Harry Teague, Lee Terry, Bennie G. Thompson, Glenn Thompson, Mike Thompson, Mac Thornberry, Todd Tiahrt, Patrick J. Tiberi, John F. Tierney, Dina Titus, Paul Tonko, Edolphus Towns, Niki Tsongas, Michael R. Turner, Fred Upton, Chris Van Hollen, Nydia M. Velázquez, Peter J. Visclosky, Greg Walden, Timothy J. Walz, Zach Wamp, Debbie Wasserman Schultz, Diane E. Watson, Melvin L. Watt, Henry A. Waxman, Anthony D. Weiner, Peter Welch, Lynn A. Westmoreland, Robert Wexler, Ed Whitfield, Charles A. Wilson, Joe Wilson, Robert J. Wittman, Frank R. Wolf, Lynn C. Woolsey, David Wu, John A. Yarmuth, C.W. Bill Young, Don Young

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

583. A letter from the Assistant to the Board, Federal Reserve System, transmitting the System's final rule — Truth in Savings [Regulation DD; Docket No. R-1315] received February 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

584. A letter from the President and CEO, Corporation for Public Broadcasting, transmitting the Corporation's annual report on the provision of service to minority and diverse audiences by public broadcasting and public telecommunications entities, pursuant to 47 U.S.C. 396(m)(2); to the Committee on Energy and Commerce.

585. A letter from the Secretary, Department of Commerce, transmitting the Department's Performance and Accountability Report for fiscal year 2008; to the Committee on Oversight and Government Reform.

586. A letter from the Associate Deputy Secretary, Department of the Interior, transmitting the Department's Fiscal Year 2007 Annual Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 Report, pursuant to Section 203 of the No FEAR Act; to the Committee on Oversight and Government Reform.

587. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's Federal Equal Opportunity Recruitment Program Report for Fiscal Year 2008, pursuant to 5 U.S.C. 7201; to the Committee on Oversight and Government Reform.

588. A letter from the Chief, End. Species Listing Branch, FWS, Department of the Interior, transmitting the Department's final rule — 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 [FWS-R4-ES-2008-0082] [MO 9921050083-B2] (RIN: 1018-AU85) received February 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

589. A letter from the Acting Chief, Recovery and Delisting, Department of the Interior, transmitting the Department's final rule — 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 [FWS-R6-ES-2008-008 92220-1113-0000; C6] (RIN: 1018-AW35) received February 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

590. A letter from the Secretary, Department of Health and Human Services, transmitting a petition filed on behalf of workers from Mallinckrodt Chemical Co., Destrehan St. Plant, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000; to the Committee on the Judiciary.

591. A letter from the Secretary, Department of Health and Human Services, transmitting a petition filed on behalf of workers from Vitro Manufacturing, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000; to the Committee on the Judiciary.

592. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's quarterly report from the Office of Privacy and Civil Liberties, pursuant to Public Law 110-53, section 803 (121 Stat. 266, 360); to the Committee on the Judiciary.

593. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's report entitled, ''Victims of Trafficking and Violence Protection Act of 2000,'' pursuant to Public Law 106-386; to the Committee on the Judiciary.

594. A letter from the Senior Counsel, Department of Justice, transmitting the Department's final rule — National Motor Vehicle Title Information System (NMVTIS) [Docket No.: FBI 117; AG Order No. 3042-2009] (RIN: 1110-AA30) received February 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

595. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Saftey Zone; Allegheny River, Clinton, PA [Docket No.: USCG-2008-1085] (RIN: 1625-AA00) received February 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

596. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Saftey Zone, Bayfront Park New Year's Eve Celebration, Biscayne Bay, FL [Docket No.: USCG-2008-0984] (RIN: 1625-AA00) received February 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

597. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. FAA-2008-0977; Directorate Identifier 2008-NM-124-AD; Amendment 39-15775; AD 2008-26-09] (RIN: 2120-AA64) received Janaury 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

598. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Corporation (RRC) AE 3007A Series Turbofan Engines [Docket No. FAA-2008-0975; Directorate Identifier 2008-NE-29-AD; Amendment 39-15772; AD 2008-26-06] (RIN: 2120-AA64) received January 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

599. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier-Rotax GmbH 914 F Series Reciprocating Engines [Docket No. FAA-2008-0842; Directorate Identifier 2008-NE-24-AD; Amendment 39-15771; AD 2008-26-05] (RIN: 2120-AA64) received January 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

600. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company (GE) CT7-8A Turboshaft Engines [Docket No. FAA-2006-24261; Directorate Identifier 2006-NE-12-AD; Amendment 39-15768; AD 2008-26-02] (RIN: 2120-AA64) received January 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

601. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Air Tractor, Inc. Models AT-200, AT-300, AT-400, AT-500, AT-600, and AT-800 Series Airplanes [Docket No. FAA-2008-1120; Directorate Identifier 2008-CE-064-AD; Amendment 39-15767; AD 2008-26-01] (RIN: 2120-AA64) received January 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

602. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Model 560 Airplanes [Docket No. FAA-2008-0903; Directorate Identifier 2008-NM-123-AD; Amendment 39-15770; AD 2008-26-04] (RIN: 2120-AA64) received January 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

603. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab AB, Saad Aerosystems Model 340A (SAAB/SF340A) and SAAB 340B Airplanes [Docket No.: FAA-2008-1044; Directorate Identifier 2008-NM-095-AD; Amendment 39-15774; AD 2008-26-08] (RIN: 2120-AA64) received January 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

604. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-8-11, DC-8-12, DC-8-21, DC-8-31, DC-8-32, DC-8-33, DC-8-41, DC-8-42, and DC-8-43 Airplanes; Model DC-8-50 Series Airplanes; Model DC-8F-54 and DC-8F-55 Airplanes; Model DC-8-60 Series Airplanes; Model DC-8-60F Series Airplanes; Model DC-8-70 Series Airplanes; and Model DC-8-70F Series Airplanes [Docket No.: FAA-2008-0858; Directorate Identifier

2008-NM-054-AD; Amendment 39-15773; AD 2008-26-07] (RIN: 2120-AA64) Received January 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

605. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Piper Aircraft, Inc. Models PA-46-350P, PA-46R-350T, and PA-46-500TP Airplanes [Docket No.: FAA-2008-1085; Directorate Identifier 2008-CE-057-AD; Amendment 39-15777; AD 2008-26-11] (RIN: 2120-AA64) received January 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

606. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company 172, 175, 177, 180, 182, 185, 188, 206, 207, 208, 210, 303, 336, and 337 Series Airplanes [Docket No.: FAA-2008-1328; Directorate Identifier 2008-CE-066-AD; Amendment 39-15776; AD 2008-26-10] (RIN: 2120-AA64) received January 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

607. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aircraft Industries a.s. (Type Certificate G60EU previously held by LETECKE ZAVODY a.s. and LET Aeronautical Works) Model L 23 Super Blanik Sailplane [Docket No.: FAA-2008-1138; Directorate Identifier 2008-CE-059-AD; Amendment 39-15778; AD 2008-26-12] (RIN: 2120-AA64) received January 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

608. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-8-11, DC-8-12, DC-8-21, DC-8-31, DC-8-32, DC-8-33, DC-8-41, DC-8-42, and DC-8-43 Airplanes; Model DC-8-51, DC-8-52, DC-8-53, and DC-8-55 Airplanes; Model DC-8F-54 and DC-8F-55 Airplanes; Model DC-8-61, DC-8-62, and DC-8-63 Airplanes; Model DC-8-61F, DC-8-62F, and DC-8-63F Airplanes; Model DC-8-71, DC-8-72, and DC-8-73 Airplanes; and Model DC-8-71F, DC-8-72F, and DC-8-73F Airplanes [Docket No.: FAA-2008-0123; Directorate Identifier 2007-NM-056-AD; Amendment 39-15763; AD 2008-25-05] (RIN: 2120-AA64) Received January 26, 2009, pursuant to 5 U.S.C. to the Committee on Transportation and Infrastructure.

609. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; MD Helicopters, Inc. Model MD900 Helicopters [Docket No.: FAA-2008-1250; Directorate Identifier 2008-SW-49-AD; Amendment 39-15775; AD 2008-17-51] (RIN: 2120-AA64) received January 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. FRANKS of Arizona (for himself, Mr. BROUN of Georgia, Mr. PENCE, Mr. GOHMERT, Mr. THOMPSON of Pennsylvania, Mr. ALEXANDER, Mr. MCHENRY, Mr. GINGREY of Georgia, Mr. MARCHANT, Mr. LATTA, Mr. NEUGEBAUER, Mr. POSEY, Mr. MCCLINTOCK, Mr. RYAN of Wisconsin, Ms. FALLIN, Mr. PITTS, Mr. HARPER, and Mr. BOUSTANY):

H.R. 1058. A bill to amend the Internal Revenue Code of 1986 to repeal the inclusion in gross income of Social Security benefits and tier 1 railroad retirement benefits; to the Committee on Ways and Means.

By Mrs. BLACKBURN (for herself, Mr. TANNER, and Mr. COHEN):

H.R. 1059. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide eligibility for an heir of a deceased homeowner to receive certain housing-related disaster assistance; to the Committee on Transportation and Infrastructure.

By Mr. GONZALEZ:

H.R. 1060. A bill to amend the Internal Revenue Code of 1986 to clarify that a NADBank guarantee is not considered a Federal guarantee for purposes of determining the tax-exempt status of bonds; to the Committee on Ways and Means.

By Mr. DICKS:

H.R. 1061. A bill to transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, to place land into trust for the Hoh Indian Tribe, and for other purposes; to the Committee on Natural Resources.

By Ms. ROS-LEHTINEN (for herself, Mr. MCCOTTER, Mr. BURTON of Indiana, Mr. WILSON of South Carolina, Mr. BOOZMAN, Mr. MACK, Mr. ROHRABACHER, Mr. POE of Texas, Mr. INGLIS, Mr. BILIRAKIS, Mr. GALLEGLY, Mr. GOODLATTE, Mr. SAM JOHNSON of Texas, Ms. FOXX, Mrs. MYRICK, Mr. MILLER of Florida, Mr. LAMBORN, Ms. FALLIN, and Mrs. LUMMIS):

H.R. 1062. A bill to amend the Foreign Assistance Act of 1961 to provide for the establishment and implementation of a system to verify that persons who receive United States foreign assistance funds are not affiliated with or do not support foreign terrorist organizations or do not otherwise commit or support acts of international terrorism, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HENSARLING (for himself, Mr. CONAWAY, Mr. GINGREY of Georgia, Mrs. BLACKBURN, Mr. BOEHNER, Mr. CANTOR, and Mr. PENCE):

H.R. 1063. A bill to repeal a requirement with respect to the procurement and acquisition of alternative fuels; to the Committee on Oversight and Government Reform.

By Mr. SCOTT of Virginia (for himself, Mr. CASTLE, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEWIS of Georgia, Mr. CONNOLLY of Virginia, Mr. CAO, Ms. CORRINE BROWN of Florida, Ms. WATSON, Mr. WEINER, Mr. SESTAK, Mr. KENNEDY, Mrs. CHRISTENSEN, Mr. GRIJALVA, Mr. MCGOVERN, Mr. CUMMINGS, Ms. BORDALLO, Mr. SERRANO, Mr. MARKEY of Massachusetts, Mr. HASTINGS of Florida, Mr. FATTAH, Mr. NADLER of New York, Ms. KILPATRICK of Michigan, Ms. DEGETTE, Mr. HONDA, Ms. SUTTON, Mr. CLAY, Ms. WATERS, Mr. JOHNSON of Georgia, Ms. NORTON, Ms. JACKSON-LEE of Texas, Ms. ZOE LOFGREN of California, Ms. HIRONO, Mrs. CAPPS, Ms. WASSERMAN SCHULTZ, Mr. MCDERMOTT, Ms. WOOLSEY, Mrs. LOWEY, Mr. COHEN, Mr. MEEKS of New York, Mr. ELLISON, Ms. LORETTA SANCHEZ of California, Mr. HINCHEY, Mr. DAVIS of Illinois, Ms. SHEA-PORTER, Mr. SARBANES, Mr. TIERNEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BRADY of Pennsylvania, Mr. DAVIS of Alabama, Mr. FALEOMAVAEGA, Ms. CLARKE, Mr. BISHOP of Georgia, Mr. RYAN of Ohio, Mrs. NAPOLITANO, Mr. RUSH, Mr. PAYNE, Ms. SCHAKOWSKY, Mr. STARK, Mr. CARSON of Indiana, Mr. AL GREEN of Texas, Ms. MOORE of Wisconsin, Mr. SCOTT of Georgia, Mr. CLEAVER, Mr. HINOJOSA, Mr. WATT, Mr. FILNER, Mr. MILLER of North Carolina, Mr. RUPPERSBERGER, and Mr. RANGEL):

H.R. 1064. A bill to provide for evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to help build individual, family, and community strength and resiliency to ensure that youth lead productive, safe, healthy, gang-free, and law-abiding lives; to the Committee on the Judiciary, and in addition to the Committees on Education and Labor, Energy and Commerce, and 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 Mrs. KIRKPATRICK of Arizona:

H.R. 1065. A bill to resolve water rights claims of the White Mountain Apache Tribe in the State of Arizona, and for other purposes; to the Committee on Natural Resources.

By Mr. FARR (for himself, Mr. DRIEHAUS, Mr. HONDA, Mr. PETRI, Ms. MCCOLLUM, Ms. KAPTUR, Mr. RAHALL, Mr. OLVER, Mr. WELCH, Mr. WAXMAN, Mr. GEORGE MILLER of California, Mr. VAN HOLLEN, Mrs. CAPPS, Mr. TIERNEY, Mr. MCDERMOTT, Ms. ESHOO, Mr. FALEOMAVAEGA, Mr. VISCLOSKY, Mr. RANGEL, Mr. ETHERIDGE, Mr. PRICE of North Carolina, Mr. CALVERT, Mr. TAYLOR, Mr. ENGEL, Mr. HASTINGS of Florida, Mr. BERRY, Mr. FATTAH, Mr. PIERLUISI, Ms. DELAURO, Mrs. HALVORSON, Mr. MEEKS of New York, Ms. ZOE LOFGREN of California, Mr. PERLMUTTER, Ms. SOLIS of California, Ms. SCHAKOWSKY, Ms. HIRONO, Mr. JACKSON of Illinois, Mr. CONNOLLY of Virginia, Mr. HARE, Mr. TEAGUE, and Mr. KAGEN):

H.R. 1066. A bill to amend the Peace Corps Act to provide continued funding for the Peace Corps, to increase the readjustment allowances for Peace Corps volunteers and volunteer leaders, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HALL of Texas (for himself and Mr. WEXLER):

H.R. 1067. A bill to amend title II of the Social Security Act to allow workers who attain age 65 after 1981 and before 1992 to choose either lump sum payments over four years totalling $5,000 or an improved benefit computation formula under a new 10-year rule governing the transition to the changes in benefit computation rules enacted in the Social Security Amendments of 1977, and for other purposes; to the Committee on Ways and Means.

By Mr. DEFAZIO (for himself, Mr. WELCH, Ms. SUTTON, Mr. CAPUANO, Mr. WU, Mr. STARK, Ms. DELAURO, and Ms. EDWARDS of Maryland):

H.R. 1068. A bill to amend the Internal Revenue Code of 1986 to impose a tax on certain securities transactions to the extent required to recoup the net cost of the Troubled Asset Relief Program; to the Committee on Ways and Means.

By Mr. CALVERT (for himself, Mr. BILBRAY, Ms. JENKINS, Mr. MILLER of Florida, and Mr. ISSA):

H.R. 1069. A bill to provide for certain requirements related to the closing of the Guantanamo Bay detention facility; to the Committee on Armed Services.

By Mr. JONES:

H.R. 1070. A bill to amend the Internal Revenue Code of 1986 to increase the limitation on the capital loss carryovers of individuals to $10,000; to the Committee on Ways and Means.

By Mr. THOMPSON of Pennsylvania (for himself and Mr. RODRIGUEZ):

H.R. 1071. A bill to prohibit the imposition and collection of tolls on certain highways constructed using Federal funds; to the Committee on Transportation and Infrastructure.

By Ms. ROS-LEHTINEN (for herself, Mr. ROYCE, and Mr. SMITH of New Jersey):

H.R. 1072. A bill to prohibit United States contributions to the United Nations for the purpose of paying or reimbursing the legal expenses of United Nations officers or employees charged with malfeasance, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ROONEY (for himself, Mr. MILLER of Florida, Mr. POSEY, Mr. STEARNS, Mr. MACK, Mr. MARIO DIAZ-BALART of Florida, Ms. GINNY BROWN-WAITE of Florida, Mr. PUTNAM, Mr. YOUNG of Florida, and Mr. MICA):

H.R. 1073. A bill to prohibit the use of funds to transfer individuals detained at Naval Station, Guantanamo Bay, Cuba, to facilities in Florida or to house such individuals at such facilities; to the Committee on Armed Services.

By Mr. SCALISE:

H.R. 1074. A bill to amend chapter 44 of title 18, United States Code, to update certain procedures applicable to commerce in firearms and remove certain Federal restrictions on interstate firearms transactions; to the Committee on the Judiciary.

By Mr. SCALISE (for himself, Mr. ALEXANDER, Mr. BOUSTANY, Mr. CASSIDY, Ms. JACKSON-LEE of Texas, Mr. BRADY of Pennsylvania, Mr. OLSON, Mr. DUNCAN, and Mr. RODRIGUEZ):

H.R. 1075. A bill to amend title 38, United States Code, to expand access to hospital care for veterans in major disaster areas, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SMITH of Texas:

H.R. 1076. A bill to amend title 18, United States Code, to protect youth from exploitation by adults using the Internet, and for other purposes; to the Committee on the Judiciary.

By Mr. ROSS (for himself, Mr. LEWIS of Georgia, and Mr. AKIN):

H.R. 1077. A bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of services of qualified respiratory therapists performed under the general supervision of a physician; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ARCURI (for himself, Ms. EDWARDS of Maryland, Mr. KRATOVIL, Mr. ACKERMAN, Mr. BACA, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Ms. CORRINE BROWN of Florida, Mr. CAPUANO, Mrs. CHRISTENSEN, Mr. CLAY, Mr. COHEN, Mr. CONNOLLY of Virginia, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. DONNELLY of Indiana, Ms. FUDGE, Mr. GRAYSON, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. HINCHEY, Mr. HOYER, Mr. ISRAEL, Ms. JACKSON-LEE of Texas, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. LEWIS of Georgia, Mrs. MCCARTHY of New York, Mrs. MALONEY, Mr. MARKEY of Massachusetts, Mr. MASSA, Mr. MATHESON, Mr. MEEKS of New York, Mr. MELANCON, Mr. MORAN of Virginia, Ms. MOORE of Wisconsin, Mr. MURPHY of Connecticut, Mr. NADLER of New York, Ms. NORTON, Mr. PAYNE, Mr. RANGEL, Mr. REYES, Mr. SARBANES, Mr. SCHIFF, Mr. SHULER, Mr. SIRES, Ms. SLAUGHTER, Ms. SUTTON, Mr. TOWNS, Mr. WATT, and Mr. WAXMAN):

H.R. 1078. A bill to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, and for other purposes; to the Committee on Natural Resources.

By Mr. BAIRD (for himself, Mr. CASTLE, Mr. DEAL of Georgia, Mr. DICKS, Mr. GERLACH, Ms. HARMAN, Ms. KAPTUR, Mr. KIRK, Mr. LATOURETTE, Ms. ZOE LOFGREN of California, Mr. SPACE, Mr. TIERNEY, and Mr. YOUNG of Florida):

H.R. 1079. A bill to expand the research, prevention, and awareness activities of the Centers for Disease Control and Prevention and the National Institutes of Health with respect to pulmonary fibrosis, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BORDALLO (for herself, Mr. ABERCROMBIE, Mr. FALEOMAVAEGA, Mr. FARR, Mrs. CHRISTENSEN, and Mr. SABLAN):

H.R. 1080. A bill to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, and for other purposes; to the Committee on Natural Resources.

By Mr. BERRY (for himself and Mrs. EMERSON):

H.R. 1081. A bill to amend the Post-Katrina Emergency Management Reform Act of 2006 to extend the public assistance pilot program through December 31, 2009; to the Committee on Transportation and Infrastructure.

By Mr. BOREN (for himself and Mr. JONES):

H.R. 1082. A bill to prohibit the importation for sale of foreign-made flags of the United States of America; to the Committee on Ways and Means.

By Mr. BOUCHER (for himself, Mr. GOODLATTE, Mr. DAVIS of Alabama, Mrs. BACHMANN, Ms. HERSETH SANDLIN, Mr. JONES, Mr. SCOTT of Virginia, Mr. JORDAN of Ohio, Mr. WEINER, Mr. PENCE, and Mr. WILSON of South Carolina):

H.R. 1083. A bill to regulate certain State taxation of interstate commerce, and for other purposes; to the Committee on the Judiciary.

By Ms. ESHOO (for herself, Mr. DOYLE, Mr. GEORGE MILLER of California, Ms. SUTTON, Mr. SIRES, Mr. BOUCHER, Mr. BRADY of Pennsylvania, Mr. BISHOP of New York, Ms. WATSON, Ms. SCHWARTZ, Ms. ZOE LOFGREN of California, Mr. THOMPSON of California, Ms. MCCOLLUM, Mr. HARE, Mr. HONDA, Mr. CAPUANO, Ms. SPEIER, Mr. GENE GREEN of Texas, Mr. DICKS, Mr. CROWLEY, Ms. LEE of California, and Ms. LORETTA SANCHEZ of California):

H.R. 1084. A bill to require the Federal Communications Commission to prescribe a standard to preclude commercials from being broadcast at louder volumes than the program material they accompany; to the Committee on Energy and Commerce.

By Ms. ESHOO (for herself, Mr. ALTMIRE, Mr. LANGEVIN, Ms. SUTTON, and Mr. KILDEE):

H.R. 1085. A bill to impose a limitation on lifetime aggregate limits imposed by health plans; 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. GINGREY of Georgia (for himself, Mrs. BACHMANN, Mr. SESSIONS, Mr. HELLER, Mr. FRELINGHUYSEN, Mr. PITTS, Mr. SHUSTER, Mr. WESTMORELAND, Mr. DENT, Mr. ROSKAM, Mr. PRICE of Georgia, Mr. SCALISE, Mr. COLE, Mr. FRANKS of Arizona, Mr. SAM JOHNSON of Texas, Mr. BURTON of Indiana, Ms. FALLIN, Mr. BARTLETT, Mrs. SCHMIDT, Mr. HENSARLING, Mr. BISHOP of Utah, Mr. SMITH of Texas, Mr. AKIN, Mr. GERLACH, Mr. MACK, Mr. DEAL of Georgia, Mrs. BLACKBURN, Mr. BUCHANAN, Mr. HALL of Texas, Mr. WOLF, Mrs. CAPITO, Mr. RADANOVICH, Mr. LINDER, and Mrs. MCMORRIS RODGERS):

H.R. 1086. A bill to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system; to the Committee on the Judiciary, 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. GINGREY of Georgia (for himself, Mr. SESSIONS, Mr. SAM JOHNSON of Texas, Mr. BROWN of South Carolina, Mr. AKIN, Mr. SMITH of Texas, Mr. BISHOP of Utah, Mr. HENSARLING, Mrs. SCHMIDT, Mr. BARTLETT, Mr. PITTS, Ms. FALLIN, Mr. BURTON of Indiana, Mr. FLEMING, Mr. COLE, Mr. KING of Iowa, Mr. PRICE of Georgia, and Mr. LAMBORN):

H.R. 1087. A bill to amend the Internal Revenue Code of 1986 to increase the deduction under section 179 for the purchase of qualified health care information technology by medical care providers, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HERSETH SANDLIN:

H.R. 1088. A bill to amend title 38, United States Code, to provide for a one-year period for the training of new disabled veterans' outreach program specialists and local veterans' employment representatives by National Veterans' Employment and Training Services Institute; to the Committee on Veterans' Affairs.

By Ms. HERSETH SANDLIN:

H.R. 1089. A bill to amend title 38, United States Code, to provide for the enforcement through the Office of Special Counsel of the employment and unemployment rights of veterans and members of the Armed Forces employed by Federal executive agencies, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HILL:

H.R. 1090. A bill to amend the Internal Revenue Code of 1986 to allow a credit for care packages provided for soldiers in combat zones and a credit for providing volunteer service to military families through the America Supports You program of the Department of Defense; to the Committee on Ways and Means.

By Mr. HONDA (for himself, Mr. PAUL, Mr. GRIJALVA, Mr. VAN HOLLEN, Mr. OLVER, Mr. CLEAVER, Ms. BALDWIN, Mr. WAXMAN, Mr. CONYERS, Ms. WOOLSEY, Mr. NADLER of New York, Mrs. CAPPS, Ms. HIRONO, Mr. DEFAZIO, Ms. BERKLEY, Mr. MCGOVERN, Mr. DELAHUNT, Mrs. MALONEY, Mr. KAGEN, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. AL GREEN of Texas, Mr. SIRES, Mr. MEEKS of New York, Ms. MOORE of Wisconsin, Mr. STARK, Mr. SERRANO, Mr. WELCH, and Mr. ROTHMAN of New Jersey):

H.R. 1091. A bill to amend the Elementary and Secondary Education Act of 1965 to direct local educational agencies to release secondary school student information to military recruiters if the student's parent provides written consent for the release, and for other purposes; to the Committee on Education and Labor.

By Mr. KAGEN:

H.R. 1092. A bill to amend the Employee Retirement Income Security Act of 1974, Public Health Service Act, and the Internal Revenue Code of 1986 to prohibit discrimination in group health coverage and individual health insurance coverage; to the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor, 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. LEWIS of Georgia:

H.R. 1093. A bill to amend title II of the Social Security Act to provide for an increase in the maximum level of fees authorized to be charged by representatives with respect to claims of entitlement to past-due benefits and to require cost-of-living adjustments to such level of authorized fees; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia (for himself and Mr. LINCOLN DIAZ-BALART of Florida):

H.R. 1094. A bill to ensure that home health agencies can assign the most appropriate skilled service to make the initial assessment visit for home health services for Medicare beneficiaries requiring rehabilitation therapy under a home health plan of care, based upon physician referral; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY:

H.R. 1095. A bill to prohibit any recipient of emergency Federal economic assistance from using such funds for lobbying expenditures or political contributions, to improve transparency, enhance accountability, encourage responsible corporate governance, and for other purposes; to the Committee on Financial Services.

By Mr. MARSHALL (for himself, Mr. DEFAZIO, Mr. BARTLETT, Mr. BARROW, and Mr. TAYLOR):

H.R. 1096. A bill to create an electronic employment eligibility verification system to ensure that all workers in the United States are legally able to work, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, and 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. PAUL:

H.R. 1097. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for obtaining transportation worker identification credentials; to the Committee on Ways and Means.

By Mr. PERRIELLO:

H.R. 1098. A bill to amend title 38, United States Code, to increase the amount of educational assistance payable by the Secretary of Veterans Affairs to certain individuals pursuing internships or on-job training; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIRES (for himself, Mr. FRANK of Massachusetts, Mr. MCDERMOTT, and Mr. CAPUANO):

H.R. 1099. A bill to provide for extension of existing and expiring agreements under the Moving-to-Work program of the Department of Housing and Urban Development; to the Committee on Financial Services.

By Mrs. TAUSCHER:

H.R. 1100. A bill to authorize the Commandant of the Coast Guard to issue regulations that require certain pilots on vessels operating in designated waters to carry and utilize a portable electronic device equipped for navigational purposes, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TOWNS (for himself, Mr. UPTON, Mr. COHEN, Ms. SCHWARTZ, Mr. HOLT, Ms. ROYBAL-ALLARD, and Mr. PAYNE):

H.R. 1101. A bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services and to provide for more equitable reimbursement rates for certified nurse-midwife services; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VAN HOLLEN (for himself, Mr. GEORGE MILLER of California, Ms. BERKLEY, Mr. BERMAN, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Mr. BLUMENAUER, Ms. BORDALLO, Mr. BOUCHER, Mr. BRADY of Pennsylvania, Ms. CORRINE BROWN of Florida, Mrs. CAPPS, Mr. CARNAHAN, Mr. CARNEY, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mr. CHANDLER, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. CONNOLLY of Virginia, Mr. CONYERS, Mr. COSTELLO, Mr. COURTNEY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFAZIO, Mr. DELAHUNT, Mr. DOYLE, Ms. EDWARDS of Maryland, Mr. ELLISON, Mr. ENGEL, Mr. ETHERIDGE, Mr. FRANK of Massachusetts, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HARE, Mr. HIGGINS, Mr. HINOJOSA, Mr. HOLT, Mr. HONDA, Mr. KAGEN, Ms. KILPATRICK of Michigan, Mr. KLEIN of Florida, Mr. KUCINICH, Mr. LARSON of Connecticut, Mr. LEWIS of Georgia, Mr. LOEBSACK, Mr. LYNCH, Mrs. MALONEY, Mrs. MCCARTHY of New York, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCMAHON, Ms. MOORE of Wisconsin, Mr. MURPHY of Connecticut, Mr. TIM MURPHY of Pennsylvania, Mr. ORTIZ, Mr. PALLONE, Mr. POLIS of Colorado, Mr. REYES, Mr. RODRIGUEZ, Mr. ROSS, Mr. ROTHMAN of New Jersey, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. SCOTT of Georgia, Mr. SESTAK, Mr. SIRES, Mr. STARK, Ms. SUTTON, Mr. TIERNEY, Mr. WEXLER, Mr. WILSON of Ohio, Ms. WOOLSEY, Mr. WU, and Mr. YARMUTH):

H.R. 1102. A bill to require full funding of the Elementary and Secondary Education Act of 1965 and the Individuals with Disabilities Education Act; to the Committee on Education and Labor, and in addition to the Committee on Appropriations, 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. WEXLER (for himself, Mr. ISSA, Mr. ENGEL, Ms. ROS-LEHTINEN, Mr. HASTINGS of Florida, Mr. BURTON of Indiana, Mr. BOYD, Ms. WASSERMAN SCHULTZ, Mr. ROTHMAN of New Jersey, Mr. KLEIN of Florida, and Mr. PATRICK J. MURPHY of Pennsylvania):

H.R. 1103. A bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names; to the Committee on the Judiciary.

By Mr. WAXMAN (for himself, Mr. LATOURETTE, and Mr. CANTOR):

H. Con. Res. 54. Concurrent resolution permitting the use of the Rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust; to the Committee on House Administration.

By Mr. MCINTYRE:

H. Res. 169. A resolution expressing the sense of the House of Representatives that Robert Burns was a true friend of the United States, that his work inspired the citizens of this Nation, as well as his native Scotland, and that the annual celebration of his birth is a tradition that transcends national boundaries, and as a result, should be observed in communities around the world; to the Committee on Foreign Affairs.

By Mr. DEFAZIO (for himself, Mr. WALDEN, Mr. BLUMENAUER, Mr. WU, and Mr. SCHRADER):

H. Res. 170. A resolution recognizing the sesquicentennial of the admission of Oregon into the Union and the contributions of Oregon residents to the economic, social, and cultural development of the United States; to the Committee on Oversight and Government Reform.

By Mr. BERMAN (for himself, Mr. WEXLER, Mr. HASTINGS of Florida, Mr. CARNAHAN, Mr. FORTENBERRY, Mr. ENGEL, Mr. KIRK, and Mr. POMEROY):

H. Res. 171. A resolution expressing the sense of the House of Representatives on the need for constitutional reform in Bosnia and Herzegovina and the importance of sustained United States engagement in partnership with the European Union (EU); to the Committee on Foreign Affairs.

By Mr. BRADY of Pennsylvania:

H. Res. 172. A resolution providing amounts for the expenses of the Committee on House Administration in the One Hundred Eleventh Congress; to the Committee on House Administration.

By Mr. GRAVES (for himself, Mr. RAHALL, Mr. SMITH of New Jersey, and Ms. ZOE LOFGREN of California):

H. Res. 173. A resolution expressing the sense of the House of Representatives that the United States Postal Service should take all appropriate measures to ensure the continuation of its 6-day mail delivery service; to the Committee on Oversight and Government Reform.

By Mr. HASTINGS of Florida:

H. Res. 174. A resolution acknowledging the growing threat of anti-Semitism throughout South America, namely in Venezuela, Bolivia, and Argentina; to the Committee on Foreign Affairs.

By Mr. KIRK (for himself, Mr. MCGOVERN, Mr. SHERMAN, Mr. BURTON of Indiana, Mr. FOSTER, Mr. HINCHEY, Mr. WOLF, and Mr. MORAN of Virginia):

H. Res. 175. A resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights; to the Committee on Foreign Affairs.

By Mr. LATTA:

H. Res. 176. A resolution expressing the sense of the House of Representatives that in order to continue aggressive growth in our Nation's telecommunications and technology industries, the United States Government should ''Get Out of the Way and Stay

Out of the Way''; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY of Massachusetts (for himself, Mr. SMITH of New Jersey, Mr. DELAHUNT, Mr. BLUMENAUER, Mr. GRIJALVA, and Ms. SHEA-PORTER):

H. Res. 177. A resolution expressing the sense of the House of Representatives concerning membership of the United States in the International Renewable Energy Agency; to the Committee on Foreign Affairs.

By Mr. PASCRELL (for himself, Mr. PLATTS, Mr. GRIJALVA, Mr. MCGOVERN, Mr. MCDERMOTT, Mr. DELAHUNT, Mr. SMITH of New Jersey, Mr. HINCHEY, Mr. CARNEY, Mr. KENNEDY, Mr. THOMPSON of California, Mr. GEORGE MILLER of California, Ms. HERSETH SANDLIN, Mrs. NAPOLITANO, Ms. BERKLEY, Ms. BORDALLO, Mr. VAN HOLLEN, Mr. ALTMIRE, Mr. ROSS, Mr. MURTHA, Mr. HOLT, Mr. LOBIONDO, Mr. LAMBORN, Ms. ROS-LEHTINEN, Ms. EDWARDS of Maryland, Mr. BOSWELL, Mr. SNYDER, Mr. TAYLOR, Mr. ROGERS of Alabama, Ms. SUTTON, Mrs. DAVIS of California, Mr. CUMMINGS, Mr. SESTAK, Ms. MCCOLLUM, Mr. NYE, Mr. MARKEY of Massachusetts, Mr. BRADY of Pennsylvania, Mr. HOLDEN, Mrs. MCCARTHY of New York, Mr. CAPUANO, Ms. GIFFORDS, Mrs. CHRISTENSEN, Mr. WALZ, Mr. SPRATT, Mr. HARE, Mr. MICHAUD, Mr. GONZALEZ, Mr. BROWN of South Carolina, Mr. BRALEY of Iowa, Mr. RYAN of Ohio, Mr. ROTHMAN of New Jersey, Mr. SIRES, Mr. CONNOLLY of Virginia, Mrs. EMERSON, Mr. LEWIS of Georgia, Mr. HALL of New York, Mr. DRIEHAUS, Ms. LORETTA SANCHEZ of California, Ms. KAPTUR, Mr. SMITH of Washington, Mr. BISHOP of New York, Mr. LANCE, Mr. RUSH, Mr. BACA, Mr. ROONEY, Mr. ADLER of New Jersey, Mr. SALAZAR, Mr. PETERSON, Mr. STEARNS, Mr. PERRIELLO, Mr. STARK, Mr. MCCOTTER, Mr. ARCURI, and Mr. CONYERS):

H. Res. 178. A resolution expressing the need for enhanced public awareness of traumatic brain injury and support for the designation of a National Brain Injury Awareness Month; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII,

6. The SPEAKER presented a memorial of Coldwater, Mississippi, relative to economic stimulus proposals for funding consideration; to the Committee on Transportation and Infrastructure.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Ms. ZOE LOFGREN of California introduced A bill (H.R. 1104) for the relief of Mikael Adrian Christopher Figueroa Alvarez; 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: Ms. WOOLSEY and Mr. BOOZMAN.

H.R. 24: Mr. BROUN of Georgia and Mr. GOHMERT.

H.R. 31: Mr. DUNCAN, Mr. KIRK, Mrs. MILLER of Michigan, and Ms. ESHOO.

H.R. 44: Mr. CAO.

H.R. 52: Mr. BLUMENAUER, Ms. BORDALLO, Mr. FORTENBERRY, Mr. MORAN of Virginia, Mr. PAYNE, Ms. HIRONO, Mr. EHLERS, Ms. MCCOLLUM, Mr. GRIJALVA, Mr. CALVERT, and Mr. SIRES.

H.R. 81: Mrs. LOWEY.

H.R. 131: Mrs. BIGGERT, Mr. BISHOP of Utah, Mr. ROGERS of Alabama, and Mr. BONNER.

H.R. 147: Mr. NYE, Mr. CARSON of Indiana, Mr. MCGOVERN, Mr. COSTA, Mr. PETERSON, Mr. HASTINGS of Florida, and Mr. ARCURI.

H.R. 164: Ms. GINNY BROWN-WAITE of Florida.

H.R. 175: Mr. INSLEE and Mr. GRIJALVA.

H.R. 211: Mr. PLATTS, Mr. SCHAUER, Mr. MOLLOHAN, Mr. YARMUTH, Mr. BILBRAY, Mr. THOMPSON of Mississippi, Mr. MORAN of Virginia, Mr. ALEXANDER, Mr. DRIEHAUS, Mr. MCGOVERN, Mrs. CAPPS, Mr. GRIJALVA, Mr. LARSON of Connecticut, Ms. DELAURO, Mr. ROSS, Mr. FARR, Ms. MCCOLLUM, Ms. MATSUI, Mr. CARDOZA, Mr. SCHIFF, and Mr. VAN HOLLEN.

H.R. 216: Mr. BOREN.

H.R. 225: Mr. CARNAHAN, Ms. MCCOLLUM, Mr. GENE GREEN of Texas, Mr. TIERNEY, and Mr. PETERS.

H.R. 226: Mr. LATOURETTE and Mr. KING of New York.

H.R. 235: Mr. WALZ, Mr. DAVIS of Kentucky, Mr. CONAWAY, Mr. GERLACH, Mr. SULLIVAN, Mr. BOUCHER, Mr. JOHNSON of Illinois, Mr. CARDOZA, Mr. MILLER of North Carolina, and Mr. ISRAEL.

H.R. 270: Mr. CONNOLLY of Virginia and Mr. SCHIFF.

H.R. 303: Mr. LOBIONDO, Mr. CALVERT, Mr. WALDEN, Mr. PRICE of North Carolina, and Mr. MORAN of Kansas.

H.R. 333: Mr. BOREN and Mr. ARCURI.

H.R. 336: Mr. HASTINGS of Florida.

H.R. 345: Ms. SUTTON, Mr. CONAWAY, Mr. GRIJALVA, Mr. MILLER of North Carolina, Mr. CONNOLLY of Virginia, Mr. DENT, and Mr. WAXMAN.

H.R. 347: Mr. GOODLATTE and Mr. MURPHY of Connecticut.

H.R. 406: Ms. VELÁZQUEZ, MRS. BIGGERT, Mr. KIND, Ms. SHEA-PORTER, Mr. LYNCH, Mr. COSTA, Mr. KENNEDY, and Mr. FATTAH.

H.R. 424: Mr. CALVERT and Mr. BOOZMAN.

H.R. 467: Mr. CONNOLLY of Virginia.

H.R. 470: Mr. SULLIVAN, Mrs. MCMORRIS RODGERS, and Mr. CASSIDY.

H.R. 479: Mr. YOUNG of Florida, Mr. CONNOLLY of Virginia, and Mr. GENE GREEN of Texas.

H.R. 483: Mr. MILLER of North Carolina.

H.R. 510: Mr. MOLLOHAN.

H.R. 557: Mr. COBLE, Mr. LOBIONDO, Mr. Chaffetz, Mr. BISHOP of Utah, Mr. WESTMORELAND, Ms. GINNY BROWN-WAITE of Florida, Mr. GOODLATTE, Mr. BARTLETT, Mr. LINDER, Mr. JONES, Mr. YOUNG of Alaska, Mr. MCCARTHY of California, Mr. CALVERT, and Mr. MICA.

H.R. 560: Mr. AKIN, Mrs. BACHMANN, Mr. BARRETT of South Carolina, Mr. BARTLETT, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. BOOZMAN, Mr. BROUN of Georgia, Mr. BROWN of South Carolina, Mr. BURTON of Indiana, Mr. COLE, Mr. CONAWAY, Ms. FALLIN, Mr. GINGREY of Georgia, Mr. GOHMERT, Mr. HOEKSTRA, Mr. KING of Iowa, Mr. LAMBORN, Mr. PITTS, Mrs. SCHMIDT, and Mr. WESTMORELAND.

H.R. 564: Mr. STUPAK and Mr. HOLT.

H.R. 574: Mr. STUPAK and Ms. MCCOLLUM.

H.R. 577: Mr. SIRES, Mr. GRAVES, Mr. LOBIONDO, Mr. LARSON of Connecticut, Mr. PAYNE, Mr. HINOJOSA, Ms. NORTON, and Mr. CUMMINGS.

H.R. 578: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 587: Mr. DREIER.

H.R. 593: Mr. ARCURI.

H.R. 599: Mr. ABERCROMBIE and Mr. BARTON of Texas.

H.R. 613: Mr. GORDON of Tennessee, Mr. MARSHALL, Mr. PASTOR of Arizona, Mr. RAHALL, Mrs. EMERSON, Mr. GOHMERT, Mr. BARROW, Mr. CARTER, Mr. JOHNSON of Georgia, Mr. FORTENBERRY, Mr. MICHAUD, Mr. POSEY, Mr. BOREN, Mr. SCHIFF, Mr. ROHRABACHER, and Mr. LATOURETTE.

H.R. 627: Ms. ZOE LOFGREN of California and Mr. STUPAK.

H.R. 630: Mr. MARCHANT and Mr. GOODLATTE.

H.R. 649: Mr. BUCHANAN, Mr. WITTMAN, Mr. SAM JOHNSON of Texas, Mr. COFFMAN of Colorado, Mr. TIM MURPHY of Pennsylvania, and Mr. GOODLATTE.

H.R. 658: Mr. CROWLEY and Mr. MICHAUD.

H.R. 667: Ms. JACKSON-LEE of Texas, Mr. OBERSTAR, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. NEAL of Massachusetts.

H.R. 702: Mr. GENE GREEN of Texas.

H.R. 734: Mr. RYAN of Ohio, Ms. MOORE of Wisconsin, Mr. VAN HOLLEN, Mr. BILIRAKIS, Mr. TAYLOR, and Mr. GRIJALVA.

H.R. 745: Mr. FILNER and Mr. MCDERMOTT.

H.R. 775: Mr. LINCOLN DIAZ-BALART of Florida, Mr. LOBIONDO, Mr. ALEXANDER, Mr. ELLISON, Mr. OBERSTAR, Mr. ABERCROMBIE, Mr. MCHENRY, Mr. MORAN of Kansas, and Mr. PRICE of North Carolina.

H.R. 783: Mr. GOODLATTE.

H.R. 796: Mr. BECERRA.

H.R. 802: Mr. PAUL.

H.R. 819: Mr. FATTAH and Mr. ALTMIRE.

H.R. 824: Mr. MCGOVERN.

H.R. 836: Mr. RODRIGUEZ, Mrs. MYRICK, Mr. KING of New York, Mr. WU, Mr. BUCHANAN, Mr. COBLE, Mr. MARCHANT, Mr. GARRETT of New Jersey, Mr. CULBERSON, Mr. FILNER, Mr. HENSARLING, Mr. PERLMUTTER, Mr. BISHOP of Georgia, Mr. WESTMORELAND, Mrs. BACHMANN, Mr. BLUNT, Mr. DOYLE, Mr. GERLACH, Mr. MILLER of Florida, Mrs. BONO MACK, Mr. WALDEN, Mr. CARDOZA, Mr. MCHENRY, Mr. WILSON of South Carolina, Mr. PAUL, Mr. BRADY of Texas, Mr. LAMBORN, Mr. SPACE, Mr. MICHAUD, Mr. BOOZMAN, Mr. LATTA, Mr. CONAWAY, and Mr. GENE GREEN of Texas.

H.R. 846: Mr. HARE and Mr. CONNOLLY of Virginia.

H.R. 847: Mr. CONNOLLY of Virginia.

H.R. 857: Mr. ARCURI.

H.R. 866: Mr. LINDER and Mr. ALEXANDER.

H.R. 886: Ms. ROS-LEHTINEN, Mr. RYAN of Ohio, Mr. OBERSTAR, and Mr. PIERLUISI.

H.R. 900: Mr. BOOZMAN, Mr. WAMP, and Mr. PENCE.

H.R. 904: Mr. WILSON of Ohio.

H.R. 911: Mr. LOEBSACK, Mr. MEEKS of New York, Mr. BISHOP of New York, Ms. DELAURO, Mr. ANDREWS, and Mr. SCOTT of Virginia.

H.R. 930: Mr. CONNOLLY of Virginia, Mr. VAN HOLLEN, and Mr. PAYNE.

H.R. 958: Mr. HARE, Ms. WOOLSEY, Mr. FRANK of Massachusetts, Mr. ELLISON, Mr. MCGOVERN, Ms. ZOE LOFGREN of California, and Mr. ISRAEL.

H.R. 964: Mr. ROYCE, Mr. BISHOP of Utah, and Mr. CALVERT.

H.R. 968: Mr. LINDER.

H.R. 980: Mr. HINOJOSA, Ms. BEAN, and Mr. SESTAK.

H.R. 981: Mr. OLVER, Mr. JOHNSON of Georgia, Mr. FARR, Mr. FILNER, Mr. DEFAZIO, Mr. GRIJALVA, Ms. LEE of California, Mr. HONDA, Mr. HINCHEY, Ms. BALDWIN, and Ms. WOOLSEY.

H.R. 994: Mr. LINDER.

H.R. 1015: Mr. COLE, Mr. CONAWAY, Mr. LAMBORN, Mrs. LUMMIS, and Mr. GINGREY of Georgia.

H.R. 1024: Ms. DELAURO.

H.R. 1032: Mr. SCALISE, Mr. PASTOR of Arizona, and Ms. LORETTA SANCHEZ of California.

H.R. 1039: Mr. PRICE of Georgia, Mr. GOHMERT, Mr. AKIN, Mr. FRANKS of Arizona, Ms. FOXX, Mr. WESTMORELAND, Mr. BISHOP of Utah, Mr. BARTLETT, Mr. HENSARLING, Mr. PITTS, Mrs. SCHMIDT, Ms. FALLIN, Mr. SHADEGG, Mr. BURTON of Indiana, Mrs. BLACKBURN, Ms. GRANGER, Mr. SESSIONS, Mr. KIRK, Mr. TIAHRT, and Mr. SMITH of Texas.

H.J. Res. 1: Mr. KINGSTON, Mr. LATHAM, Mr. MARCHANT, Mr. MILLER of Florida, Mr. RADANOVICH, Mr. ROHRABACHER, Mr. RYAN of Wisconsin, Mr. SMITH of New Jersey, Mr. TIAHRT, and Mr. YOUNG of Alaska.

H. Con. Res. 14: Ms. SUTTON, Mr. PRICE of North Carolina, and Mr. CONNOLLY of Virginia.

H. Con. Res. 16: Mr. LINDER.

H. Con. Res. 18: Mr. BOREN.

H. Con. Res. 28: Mrs. MALONEY, Mr. BRADY of Pennsylvania, Mr. MCGOVERN, Mr. MORAN of Virginia, Mr. HINCHEY, Mr. FILNER, Mr. MARSHALL, Mr. PETERSON, Mrs. CAPPS, Mr. BURTON of Indiana, Ms. MOORE of Wisconsin, and Mr. GRIJALVA.

H. Con. Res. 36: Mr. CONNOLLY of Virginia.

H. Con. Res. 40: Mr. CONYERS and Mr. MCCOTTER.

H. Con. Res. 50: Ms. WOOLSEY.

H. Con. Res. 52: Mr. FARR, Mr. DAVIS of Illinois, Mr. PAYNE, and Mr. AL GREEN of Texas.

H. Res. 22: Mr. PRICE of North Carolina.

H. Res. 42: Mr. BLUNT, Mr. WOLF, Mr. MCMAHON, Mr. BROUN of Georgia, Mr. KIRK, Mr. LAMBORN, Mr. MARIO DIAZ-BALART of Florida, Mr. LINDER, and Mr. LOBIONDO.

H. Res. 47: Mr. MILLER of North Carolina, Mr. MCCOTTER, and Ms. GINNY BROWN-WAITE of Florida.

H. Res. 68: Mr. BARTON of Texas and Mr. GARY G. MILLER of California.

H. Res. 69: Mr. CONNOLLY of Virginia.

H. Res. 81: Mr. PERRIELLO and Mr. GOODLATTE.

H. Res. 101: Mr. PRICE of North Carolina.

H. Res. 109: Mr. GRIJALVA and Mr. ROYCE.

H. Res. 125: Mr. FRANK of Massachusetts, Mr. BOOZMAN, Mr. LEWIS of California, Mr. WOLF, Ms. ROS-LEHTINEN, Mr. BILBRAY, Mr. COSTELLO, Mr. HERGER, Mr. FRANKS of Arizona, Mr. SOUDER, Mr. SHIMKUS, Mr. FORBES, Mr. MOLLOHAN, Mr. LINCOLN DIAZ-BALART of Florida, Mr. SENSENBRENNER, Mr. LAMBORN, Mr. FALEOMAVAEGA, Ms. WATSON, Mr. ADLER of New Jersey, and Mr. POE of Texas.

H. Res. 130: Mr. BAIRD, Mr. LYNCH, Mr. FATTAH, Mr. BRADY of Pennsylvania, and Ms. CLARKE.

H. Res. 164: Mr. FRANKS of Arizona, Mr. MILLER of Florida, Mr. ROHRABACHER, Mr. MCMAHON, and Mr. MARKEY of Massachusetts.

H. Res. 166: Mr. GRAYSON.

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PROCEEDINGS AND DEBATES OF THE *111th* CONGRESS, FIRST SESSION

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Senate

The Senate met at 10 a.m. and was called to order by the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of power and might, wisdom and justice, through You authority is rightly administered, laws are enacted, and judgment is decreed. Today, assist our Senators with Your spirit of counsel and fortitude. May they always seek the ways of righteousness, justice, and truth as You empower them to lead with honesty and integrity.

Lord, make them so faithful to their calling of public service that Americans may lead tranquil and quiet lives in all godliness and reverence. Give them wisdom to make decisions that will strengthen and prosper our land. We pray in the Redeemer's Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK R. WARNER 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 13, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WARNER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following the remarks of the leaders, if there be any, there will be a period of morning business with Senators allowed to speak for up to 10 minutes each. That time will be controlled equally until 5 p.m. The two leaders can fix who their designees will be.

We expect to be in a position sometime today to vote on adoption of the conference report to H.R. 1. Our cloakroom has issued an alert to all Senators. Any Senators who want to come and speak, they should at least alert the cloakroom they need some time to do that. We have an order in effect of 10 minutes each. If someone wants to talk longer, fine; we have no problem with that at all. But we do need some idea as to how many people wish to speak on this legislation. There have been a number of speeches given during the last few days about it, but if some want to amplify or add to those remarks, that would be fine.

I have been in close touch with the Republican leader during the last 24 hours, and we are going to do our best to try to come up with a time today.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

TIMING OF VOTE

Mr. MCCONNELL. Let me second the remarks of the majority leader. We have a number of Members, not surprisingly on an issue of this magnitude, who would like to speak—Senator MCCAIN is already here—and we will be doing that during the day. I will get a sense of how many speakers we have, and after that I think we should be able to come to an agreement for a time certain on the vote.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, while the leaders are on the floor, I would like to mention, I hope we will continue to observe the one side speaking and then the other side that we have been going through in the last few days. I think a lot of people have been able to voice their views on this very important issue before the Senate. I reiterate, if my colleagues who would like to speak on this issue would call the cloakroom and also indicate how long they plan to speak, it would help us arrive at a time for a vote today.

The ACTING PRESIDENT pro tempore. Will the Senator suspend?

Mr. MCCAIN. Certainly.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order the leadership time is reserved.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period for the transaction of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each and the time to be equally divided between the leaders or their designees.

STIMULUS PACKAGE

Mr. MCCAIN. Mr. President, I object to the 10-minute time restraint. This is a very difficult issue. We are talking about hundreds of billions of dollars of stimulus. I hope my colleagues on the other side of the aisle would understand that more than 10 minutes may be required for some statements.

Mr. DURBIN. If the Senator will yield, this is a very important matter, and complex, and we are not going to limit the Senator from Arizona. We would like to have rough parity in terms of the time given to both sides of the aisle to explain this matter, but we are not going to limit or even try to limit, under the standing rules, any speech by the other side.

Mr. MCCAIN. I thank my friend. I ask we keep track of the timing on both sides as both sides talk so we can try to make sure there is parity on timing throughout the day. Obviously, it will be dictated by the number of speakers who want to speak on either side, but we should try to preserve parity throughout the day.

I thank the Senator from Illinois.

Mr. DURBIN. I say to Senator MCCAIN, I am sorry to interrupt him again. Could we enter a consent to that effect, that we will divide the time?

Mr. MCCAIN. I would agree with the Senator from Illinois, but I think it is pretty clear there are going to be more speakers on this side than that side. I would like to have our leader, the Republican leader, agree to that before I could.

Mr. DURBIN. I am informed by the Senate staff that it is already part of the agreement.

Mr. MCCAIN. I thank the Senator from Illinois.

Mr. President, today the Senate will pass a $789 billion bill, $1.1 trillion with interest added in—and we do, when we calculate the costs of these appropriations bills, count in the interest. It is the so-called stimulus bill, and it is under the guise of a bipartisan compromise.

Let me reiterate what I have so often stated during the past 2 weeks: The Nation needs a stimulus bill. The Nation expects the Congress and the President to act in a truly bipartisan manner to address this crisis. But, unfortunately, this measure is not bipartisan. It contains much that is not stimulative and is nothing short—nothing short—of generational theft.

At times of great challenge, history tells us our Nation will work collectively to remedy the problems we face. Working on this measure together was that opportunity. Republicans offered a good-faith alternative to the measure that is before us. Our alternative provided the American taxpayers with a stimulus bill devoid of porkbarrel projects and excessive spending programs that fail to create jobs.

Our bill was not simply to advocate policies we could not otherwise pass; our bill, in fact, was a real stimulus proposal. Instead, partisan legislation was pushed through.

Sadly, when we could be uniting to assist hurting Americans, we have exacerbated our differences and burdened our children and grandchildren with a debt the proportions of which have never been seen before.

Mr. President, before I go too much further, the bill is 1,071 pages. We got it last night, I believe, at 10:20 p.m. That was the first moment a copy was made available. It was not numbered correctly. At 11 p.m. we received notification it had just become available on the House Web site.

Compare the process that we have been through with the Web site that is from the Obama campaign. The Web site of the Obama campaign stated, and I will quote in a second—this is a quote from the Obama Web site:

> End the practice of writing legislation behind closed doors. As President, Barack Obama will restore the American people's trust in their Government by making Government more open and transparent. Obama will work to reform congressional rules to require all legislative sessions, including committee markups and conference committees, to be conducted in public.

What happened in the last few days—law and sausages—it is certainly a long way from the Obama Web site that said:

> Reform congressional rules to require all legislative sessions, including committee markups and conference committees, to be conducted in public.

All day yesterday the media made different reports about the process that was going on, in which, by the way, there was no Republican leadership anywhere in the vicinity.

I recognize this will be greeted as a victory for the administration and the Democrats today. I recognize that, and it is a victory. But I am not sure it is the right kind of victory. I think words which will haunt us for a long period of time were uttered by the Speaker of the House: ''We won, we write the bill.'' ''We won, we write the bill.''

I think on both sides of the last campaign there was a commitment not to use those words: ''We won, we write the bill.'' That commitment was to sit town together in a bipartisan fashion and work together to come up with solutions to the enormous domestic and foreign policy and national security challenges we face. I understand who won. I think I understand it about as well as anybody in this body. I have often said elections have consequences. This is one of the consequences of my side of the aisle losing. But it was not the promise that was made to the American people.

I understand the other side of the aisle—and many in the media—will say: Well, Republicans are recalcitrant. Republicans are trying to block it. Republicans don't want anything.

We had a provision, we had a proposal of over $420 billion. We had a proposal that got 44 votes for a trigger that, once our economy begins to recover and is in recovery, the spending stops. One thing that Milton Friedman said, among many others I have always appreciated, was: Nothing is so permanent as a temporary Government program. There is nothing more permanent than a temporary Government spending program. So I think we had an opportunity and, hopefully, there will be opportunities in the future, to sit down, Republican and Democrat together—and at the beginning, not the end. If you are not in on the takeoff, then you are certainly not going to be in on the landing.

This bill took off with the Speaker of the House saying: We won, we write the bill. That was repeated on several occasions by the President of the United States.

Now, I want to say again, my side of the aisle, for 8 years, did not include the other side of the aisle. We were guilty. We were guilty of not observing the rights and privileges of the minority party. I do not excuse it, nor do I rationalize it. But I do believe that some Members did work in a bipartisan fashion and that times are different. The times are different. The American people spoke.

So yesterday, not the Republican leadership, not the majority of my colleagues sat by while the bill was finally written, and that is why the final legislation here will have three Republican votes, probably, out of all of the Republicans in the House of Representatives and the Senate. It may pick up a couple in the House. But to call this bipartisan is clearly an inaccurate and false description of the legislation that will pass sometime this evening.

So we passed up an opportunity. I hope we will, in the future, since there will be TARP III somewhere—some estimates, $500 billion; some estimates, $1 trillion; no one knows. The Secretary of the Treasury testified the day before yesterday before the Senate. He had no idea. He could give us no clue as to how much the next TARP was going to be. But I hope that will then present us with another opportunity to work together from the beginning, not at the end.

Again, this side of the aisle is not blameless on partisanship. But this was an opportunity for all of us to join together.

USA Today stated in an editorial: Republican opposition seems more like partisan positioning than a sincere effort to reach compromise with the White House at a time of severe economic distress.

I cannot speak for all of my colleagues, but I can, I know, speak for the majority of them. That is a false

statement. That is a false statement. Nothing could be further from the truth. Every Senator here wants a reasonable, workable stimulus bill that will help turn our economy around and put people to work. That is why 40 Republican Senators voted for an alternative that sought to fix our housing crisis—remember, it was housing first, and it is housing that is going to restore our economy. The stimulus package has not a lot of it to start with and comes out of the ''conference'' with less—invest in our Nation's infrastructure through effective and restrained spending; put money immediately back in the hands of all Americans through a payroll tax holiday; allow businesses to keep more of their profits to hire new employees, invest in capital, or expand their businesses; finally begin to focus our attention on entitlement reforms; and then, most importantly, put a halt to the spending once our economy turns around. And the total cost of our alternative proposal was about half the cost of this conference report.

There are a couple of cautionary tales. One was a study by John Taylor of Stanford and the Hoover Institution that showed that the last time we gave Americans a paycheck—and that is one of the big parts of this stimulus package, checks of $400 to $800—it had no effect on the economy. It is also a cautionary tale as to what the Japanese did over the last decade, and I am afraid some of this stimulus package repeats that.

We missed an enormous opportunity to rein in excessive spending despite the support of 44 Senators eager to get our fiscal house in order when our amendment that would have required unobligated funding to be returned to the taxpayer upon two consecutive quarters of economic growth greater than 2 percent of inflation-adjusted GDP was defeated.

We have seen time after time stimulus packages at other times when we were in fiscal difficulty, financial difficulty—not to the degree of this one—but much of the spending has taken place after the economy recovered and contributed enormously to the deficit and consequently putting burdens on future generations of Americans. Why would we not agree that once the economy has recovered, we should proceed on a path to a balanced budget and stop some of these spending programs that are going to be adopted tonight in the way of stimulus? Why wouldn't we bring them to a stop? Could it be that some want these spending programs to be permanent?

I repeat, Milton Friedman said, ''There is nothing so permanent as a temporary Government program,'' and I am sure we will see many of these programs in the stimulus live a long, long life.

In a recent Washington Post op-ed entitled ''$800 billion Mistake,'' Martin Feldstein, an economic professor at Harvard University and president emeritus of the National Bureau of Economic Research, wrote: The fiscal package now before Congress needs to be thoroughly revised. In its current form, it does too little to raise national spending and employment. It would be better for the Senate to delay legislation for a month or even two if that is what it takes to produce a much better bill. We cannot make an $800 billion mistake.

Of course, it is a $1.1 trillion mistake. We cannot make that mistake. By passing this conference report, we are essentially engaging in an act of generational theft. How can anyone ignore the cold hard facts? The current national debt is $10.7 trillion. The 2009 projected deficit is $1.2 trillion. The cost of this stimulus is $1.124 trillion; that is, $789 billion plus interest. The expected omnibus spending bill to fund the Federal Government through September 30, 2009, is $400 billion. The expected supplemental request for the wars in Iraq and Afghanistan the Armed Forces Committee staff estimates at $80 billion. The appropriations bills for 2010 that we will consider this year are untold billions. Tarp I and II are $700 billion, and TARP III is possibly upwards of $1.5 trillion. These numbers are staggering. These numbers are staggering. We have never dealt with numbers such as this, not in the Great Depression, not in any other era in time of our country. Every dollar of spending in this conference report will be added to our national debt, which now stands, as I said, at $10.2 trillion or 70 percent of GDP.

According to the Center for Data Analysis, if Congress borrows the funds for its economic stimulus package—which, of course, it will do—total debt could grow to $13 trillion in fiscal year 2009 or 92 percent of our gross domestic product. By 2010, the total debt could grow to $14 trillion or 95 percent of our GDP. The center further finds that the stimulus package will add about $30,000 in new Federal debt per American household.

Remarkably, while we are on the brink of saddling our children and grandchildren and great grandchildren with this enormous debt load, the conference report before us does little to actually address the core issue that brought us to the point of needing a stimulus bill in the first place, and that is the housing crisis.

I would remind my colleagues that history shows us that if you run up enough debt, the answer to it is to print more money, which is the basis of the currency, which inevitably leads to inflation, which is the greatest enemy of the middle class in America.

I see my colleague from New York who is going to talk on many things, including the terrible tragedy that has taken place in the crash of the airliner in New York. But I also want to, while he is on the floor, strongly disagree with his comment that the American people do not care about little porky projects. Americans care. I can only speak for my constituents in Arizona, who have flooded my office with calls. They care about little porky projects that are to the tune of millions of their tax dollars.

Just yesterday, the National Association of Realtors reported the largest drop in home prices—12.4 percent—since the Association started gathering such data in 1979. Prices declined in almost 9 out of every 10 cities. Despite the fact that this extremely sobering statistic was released yesterday, this bill cuts almost half of the only significant housing provision in the conference report.

This provision, written by Senator ISAKSON, a former real estate agent, and approved by all Republicans and Democrats would have allowed any homeowner to take a nonrepayable tax credit of $15,000 or 10 percent of the purchase price of a house used as a principal residence. Senator ISAKSON argued that such a generous tax credit would help the market recover swiftly. As a real estate agent during the economic crisis of the 1970s, he saw tax credits spur the purchase of many homes, which served to reduce the glut of vacant homes in the market, thereby allowing home values to stabilize, the housing inventory to drop, and the market to recover. We could have achieved a similar result here, I believe. But, instead, it was cut—the only housing provision in the report that was roundly supported by both Republicans and Democrats and millions of potential home buyers. Instead, they decided to cut the tax break to $8 thousand and limit it to only first-time buyers. My belief is that this will not produce any real change to our sagging housing market.

The Congressional Budget Office has estimated that the stimulus bill would create anywhere from 1.3 million to 3.9 million jobs. At $789 billion, 1.3 million jobs would work out to cost $506,923 per job, and for 3.9 million jobs, the cost would be $202,308 per job. If you add the cost of interest to the price tag, it comes to $1 trillion. Every economic estimate I have seen lately falls within the category of 1.3 to 3.9 million jobs. The administration says it could be 4 million or more.

In a new letter from CBO dated February 11 providing a year-by-year analysis of the economic effects of spending of the pending stimulus legislation, CBO finds:

> Beyond 2004 the legislation is estimated to reduce GDP by between 0 and 0.2 percent. The reduction in GDP is therefore estimated to be reflected in lower wages rather than lower employment. The increased debt would tend to reduce the stock of productive private capital. In economic parlance, the debt would ''crowd out'' private investment. Workers will be less productive because the capital stock is smaller. The legislation's long-run impact on output also would depend on whether permanently changed incentives to work are saved. The legislation would not have any significant permanent effects on those incentives.

I know my colleagues are going to say we are going to do other things.

And we need to do other things—reform entitlements. We should have, in this legislation, put ourselves on a path to entitlement reform by setting up commissions for both Social Security and Medicare reform, but we did not, just as we should have had a trigger to stop spending and put us on a path to a balanced budget once our economy recovers.

It is unfortunate that even in these difficult economic times, Members of Congress couldn't resist the temptation to lard up this bill with billions of dollars in unnecessary spending that will do nothing to stimulate the economy. What makes this most disturbing, in order to include these questionable provisions in the final measure, the conferees cut some of the few truly important spending provisions that had been included in the House and Senate bills.

For example, I don't understand how, on the one hand, the conferees can cut close to $3 billion from the Senate bill for Department of Defense and veterans hospital and medical facilities and, on the other hand, add funding above either House- or Senate-passed bills for State Department information technology upgrades, totaling $290 million. Information technology may be worthwhile, but I am dumbfounded as to the conferees' rationale for adding funding for information technology programs that exceeds either Chamber's recommendations and cuts defense and veterans. We all talk about our commitment to veterans. Certainly VA hospital and medical facilities are badly needed, as we found in the scandal of Walter Reed.

Just as egregious, the conference report provides $1 billion for prevention and wellness programs that were previously struck by the Senate and reported to be for smoking cessation programs and STD prevention. Why is this added back in, even though it may be worthy, at the expense of military members, families, and veterans whose funding was cut?

The conference report provides more funding for grants to provide high-speed Internet to Americans, $7.2 billion, than it does for military and veterans affairs construction—again, at the expense of our Nation's bravest and most worthy. The conference report falls short in addressing the needs of our military and veterans who have given so much in support of this country and our democratic values.

Again, these are not tiny, porky amendments. The American people do care what we are talking about. If the American people don't care, then on behalf of the American people, we should take out these little tiny, porky items that will provide questionable stimulative effects.

I have a long list, and 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:

EXAMPLES OF QUESTIONABLE PROVISIONS IN THE CONFERENCE REPORT—STIMULATIVE?

$200 million to consolidate the DHS headquarters in Washington, DC.

$15 million for historic preservation grants for historically black colleges and universities.

$25 million for the Smithsonian.

$50 million for the National Endowment for the Arts.

$5.55 billion for the Federal Buildings Fund, including $750 million for Federal buildings and U.S. Courthouses; $450 million for the Department of Homeland Security headquarters; $4.5 billion to convert GSA facilities to ''High-Performance green facilities''.

$300 million for new energy efficient vehicles for the Federal government including hybrid vehicles, and electric vehicles, and ''commercially-available, plug-in hybrid vehicles'' which many believe would include golf carts.

$100 million for grants to small shipyards.

$7.2 billion to accelerate broadband deployment in unserved and underserved areas and to strategic institutions, split between the Department of Commerce, to administer $4.7 billion in grants, and the Department of Agriculture, to administer $2.5 billion in grants and loan activity.

$50 million to upgrade the computer systems at the Farm Service Agency.

$50 million for aquaculture producers.

$300 million in grants for a diesel emission reduction program.

$50 million to build biomass plants.

$165 million for U.S. Fish and Wildlife Service fish hatcheries and wildlife refuges.

$25 million for habitat restoration, trails repairs, and the cleanup of abandoned mines on BLM lands.

$140 million for USGS stream gauges, and volcano monitoring systems.

$200 million to repair leaking underground storage tanks under the Leaking Underground Storage Tank Trust Fund.

$85 million to upgrade the computer systems at the Indian Health Service.

$1 billion for the Bureau of the Census, including $250 million for partnership and outreach efforts to minority communities and hard-to-reach populations.

$650 million for digital television converter box coupon program, with $90 million for education and outreach to vulnerable populations.

$230 for operations, research and facilities at the National Oceanic and Atmospheric Administration (NOAA).

$600 million for the procurement, acquisition and construction at the NOAA.

$400 million for science at the National Aeronautics and Space Administration (NASA).

$150 million for aeronautics at NASA.

$2.5 billion for the National Science Foundation (National Science Foundation), of which $300 million is for the Major Research Instrumentation program, and $200 million for academic research facilities modernization.

$400 million for major research equipment and facilities construction at the NSF.

$375 million for Mississippi River and Tributaries.

$2.5 billion for applied research concerning energy efficiency and renewable energy including $800 million for biomass and $400 million for geothermal activities and projects.

$5 billion for the Weatherization Assistance Program.

$2 billion for Advanced Battery Manufacturing grants.

$300 million for the Energy Efficiency Appliance Rebate program and the Energy Star Program.

$3.4 billion for Fossil Energy Research and Development including: $1 billion for fossil energy research and development programs; $800 million for Clean Coal Power Initiative Round III Funding Opportunity Announcement; $1.52 billion Clean Coal Demonstration plants; $50 million for competitive solicitation for site characterization activities in geological formations; $10 million for geologic sequestration training and research grants; $10 million for program direction funding.

$1.6 billion for DOE Science program.

$1.2 billion for summer youth jobs (for individuals up to age 24).

$1.5 billion to provide short term rentals assistance for families who may become homeless.

$2.25 billion to install new windows and furnaces of HUD homes.

$100 million to remove lead-based paint.

$8 billion for high speed rail.

$90 million for additional passport facilities.

$53.6 billion for a State Fiscal Stabilization Fund for education—$14 million for administration, oversight, and evaluation; $5 billion for State Incentive Grants and an Innovation Fund.

$86.6 billion to State Medicaid programs through a temporary increase in the Federal Medical Assistance Percentage.

$1.1 billion for comparative effectiveness research: $300 million for the Agency for Healthcare Research and Quality; $400 million for the NIH; $400 million to be used at the discretion of the Secretary of HHS.

$2 billion for the Office of the National Coordinator for Health Information Technology.

$13 billion for Education for the Disadvantaged: $10 billion for title I formula grants; $3 billion for School Improvement grants.

$720 million for School Improvement Programs: $650 million for Enhancing Education through Technology program; $70 million for Education for the Homeless Children and Youth program.

$10 billion for the National Institutes of Health: $1.3 billion for the National Center for Research Resources; $8.2 billion for the Office of the Director; $500 million for buildings and facilities for Bethesda, MD.

Mr. MCCAIN. Among these are $200 million to consolidate the DHS headquarters in Washington, DC; $15 million for historic preservation of Historically Black Colleges and Universities; $25 million for the Smithsonian; $50 million for the National Endowment for the Arts; $5.55 billion for the Federal Buildings Fund, including $750 million for Federal buildings and U.S. courthouses.

The list goes on: $300 million for new energy-efficient vehicles for the Federal Government; $100 million for grants to small shipyards; $7.2 billion to accelerate broadband deployment in unserved and underserved areas and to strategic institutions. By the way, certainly the Presiding Officer knows we cannot spend within the next year $7.2 billion or anything like it to accelerate broadband deployment because of the nature of the challenge. There is $50 million to upgrade the computer systems at the Farm Service Agency; $50 million for aquaculture producers; $300 million in grants for a diesel emission reduction program; $50 million to build biomass plants; $150 million for USGS stream gauges and volcano monitoring systems; $200 million to repair leaking

underground storage tanks under the Leaking Underground Storage Tank Trust Fund; $1 billion for the Bureau of the Census. We will be talking more about this issue. We can't have the census taken from the Department of Commerce and put in the White House. We can't politicize the process of the system. We will be talking more about that later on.

There is $230 million for operation, research, and facilities at the National Oceanic and Atmospheric Administration. You can make arguments for all these programs as worthwhile. You cannot make arguments that they stimulate the economy in a short period. There is $150 million for aeronautics at NASA; $2.5 billion for the National Science Foundation, of which $300 million is for the Major Research Instrumentation Program and $200 million for academic research facilities modernization; $275 million for the Mississippi River and tributaries; $10 million for program direction funding in fossil energy research and development; $1.6 billion for DOE science program; $2.25 billion to install new windows and furnaces in HUD homes; $8 billion for high-speed rail.

The high-speed rail program is very interesting. It started out at $2 billion and now has been raised to $8 billion, a remarkable increase in funding, when we think about it. There are media reports that state this could probably be used for the Las Vegas-Los Angeles high-speed rail. The list goes on.

The fact is, there are also policy provisions. The conference report still includes the protectionist ''Buy American'' provisions that will damage the ability of U.S. corporations to export and create jobs at home. If passage of this bill triggers retaliatory trade action by foreign countries against the United States, Congress will have succeeded in deepening one of the worst recessions of our time.

There is an article in this week's Economist magazine entitled ''The return of economic nationalism, A specter is rising. To bury it again, Barack Obama needs to take the lead.'' It talks about the ''Buy American'' provisions. At the end it states:

Once again, the task of saving the world economy falls to America. Mr. Obama must show that he is ready for it. If he is, he should kill any ''Buy American'' provisions. If he isn't, America and the rest of the world are in deep trouble.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Economist, Feb. 5, 2009]

THE RETURN OF ECONOMIC NATIONALISM

Managing a crisis as complex as this one has so far called for nuance and pragmatism rather than stridency and principle. Should governments prop up credit markets by offering guarantees or creating bad banks? Probably both. What package of fiscal stimulus would be most effective? It varies from one country to the next. Should banks be nationalised? Yes, in some circumstances. Only the foolish and the partisan have rejected (or embraced) any solutions categorically.

But the re-emergence of a spectre from the darkest period of modern history argues for a different, indeed strident, response. Economic nationalism—the urge to keep jobs and capital at home—is both turning the economic crisis into a political one and threatening the world with depression. If it is not buried again forthwith, the consequences will be dire.

DEVIL TAKE THE HINDMOST

Trade encourages specialisation, which brings prosperity; global capital markets, for all their problems, allocate money more efficiently than local ones; economic co-operation encourages confidence and enhance security. Yet despite its obvious benefits, the globalised economy is under threat.

Congress is arguing about a clause in the $800 billion-plus stimulus package that in its most extreme form would press for the use of American materials in public works. Earlier, Tim Geithner, the new treasury secretary, accused China of ''manipulating'' its currency, prompting snarls from Beijing. Around the world, carmakers have lobbied for support (see article), and some have got it. A host of industries, in countries fro India to Ecuador, want help from their governments.

The grip of nationalism is tightest in banking (see article). In France and Britain, politicians pouring taxpayers' money into ailing banks are demanding that the cash be lent at home. Since banks are reducing overall lending, that means repatriating cash. Regulators are thinking nationally too. Switzerland now favours domestic loans by ignoring them in one measure of the capital its banks need to hold; foreign loans count in full.

Governments protect goods and capital largely in order to protect jobs. Around the world, workers are demanding help from the state with increasing panic. British strikers, quoting Gordon Brown's ill-chosen words back at him, are demanding that he provide ''British jobs for British workers'' (see article). In France more than 1m people stayed away from work on January 29th, marching for jobs and wages. In Greece police used tear gas to control farmers calling for even more subsidies.

Three arguments are raised in defence of economic nationalism: that it is justified commercially; that it is justified politically; and that it won't get very far. On the first point, some damaged banks may feel safer retreating to their home markets, where they understand the risks and benefit from scale; but that is a trend which governments should seek to counteract, not to encourage. On the second point, it is reasonable for politicians to want to spend taxpayers' money at home—so long as the costs of doing so are not unacceptably high.

In this case, however, the costs could be enormous. For the third argument—that protectionism will not get very far—is dangerously complacent. True, everybody sensible scoffs at Reed Smoot and Willis Hawley, the lawmakers who in 1930 exacerbated the Depression by raising American tariffs. But reasonable people opposed them at the time, and failed to stop them: 1,028 economists petitioned against their bill. Certainly, global supply-chains are more complex and harder to pick apart than in those days. But when nationalism is on the march, even commercial logic gets trampled underfoot.

The links that bind countries' economies together are under strain. World trade may well shrink this year for the first time since 1982. Net private-sector capital flows to the emerging markets are likely to fall to $165 billion, from a peak of $929 billion in 2007. Even if there were no policies to undermine it, globalisation is suffering its biggest reversal in the modern era.

Politicians know that, with support for open markets low and falling, they must be seen to do something; and policies designed to put something right at home can inadvertently eat away at the global system. An attempt to prop up Ireland's banks last year sucked deposits out of Britain's. American plans to monitor domestic bank lending month by month will encourage lending at home rather than abroad. As countries try to save themselves they endanger each other.

The big question is what America will do. At some moments in this crisis it has shown the way—by agreeing to supply dollars to countries that needed them, and by guaranteeing the contracts of European banks when it rescued a big insurer. But the ''Buy American'' provisions in the stimulus bill are alarmingly nationalistic. They would not even boost American employment in the short run, because—just as with Smoot-Hawley—the inevitable retaliation would destroy more jobs at exporting firms. And the political consequences would be far worse than the economic ones. They would send a disastrous signal to the rest of the world: the champion of open markets is going it alone.

A TIME TO ACT

Barack Obama says that he doesn't like ''Buy American'' (and the provisions have been softened in the Senate's version of the stimulus plan). That's good—but not enough. Mr Obama should veto the entire package unless they are removed. And he must go further, by championing three principles.

The first principle is co-ordination—especially in rescue packages, like the one that helped the rich world's banks last year. Countries' stimulus plans should be built around common principles, even if they differ in the details. Co-ordination is good economics, as well as good politics: combined plans are also more economically potent than national ones.

The second principle is forbearance. Each nation's stimulus plan should embrace open markets, even if some foreigners will benefit. Similarly, financial regulators should leave the re-regulation of cross-border banking until later, at an international level, rather than beggaring their neighbours by grabbing scarce capital, setting targets for domestic lending and drawing up rules with long-term consequences now.

The third principle is multilateralism. The IMF and the development banks should help to meet emerging markets' shortfall in capital. They need the structure and the resources to do so. The World Trade Organisation can help to shore up the trading system if its members pledge to complete the Doha round of trade talks and make good on their promise at last year's G20 meeting to put aside the arsenal of trade sanctions.

When economic conflict seems more likely than ever, what can persuade countries to give up their trade weapons? American leadership is the only chance. The international economic system depends upon a guarantor, prepared to back it during crises. In the 19th century Britain played that part. Nobody did between the wars, and the consequences were disastrous. Partly because of that mistake, America bravely sponsored a new economic order after the second world war.

Once again, the task of saving the world economy falls to America. Mr Obama must show that he is ready for it. If he is, he should kill any ''Buy American'' provisions. If he isn't, America and the rest of the world are in deep trouble.

Mr. MCCAIN. Of course, we know about Davis-Bacon that will inflate the construction costs of the bill by $17 billion. Section 604 requires that only domestic apparel and textile products may be procured by the Department of Homeland Security, unless the Secretary of DHS determines the quality and quantity cannot be procured in the United States at market prices, whatever ''market prices'' means. There is a provision which states that within 45 days of enactment, the Governor of each State shall certify that they will request and use taxpayer funds provided in the bill. It goes on to say that if any of the money provided by this bill is not accepted by the Governor, then that State's legislature can simply pass a resolution to bypass the Governor and receive those funds. I have never seen a provision such as that in the Congress.

I repeat, if the Governor of a State says his State doesn't need the money, then the State's legislature can simply pass a resolution to bypass the elected Governor of the State and receive the funds. What does that say about States rights and States electing their Governors to lead. It is remarkable. Every Governor in America should be on notice that we may have established a precedent that if you don't want to take taxpayer money, then you can be bypassed by your legislature. It is unconstitutional and should be challenged in court.

It adds a new far-reaching policy with respect to unemployment compensation entitled ''Unemployment Compensation Modernization''—an interesting description. The new policy would allow a person to collect unemployment insurance for leaving his job to care for an immediate family member's illness, any illness or disability as defined by the Secretary of Labor. This provision stems from legislation introduced in the Senate during the 110th Congress that was not approved. Each State would need to amend their unemployment insurance in order to receive a portion of the $7 billion added to the bill for this additional unemployment compensation program. It provides a total waiver of cost savings related to inland waterways projects; 50 percent of the cost is supposed to be carried by private companies that utilize the waterways.

The report establishes the Federal Coordinating Council for comparative effectiveness research. The bill text does not use the term ''clinical'' when referring to comparative effectiveness research, leading to the possibility that the bill does not protect against the research being used to make coverage decisions based on cost-effectiveness rather than clinical effectiveness.

It includes the Health Information Technology for Economic and Clinical Health Act, a massive overhaul of our health IT infrastructure that deserves more consideration.

It is 1,071 pages and a 41-page statement of the managers, a total of 1,492 pages. It was negotiated in a partisan fashion, behind closed doors, in direct contradiction to President Obama's commitments during the campaign. I understand his spokesman yesterday said it was ''an emergency.'' It may have been an emergency, but that was not mentioned during the commitments made by then-candidate Obama.

Among other things, the conference report contains $450 million for Amtrak security grants through the Department of Transportation. It wasn't in the House bill, wasn't in the Senate bill. It duplicates a program that already exists.

I urge my colleagues, when they have a few spare moments, to look at the history of Amtrak, a railroad that was taken over by the Federal Government with the intent to turn it over to the private sector in a short period. We have propped it up with billions and billions of taxpayer dollars, funding that will never become profitable.

A provision recreates the slush fund that was unanimously rejected by both the House and Senate. The slush fund allows agency heads to move money around between programs as they see fit without any real oversight by Congress.

I mentioned high-speed rail. That is $8 billion. The Senate included $2 billion for these programs, and the House didn't include anything. The conference now has added $6 billion. I mentioned earlier the veterans and military construction spending has been cut by over $3 billion below both the House and Senate bills. Of course, the conference report, among many other items, contains $50 million for NEA, a worthwhile endeavor, but I don't see how you can make the argument it creates jobs.

A commitment was made that the spending would be done quickly. The conference agreement drops provisions that require all funds in the bill to be awarded within 30 to 120 days of enactment. Instead, the report allows numerous programs to have 3 years or more to actually begin spending the funding.

I know many of my colleagues, including my friend from Illinois, are here. I don't want to take too much time, as many of my colleagues wish to discuss the legislation. I wish to mention there is $2 billion for a neighborhood stabilization program which could go for money for groups such as ACORN. You could make arguments about whether ACORN should be funded. I do not see how that possibly creates jobs.

I understand this bill will be passed this evening. I hope the next time—maybe with TARP—because there are going to be other issues of enormous consequence that the Congress and the President of the United States will face in the coming weeks and months. I do not believe things are going to get better in the world real soon. We see activities around the world, from the behavior of the Russians to the Iranian testing of a missile, to renewed aggressive rhetoric by North Korea, to others, including developing a strategy for Afghanistan. But there are also enormous economic challenges here at home.

The American people would like us to, and the message they have sent us is, that they want us to sit down and work together. As I said, this bill began with a statement by the Speaker of the House: We won. We write the bill. We need to sit down together before the bill is written, outline the principles, turn those principles we share into concrete legislation, and work together. I hope we never again have a repetition of a bill that has such enormous consequence that would pass through both bodies with literally no Republican support—three Senators out of 178 Members in the House and 40 in the Senate. That is not bipartisanship.

I think we passed up an opportunity this time. I hope the American people will respond again by sending us the message. They want us to address the economic woes we face, but they want us to address them together. This legislation, in my view, is very bad for the economic future of America.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New York.

CONTINENTAL AIRLINES FLIGHT 3407

Mr. SCHUMER. Mr. President, I rise today to honor the lives and the memories of the victims of the tragic crash of Continental Airlines Flight 3407 in Clarence, NY, last night. Our Nation woke up this morning to the deeply saddening news that 50 lives were lost in this inexplicable tragedy, and our hearts, our prayers, and our minds are with the families and friends who lost a loved one, the first responders at the scene, and the residents of Clarence.

I was deeply saddened to hear that one of the victims was Beverly Eckert, whose husband Sean Rooney perished in the tragic events of September 11. I knew Beverly. I worked with her and so admired her fight to make sure another 9/11 never happens again.

Beverly was a national role model who turned tragedy into inspiration. She was traveling to Buffalo for what would have been her husband's 58th birthday, to take part in a presentation of a scholarship award in his memory at Canisius High School. She, and all the victims of this accident, will be greatly missed. Of course, the family members of the other victims, whose names have not been made public yet, will relate in the future episodes of quiet strength and bravery of their loved ones as well.

I spoke with Transportation Secretary Ray LaHood early this morning, and he reassured me that the Department of Transportation is taking quick action to figure out what caused this accident. Secretary LaHood told me the first responders who rushed to the

scene immediately last night have been remarkably brave in their efforts to save lives.

To all the brave men and women who risked their lives to protect the families who live in the area of the accident and to the many who are still on the ground fighting the fires that remain, thank you for your service.

I also spoke, this morning, with Congressmen CHRIS LEE and BRIAN HIGGINS, county executive Chris Collins, and Clarence supervisor Scott Bylewski to offer help. I am comforted that everyone at the Federal, State, and local levels stands ready to provide whatever help is needed.

Our thoughts and prayers also go out to the people of Clarence and the entire Buffalo area who were, no doubt, leaving for work and school with very heavy hearts this morning.

As a Senator, I am proud to serve the people of western New York. They are a resilient community, and if there is any comfort to this tragedy, it is in knowing that their outreach to the victims' families will be generous and loving.

Just last month, the world exalted when flight 1549 landed on the Hudson River without a single loss of life. Yet today we are faced with this horrible tragedy. At times such as this, the only thing that helps us is our faith that there is a greater wisdom that, at times such as this, is hard to understand.

Again, I offer my deepest condolences to the victims' families and friends as we continue to learn more about the cause of this tragic accident.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I say to my colleague from New York that all of us join in expressing sympathy and sorrow at the loss of these wonderful Americans. Thank you for your eloquent words. They are deeply appreciated.

Mr. President, I would like to mention to my colleagues that so far we have speaking requests from Senators COBURN, ENZI, ROBERTS, BENNETT, HUTCHISON, BARRASSO, ENSIGN, THUNE, KYL, CORNYN, SESSIONS, and then ALEXANDER, GRASSLEY, BROWNBACK, and GRAHAM. So I would urge my colleagues to come over so we can move forward with this process.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

CONTINENTAL AIRLINES FLIGHT 3407

Mr. DURBIN. Mr. President, I join in saluting my colleague, friend, and roommate—we share a house on Capitol Hill—Senator SCHUMER. I am sure he speaks for Senator GILLIBRAND, as well, in expressing sympathy for the loss that occurred outside the city of Buffalo last night, with the crash of this Continental Airlines flight.

My sympathy goes out to all the families and friends and my admiration to all the first responders. This is a time when communities gather together, become a family, work hard to try to appease the loss but to make certain we are doing everything in our power to lessen the pain these families will feel.

STIMULUS PACKAGE REPORT

Mr. DURBIN. Mr. President, Senator MCCAIN is a friend of mine and someone I respect. We came to the House of Representatives together 27 years ago. He came to the Senate before me, and we have served together for over 12 years. I respect him very much, and I know he speaks from the heart when he addresses this stimulus package. But I would like to take a few moments to reflect on some of the arguments he has made, and at any point in my presentation invite the Senator, if he is nearby, to come join me on the floor to discuss this matter in debate. Sadly, the Senate no longer debates in the old style. We give speeches and many times are like ships passing in the night. So I hope, if he is available—and I know he may not be; he has a busy schedule, too—I hope he will return to the floor, and we can talk about some of the arguments he made, and he can address them directly. In the meantime, I would like to speak to a few of them myself.

Senator MCCAIN argues that spending $790 billion, which the President has suggested for a recovery and reinvestment, is too much money. He argues the bill is too large, there is too much money in this bill. Keep in mind, this money is going to be spent out over a 2-year, maybe 3-year period, most of it on the front end, most of it in the first 18 months, but much of it over a longer period of time. So we are talking about roughly $350 billion to be spent, for example, in the first year, maybe as much as $600 billion or $700 billion by the end of the second year. It is a huge sum of money. It may be the largest bill we have ever considered, certainly the largest stimulus bill we have ever considered, on the floor of the Senate.

But I will tell you that most economists, in looking at this bill, raise the question about whether it is enough, considering the size of the American economy, No. 1. It is an economy that generates more than $14 trillion a year in the production of goods and services. It is an economy that is flat on its back. It is an economy deep in recession, with high unemployment, with businesses failing, with families losing their health insurance, with a lot of misery being spread across the country. The obvious question is: What can we do to change it?

Last year, President George W. Bush saw this coming, and he suggested the way to change it was to offer tax breaks, tax rebates to families. The Democratic Congress said to the Republican President: If this is what you want us to do to try to turn the economy around, we will do it. We enacted bipartisan legislation to give President Bush about $150 billion to send back to families in checks of $300 or $600 in the hopes that would breathe some life back into the economy, cause people to go out and spend more money, buy more goods and services, invigorate businesses, save and create jobs. We did it. We signed up for that approach. It did not work. Mr. President, $150 billion was spent for individual families. There was the $300 or $600 check, which I am sure provided some relief. But at the end of the day, when we took a look at the economy, it continued to cascade downhill. Simply doing $150 billion in tax cuts did not do it.

Then President Bush came to us and said: I need $700 billion. It was a staggering amount of money, but we were told by Secretary Paulson, Secretary of the Treasury, Ben Bernanke, Chairman of the Federal Reserve, and others, that if we did not do it and do it quickly, the economy could go into a crisis which could be felt worldwide.

It was the most sobering meeting I ever attended as a Member of Congress when I heard this, and I felt dutybound to do everything I could to cooperate with the Republican President, to give him the resources he wanted to try to breathe life back into this economy, to get the credit institutions moving forward, and I voted for it. At the end of the day, $350 billion was spent and, I am afraid to say, very little positive occurred. In fact, we are still trying to get an accurate accounting of what happened to that money.

These were the first two attempts by the previous Republican administration; first, a $150 billion tax cut, then a $700 billion TARP funding they called it—the Troubled Asset Relief Program—which the Democrats cooperated in and said: Mr. President, though we are of a different political party, this is a national crisis, and we will work with your best minds to try what we can to turn this economy around.

We debated it, and we changed parts of it. We are expected to. That is what Congress has as a responsibility. But there was no question from the beginning that the Democratic Congress was going to cooperate with the Republican President because we had a national emergency on our hands.

Now comes the new President, President Barack Obama, sworn in a little over 3 weeks ago. The crisis, which we had hoped would have turned, in fact, had worsened. He inherited the worst economic crisis in 75 years. You have to go back to President Franklin Roosevelt and the awful Depression he saw to find another President faced with this kind of an economic challenge. President Obama came to office and said: We have to do something. We have to try to find a solution. We need to put the best minds, the best economists, and the best leaders together to come up with an approach which will stop this recession from growing and getting worse and will turn this economy around. He said, similar to President Bush: I would like the help of both political parties to do it.

Well, it is natural a President would ask for that. Because the crisis that faces us is not a Democratic crisis or a Republican crisis. Families who do not vote, families who are Independents, families of both political parties are being affected.

President Obama made a presentation of this recovery and reinvestment program, and he estimated the cost to be around $750 to $800 billion. The Senator from Arizona thinks that is an unnecessarily large sum. I might say to the Senator that he knows, as well as I do, that last year the U.S. stock market lost $7 trillion in value. You can see it in the Dow Jones index—now somewhere near 8,000. At one point, it was near 15,000. Mr. President, $7 trillion in lost stock market value is $7 trillion in lost savings and lost retirement plans.

To argue that spending $350 billion to try to stop this slide is overspending, overlooks the obvious. With $7 trillion lost in stock market value, to do nothing, to allow this to continue, is to run the risk that even more value will be lost and the dreams and plans of families across America will have to be changed.

There is something else we know as well. Because of the state of the economy, we have what the economists call the paradox of thrift. If you look to your near future for your family, and you are worried about your job or your wife's job or your children, you are likely to say: We better be careful. We shouldn't make big purchases now until things are pretty clear. Put more money in savings and hold back a little. Be thrifty. That is a natural reaction. It is a defensive mechanism when people see a troubling economy. Although it makes sense on an individual family basis, it creates in the overall economy exactly the opposite of what we need. What we need is more confidence and people stepping forward and saying, I think we are through this; I think we will be through this soon, and I need to make some purchases that I have held off making. As they buy things, they create more economic activity, businesses flourish, and jobs are created and saved. So as people are thrifty in an economy and hold back, it deepens the recession. Deflation is what they call it. This year we will lose $1 trillion in spending in America. We estimate that families holding back, consumers holding back will spend $1 trillion less. Remember, our overall economy is about $14 trillion, so that represents about 7 percent of our economy which will contract because of fear, concern about our future.

What President Obama has said is at this moment we need to inject money into this economy. We need to show the American people we can save and create jobs. We need to have more economic activity so that businesses will survive, and we need to see our way through this crisis. That is what he has come forward with. So the critics of President Obama's plan have no alternative. They are not proposing anything that will stimulate this economy to this measure. They offered a plan which I think was at least thoughtful in one respect which tried to address the housing crisis, but it didn't come close to investing the money in this economy that we need to try to turn it around. So I say to my friends on the Republican side: If you can't come up with a viable alternative, if you can't come up with a solution, then being critical of President Obama's plan doesn't have much credibility. You need to acknowledge we have a problem and work with us to try to solve it.

It is interesting too that there is this argument on the Republican side—and I heard it from the Senator from Arizona—that this is too much money. If we don't do something, if the recession continues and gets worse, here is what happens: Fewer people are working, fewer dollars are collected for income tax, fewer dollars are being spent, less sales tax is collected, values of real estate continue to go down, property tax receipts go down, and we find that the receipts and revenues of the Government start getting fewer and constricted. At the same time, the demands for government services go up. Unemployed people need a helping hand. They need a hand to feed their families and keep them together. They need a hand to provide some kind of health insurance. So the demands for government services go up and revenues go down, and it is a perfect recipe for deficit.

It is no surprise—and I think this chart, if I am not mistaken, shows it—across America 46 States are now facing budget deficits, and it could get worse. It shows a cumulative budget deficit of $350 billion through 2011. So failing to respond to this situation will mean even deeper deficits. To argue that spending about $790 billion now will add to the deficit is to ignore the obvious. Doing nothing and allowing the recession to occur and get worse will give us deficits not only this year but for years to come, not to mention the suffering that families and businesses will go through in the process.

If I came to Senator MCCAIN and said to him: I know of your interest in national defense. You are a war hero from Vietnam and I respect you so much for it, and I know you have focused on Americans' national security more than any other issue. If I told you there was a threat to America, whatever it might be, and that we had better prepare ourselves to defend ourselves, would you stop and say first tell me how much it costs, or would you first say keep America safe, that is our first obligation; we will talk about the cost later? I expect that would be his reaction. It might be my reaction as well—it probably would be my reaction as well. So here, when we face a national economic crisis, for any Senator to stand up and say, You know, there is only a limited amount of money we can spend on this, is to ignore the fact that if you don't make the right investment and turn this economy around, we will pay dearly for years to come.

Now, there was also talk about the way this bill was written. It is true that much of the negotiation for this bill occurred behind closed doors, but there was a conference committee, which is a rarity on Capitol Hill, where Members of both political parties came forward to talk about the bill. Why did so much of it happen outside of the conference committee? Well, it reflects the reality of how business is done most of the time here on Capitol Hill. I know it needs to get better, Senator MCCAIN does, and I am sure President Obama agrees, but this is what we came down to. This is the dilemma we came down to: President Obama reached out to House Republicans and Senate Republicans and said join me in writing this bill, and only three stepped up. Three Republican Senators said we will join you in writing the bill. They have played a major role, those three Republicans, in writing this bill. They have changed priorities in spending. They have eliminated some programs. They have pushed forward with more money in some areas and less in others. They have made a profound difference in the bill because they started with the premise that if we can bring this bill to a point where they can accept it, they would vote for it. Now, that is not an unreasonable thing to ask.

If someone wants to sit down and amend the bill and change the bill, the obvious question is—and at the end of the day we are successful and make the changes you asked for—will you help us pass the bill? For many Republicans, the answer has been: No; we want it both ways. We want to change this bill, but we are never going to vote for it.

I recall an amendment offered by a Republican Senator from Iowa in the Senate Finance Committee which added $70 billion in costs to this bill for a tax cut I personally approve of but wasn't in the original bill. So he added $70 billion in costs to the bill and then came to the floor and said I can't vote for this bill because it costs too much. Now, wait a minute. You can't have it both ways. You can't add to the cost of the bill in the committee and then come to the floor and say I can't vote for the bill because it costs too much. It happened.

Another Senator on the floor offered what I thought was a valuable idea. It needed some changes here and there but a valuable idea: Create tax incentives for people to buy homes. I like it. I believe we have improved it in this bill, but it was at least a sound idea to start moving the housing market forward. Well, it turns out that Senator as well added between $11 billion and $30 billion to the cost of the bill with his amendment which was adopted, and then said I can't vote for the bill; it costs too much. Again, you can't have it both ways. If many Republican Senators wonder why they aren't in the

room talking about the ultimate bill, it is because they have already made a public pronouncement that no matter what you do to the bill, we are not going to vote for it. How much time should we spend talking to those Senators? We are never going to pass a bill if we spend our time agreeing to amendments they like so they can vote against the bill. That is the case, unfortunately, too many times.

There is also this notion Senator MCCAIN raised that Speaker PELOSI said, We won the election; we wrote the bill. Well, I can tell my colleagues the American people did speak on November 4 and there was a decision in the election, but President Obama could not have reached out more to try to bring in Republicans in the House and Senate to help write this bill. Three stepped forward. Those three were in on the negotiations. Those three had a profound impact on the bill. I respect them very much; the two Senators from Maine, OLYMPIA SNOWE and SUSAN COLLINS, and the Senator from Pennsylvania, ARLEN SPECTER. If you would ask them today: Did you influence this bill, the answer is obvious. They did. They made a big impact on this bill because they were prepared to sit down and work with us and said, If we can find an agreement, we will vote for it. So, in fact, we did win the election, but we know we need the help of both political parties to solve our Nation's problems, and we are trying our best.

Senator MCCAIN also raised questions about the cost per job. If you take the overall cost of the bill—$790 billion, roughly—and the projected increase in jobs—anywhere from 1 million to 3.9 million—he does simple math and comes to the conclusion that we are spending too much money for each job we are creating. What the Senator did not note was that about a third of this bill goes to tax cuts to everyone. It isn't in the creation of a single job, but in trying to help all families—at least those in income categories that we characterize as middle-income families, working families—so that is about a third of the bill.

The second thing he didn't acknowledge was the money spent in creating a job has to be looked at in the long term. If you create a job for a worker in Illinois and that worker ends up getting paid $50,000 a year, that worker is going to take his or her paycheck and spend it. In spending that paycheck, it is going to put more money back into the economy. At the shops and stores they go to there will be receipts, profits, more people working, and the people who are working there will take their paychecks and go on and spend them as well. It is the so-called multiplier effect which I am sure the Senator from Arizona is well aware of. So to assign the value of each job as being $100,000, $200,000, whatever the cost is, is to overlook the fact that that money, through the workers, is spent and respent time and again. That is what helps us rebuild the economy.

We also had some criticism from the Senator from Arizona about the ''Buy American'' provisions. I have to tell my colleagues something. I respect him, because I know he believes this in his heart of hearts. I certainly do not stand here and endorse isolationism, protectionism, or economic nationalism, but shouldn't our priority with America's tax dollars be in putting Americans to work, creating good-paying jobs right here at home, buying as many goods and services within our economy as we can?

Senator DORGAN of North Dakota offered an amendment which was a very thoughtful amendment and it said: We are going to buy American, but whatever we do will be consistent with our international trade agreements. That is a reasonable approach. I think as far as we can go under existing law and treaties, we need to try to help American families get back on their feet and Americans back to work. There is nothing unreasonable about that. I think it may go a little too far with this economist's article and others who argue we are getting back into some era of protectionism. Senator DORGAN's amendment I think was a thoughtful one and will help us address that issue.

There was also some concern about Governors. I can tell my colleagues why there is a provision in this bill relative to the power of Governors. We have this amazing situation where there are literally Governors—only a handful—across the Nation who are saying we don't want the money. We don't need the money for our States. I don't know why you are going to force us to take this money.

Well, that is their political point of view. Most States are having trouble. So what we said at the outset is we want Governors to request the funds. Literally billions of dollars will be coming to their States and they should request it. That is not unreasonable. We went on to say that if your Governor doesn't request the funds, doesn't ask for the funds to help people in their States, that the legislature in each State can do it. Why did we put that in there? Because some of the money will not go through the Governor's office, but will go directly, for example, to school districts. Take an example in my State. In my hometown of Springfield, IL, the school district there will get additional funds for IDEA. That is the Federal program that provides money to school districts so they can educate and help children with special needs. It is an expensive commitment and it is one the Federal Government has not done its share of over the years. That money would go to the school district to help them meet their needs for teachers and classrooms, and it would also suppress the need to raise property taxes which no one wants. Also, money will go to the schools in my hometown that have a larger percentage of disadvantaged kids, kids from low-income families. It is called title I. That money is coming from the Federal Government down to my local school district. Well, the Governor in my State is going to accept the funds, I can assure my colleagues, but what if we were in a State where the Governor said we don't need this money. I don't know why Washington did it. I am not going to sign up and ask for it. There ought to be a way that school district can still benefit even if the Governor sees it differently, and that is the reason for the provision Senator MCCAIN raised.

Senator MCCAIN also said that bill was done in a partisan fashion, behind closed doors. I can tell you the Republican Senators who were engaged in this process on the Senate side made it as bipartisan as possible. They were involved—all three of them—in very detailed discussions about what was included in the bill. Yes, it is true, some were discussions behind closed doors, but, ultimately, this bill is public for those interested in reading and carefully looking through it, and they should. That is part of the process.

I might add, there is more to follow. This bill has no earmarks in it. There is no specific project that is appropriated funds in this bill. That was our promise. There is increased funding in all the agencies receiving more funds for oversight so the inspectors general can keep an eye on the money being spent. There will be an accountability and transparency board to coordinate and provide regular reports to Congress. We are going to have a recovery Web site where people across America can follow the expenditures of these funds, so they can see what is happening nationally and in their States.

I think it also is going to protect State and local whistleblowers. These are tax dollars collected for people who work hard for them. These dollars should be spent in a responsible way, with transparency.

Senator MCCAIN also spoke about Amtrak. Senator MCCAIN is on the record for a long time against Amtrak. Again, I respect his position but disagree with it completely. We found in Illinois and across the Nation when the price of gasoline went over $4, millions of Americans rediscovered, or discovered for the first time, Amtrak. You need a reservation to get on a train in Illinois because they are packed with people who realize it is a lot cheaper to use the train. Of course, in using a train, there is less traffic congestion and less pollution. Ultimately, expanding Amtrak—even high-speed rail, which is part of this—is part of the future. Senator MCCAIN sees it differently. I respect him for that, but I think the investment in Amtrak is money well spent, jobs right here in America building tracks, expanding Amtrak service, and providing train service that will benefit our country for a long time to come.

I might say, as well, to my friend from Arizona that this bill, though he and his fellow Senators may vote against it, is going to create or save

70,000 jobs in Arizona over the next 2 years. It will provide a tax cut of up to $800 for more than 2 million workers and their families in the State of Arizona—a tax cut they will greatly appreciate, I am sure. And 75,000 Arizona families will now be eligible, under this bill, to deduct college education expenses for their kids in a way to give them a helping hand so the kids can stay in college, get their degrees, and go on to be employed profitably and successfully in their lives. It is going to provide additional money for the unemployed in Arizona of $100 a month and give them a helping hand in paying for health insurance.

So whether the Senators voted for this or not, there are benefits coming directly to their States, which most people would agree are important. It will provide funding sufficient to modernize at least 193 schools in Arizona so the children will have laboratories and libraries and modern classrooms for the 21st century. Money will be invested in renewable energy so we will have less dependence upon foreign oil. We are going to move toward the computerization of health records in every State, including Arizona, Illinois, and Virginia, because we believe that means doctors can do a better job. They can see the background of a patient when making a diagnosis. It means there are fewer medical errors. Though that was criticized as being part of the bill, I think it is money well spent.

If we are talking about health care reform, we need to modernize the way we capture and hold health records. Also, the Veterans' Administration's system already has computerized records. It is the way to go. This bill moves America in that direction. This bill, when it comes to the VA, has $1.2 billion for VA hospital and medical facility construction and improvements. Money that otherwise would not have been spent on the VA will be spent because of the stimulus bill. There is $2.3 billion for Department of Defense facilities such as housing, hospitals, and childcare centers. There is $555 million to expand the DOD homeowners assistance program. There is $150 million that will be used for more personnel to process disability claims—something we need in Illinois, and I bet other States need as well.

These are things I think are critically important to put spending in this economy, to breathe life into it, to create and save up to 3 million or 4 million jobs, to try to stem the tide of this recession.

Again, at the end of the day, we may only have three Republican Senators voting for it, but unless we stand and act together, we are not going to solve this problem.

When President Bush needed help last year with his economic stimulus plan, we stood together, Democrats and Republicans, and gave it to him—first, the $150 billion in tax cuts and then the President's request for the so-called TARP funds of $700 billion. We gave the President the bipartisan support he wanted, even though some of us may have questioned whether it was exactly the right thing to do. We knew we had to act together.

Now there is a different mood. President Obama's plan is facing a different standard by some of the Senators on the other side of the aisle. I think we need to jumpstart this economy and not only bring us to recovery but reinvest in this economy so we have less dependence on foreign oil, better sources of energy that don't pollute the environment, modernize our health care system, modernize our school system, prepare it for the 21st century, and do all these things by creating jobs in America. That is what this is all about. That is why it is so critically important.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, as we come to the final vote on the stimulus package, I express my great regret that I am going to be unable to vote for it because we clearly need a stimulus package that works. The economy is in serious trouble, and we need to do the very best we can to restore confidence in our economy and in our future.

Indeed, confidence is the basic issue. Confidence is what it is all about. We have had glimpses that have led us to believe some sense of confidence could be restored. Unfortunately, in my view, we have squandered the opportunity.

Let me put it in context. Let's go back to the time when President Obama was newly inaugurated and people were looking forward to the stimulus package and the activity with respect to banks and what would happen in the financial industry. If I can quote from an editorial that appeared in the Wall Street Journal over the weekend of February 7 and 8, they were talking about the gamble that the stimulus package represents. This is what they had to say:

> The biggest gamble with this stimulus is what it means if the economy doesn't recover. Monetary policy is already as stimulative as it can safely get, and the Obama administration is set to announce its big financial fix on Monday.

That Monday was the Monday of this week, Mr. President. It goes on to say:

> Stocks rallied Friday on expectations of the latter, despite the job loss report, with big bank stocks leading the way. If done right, this will help reduce risk aversion and gradually restore financial confidence.

Again, confidence is what we need to get the economy going in the right direction. Continuing to quote:

> We hope it does, because the size and waste of the stimulus means we won't have much ammunition left. The spending will take the U.S. budget deficit up to some 12 percent of GDP, about double the peak of the 1980s and into uncharted territory. The tragedy of the Obama stimulus is that we are getting so little for all that money.

What did they mean when they talked about getting so little? Picking out a few examples, again quoting from the Wall Street Journal on the same day and an editorial on that issue, they point out:

> The Milwaukee public school system, for example, would receive $88.6 million over two years for new construction projects under the House version of the stimulus—even though the district currently has 15 vacant school buildings and declining enrollment. Between 1990 and 2008, inflation-adjusted MPS spending rose by 35 percent, per-pupil spending increased by 36 percent and state aid grew by 58 percent. Over the same period, enrollment fell by a percentage point and is projected to continue falling, leaving the system with enough excess capacity for 22,000 students.

Yet they are going to receive $88.6 million to build new capacity. Do the schools they represent have difficult conditions? Back to the editorial and quoting:

> In general, MPS facilities have been described by school officials as being in good to better-than-good condition—

Reports the Milwaukee Journal Sentinel—

> the kind of situations that create urgent needs for renovation or new construction in some cities have not been on the priority list for MPS officials in recent years.

So we are going to spend money to build Milwaukee schools and they don't have students to fill them. That is the kind of thing the Wall Street Journal was talking about.

Let's look at what happened this week. Now, I go not to an American publication but to the Economist, printed in Great Britain, which has perhaps a more objective view than a publication focused on American politics:

> There was a chance that this week would mark a turning point in an ever-deepening global slump, as Barack Obama produced the two main parts of his rescue plan. The first, and most argued-over, was a big fiscal boost.

They are referring to the stimulus package.

> The second, and more important, part of the rescue was team Obama's scheme for fixing the financial mess. . . .

They refer there to the unveiling of the program that Secretary Geithner gave us on Tuesday of this week. They go on to describe the situation:

> America cannot rescue the world economy alone. But this double offensive by its biggest economy could potentially have broken the spiral of uncertainty and gloom that is gripping investors, producers and consumers across the globe.

Again, Mr. President, they are pointing out that we have a significant crisis of confidence. They say it applies to investors, producers, and consumers. Then they gave their judgment:

> Alas, that opportunity was squandered. Mr. Obama ceded control of the stimulus to the fractious congressional Democrats, allowing a plan that should have had broad support from both parties to become a divisive partisan battle. More serious still was Mr. Geithner's financial-rescue blueprint which, though touted as a bold departure from the incrementalism and uncertainty that plagued the Bush administration's Wall Street fixes, in fact looked depressingly like

his predecessor's efforts: timid, incomplete and short on detail. Despite talk of trillion-dollar sums, stock markets tumbled. Far from boosting confidence, Mr. Obama seems at sea.

These are comments not of an American publication, or of a Republican or Democratic partisan, but the comments of an objective observer from overseas. They go on:

The fiscal stimulus plan has some obvious flaws. Too much of the boost to demand is backloaded to 2010 and beyond. The compromise bill is larded with spending determined more by Democrat lawmakers' pet projects than by the efficiency with which the economy will be boosted.

I will give you an example that fits that category. Quoting from the Wall Street Journal of today:

An obscure Commerce Department office with a $19 million budget and fewer than 20 grant officers would end up in charge of $7 billion in grants to expand Internet access in rural areas.

Mr. President, you have had executive responsibility at the State level. I have had executive responsibility in the private sector. Think for a moment about the workings of this situation. There is an office with 20 employees administering a $19 million budget that is going to receive, under this stimulus package, a check for $7 billion and then being told: Spend it wisely in expanding Internet access in rural areas.

Mr. President, $7 billion does not get spent by 20 people overwhelmed by the task. It does not get spent expanding Internet access in rural areas without careful studies and an intelligent plan laid out.

That is an example of what ''The Economist'' is talking about when they say, and I go back to their quote:

The bill is larded with spending determined more by Democrat lawmakers' pet projects than by the efficiency with which the economy will be boosted.

They go on to talk about more details of the stimulus plan, as well as the Geithner plan, but they summarize it this way under the heading, ''A great failure of nerve.'' They say:

How serious is this setback? One interpretation is that Mr. Obama's crew mismanaged expectations—that they promised a plan and came up with a concept. If so, that is a big mistake. Managing expectations is part of building confidence and when so much about these rescues is superhumanly complex, it is unforgivable to bungle the easy bit.

More worrying still is the chance that Mr. Geithner's vagueness comes from doubt about what to do, a reluctance to take tough decisions, and a timidity about asking Congress for enough cash. That is an alarming prospect.

I wish I could support this stimulus package. I am more than happy to reach out to the administration and do whatever I can to help solve this problem because our country is in serious difficulty and the world, as a whole, is in even more.

I regret, in the words of ''The Economist,'' that this is an opportunity that has been squandered. I hope in the coming weeks we can do something to regain the opportunity and regain the momentum we need in order to get to where we need to be.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, like my colleague from Utah, I too wish I had something I could vote for, something I believe would stimulate the economy, would get the job done. But on this package, based on its size, based on its magnitude, and based on what I believe are fundamental flaws in it, like my colleague, I will also need to vote no.

The other day I was on a local radio station in Casper, WY, KTWO, ''Brian Scott in the Morning.'' Brian said: How do we know, how are we going to judge the success or failure of this bill? And I said, because this is statewide in Wyoming: Ultimately the people of America will judge the success or failure of this bill. If the people believe the Government is working for them, then it is going to be a success. But if, on the other hand, the people of America believe they are working for the Government because of the debt and they feel burdened by this package through increased taxes, through inflation, through less buying power, through more Government regulations, then people will judge this a failure. I want it to work. I want something that is going to make a difference in the lives of the people of Wyoming and the people of America.

Brian then specifically said: How will it work? How is the program actually going to work?

That is where I have to turn to the headlines and the sort of things Senator BENNETT was talking about because I don't think anyone knows. The Members of this body don't know. The Members of the House don't know. The program is much too big. As Alice Rivlin, the former adviser to Senator Bill Clinton said, we should go with something half the size. Take a look and do the emergency spending now, and then let these other programs, whether it is energy, environment, education, health care—let's discuss those in a deliberate manner.

But the headlines from the Washington Post say, ''Trim to Stimulus Carves Into Goals For Job Creation.'' Are we not trying to create jobs? Isn't that what this is supposed to be all about? Not these backed-up projects people have had as their pet projects for years.

Another headline, same page: ''Despite Pledges, Package Has Some Pork.'' ''Sifting Through Details of the Deal,'' as the Members of this body are still waiting for the copies to come to the floor.

Investors Business Daily: ''Stimulus Bill Funds Programs Deemed 'Ineffective' by [Office of Management and Budget].'' Page 1 headline: ''Stimulus Bill Funds Programs Deemed 'Ineffective' by the [Office of Management and Budget].'' Then why are those programs still here? That was yesterday's Investors Business Daily.

Today's headline: ''$789.5 Bill Stimulus Coming, But Will It Revive Economy?''

We are going to spend all of this money, and every dollar we spend that does not actually work to contribute to reviving the economy is an extra dollar our children and their children are going to owe to foreign nations because we did not have the self-control to limit our spending now.

And then the front page of the Wall Street Journal today, the big question: ''Next Challenge on Stimulus: Spending All That Money.''

Senator BENNETT talked about a very expensive proposal that is going to be spent, and the Wall Street Journal said it would probably take them about 8 years. By then, this economy is going to have changed dramatically.

This ''Next Challenge on Stimulus: Spending All That Money'' talks about the Department of Energy. What does it have to say?

[Department of Energy] is going to have to dramatically change how it does business if it hopes to push all this money out the door. . . .They are going to need more people, more oversight and more freedom to waive regulations.

If they are going to spend all this money in a timely manner, because that is what this program is supposed to be—timely, temporary, and targeted—if they are going to be able to spend this money in a timely manner, they are going to have to waive regulations.

We will see how they do. This is the Department of Energy that has a history of delays and of letting costs spiral during the delay process. And that is today's Wall Street Journal.

Is there waste in this program? Absolutely. I think the people of Wyoming get it right. I have had telephone townhall meetings. I have been home every weekend for the past three weekends. But the Powell Tribune in Powell, WY, has a headline that says: ''Stimulus: Take time to get it right.''

If you live in Powell, WY, and you write for the paper in Powell, WY, you are not one to ever want to quote the New York Times. Yet in this editorial they do. They talk about the New York Times. They said: A New York Times editorial said, ''A bill that is merely better than nothing won't be nearly good enough.''

''A bill that is merely better than nothing won't be good enough. The economy is too fragile. And the numbers are too huge.''

What I think we should do is people should, once the bills get to their desks, pack them up, take them home with them, read them on the plane, read them in the car, read them on the train, read them as they go home, and then talk with people about what is in the bill, and then come back and vote on it. Then I think this Senate and the House would know what the people of America would say. Take the time to get it right. This bill is too big. It spends too much. The cost is too great.

The risk is too high. And for somebody from Wyoming, it seems to me as though we are firing all our bullets at once, spending close to $1 trillion on a package that we don't know whether it is going to work, and if additional help is needed, we will have run out of ammunition.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent to be recognized for up to 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. UDALL of Colorado. Mr. President, today we will pass an economic recovery bill designed to create and save jobs. There are many reasons our economy is in trouble. One can point to the housing bubble and bust, failure to properly regulate financial markets, two wars that we have not paid for, and a global credit crunch. But whatever the causes for our economic crisis, a common thread running through the fabric of our economy is energy. I believe that a decade of shortsighted energy policies and missed opportunities has contributed to the economic crisis we face today.

I also believe a way out of this crisis can be found if we develop a smart energy policy. That is what I want to talk about today.

Investments in energy technology, energy conservation, and sustainable energy will be an important part of the path to economic recovery. We need to get on that path soon. One way we can move forward is to pass legislation establishing a national renewable electricity standard, which is known as an RES. This week, I am joining Senator TOM UDALL from New Mexico in introducing such a bill.

Establishing a national renewable electricity standard is a goal I have been striving to achieve for many years. In 1997, as a Colorado State legislator, I introduced several bills designed to advance renewable energy, including a State renewable portfolio standard. While my bills were voted down in committee and never reached the full House floor, my work in the Colorado House laid a path for action.

In 2004, as a Member of the House of Representatives, I traveled across Colorado with our then-State House Speaker, Republican Lola Spradley, campaigning for the Nation's first statewide RES ballot measure.

Despite well-publicized objections from Colorado's electricity providers, Colorado voters approved amendment 37, which required 10 percent renewable energy production for our State by the year 2015. After we easily reached that goal within a few years, the Colorado legislature increased this RES to 20 percent by the year 2020, this time with the support of those very electricity providers who opposed the measure initially because they came to realize the bottom line benefits of utilizing renewable sources of energy.

I have continued this work at the Federal level since being elected to the House of Representatives. In 2003, again along with my cousin TOM UDALL, I introduced a bill to create a national RES. This bill became the basis for a measure we passed out of the House in 2007. This measure would have created an RES of 15 percent by the year 2020 for our entire Nation.

Unfortunately, this amendment did not make it through the Senate. It failed by one vote and was not included in the 2007 Energy bill. But now thankfully, under the leadership of Energy and Natural Resources Committee Chairman JEFF BINGAMAN, and with the growing support of a number of new Senators, we will have opportunities in this Congress to again pursue a national RES.

Early this week, Chairman BINGAMAN held a hearing on his draft language for an RES of 20 percent by the year 2020. I would like to thank Chairman BINGAMAN for holding this important hearing and for his leadership on this issue. I look forward to working with him to get a strong bill through the committee, through both Houses of Congress, and to the President's desk.

My desire to win this fight and to help the chairman is why I joined with Senator TOM UDALL to introduce this Udall-Udall RES bill that would require 25 percent of our electricity produced from renewable energy sources by 2025. RES is important for many reasons. As demand for energy continues to grow in this country, we need to make sure we continue to have affordable and reliable electricity supplies.

As demand for energy continues to grow in this country, we need to make sure that we continue to have affordable and reliable supplies. And, most importantly, as we move to more competition in the delivery of electricity, we must make sure consumers and the environment are protected. So it makes sense to put incentives in place to ensure that less polluting and environmentally responsible sources of energy can find their way into the marketplace. That is what a renewable electricity standard, or RES, would help to do.

Not least, our bill would reduce air pollution from dirty fossil fuel powerplants that threaten public health and our climate.

But this bill is also about addressing two of the greatest challenges facing our country—national security and economic growth. With almost all of the new electricity generation during the last decade fueled by natural gas, our domestic supply cannot sustain our needs.

Just think, Iran, Russia, and Qatar together hold 58 percent of the world's natural gas reserves. As demand for power continues to grow, we should not be forced to rely on these unstable regions to sustain our economy, nor do we have to.

The best way to decrease our vulnerability and dependence on foreign energy sources is to diversify our energy portfolio.

Half of the States in our great Union have already figured this out and have made the commitment to producing a percentage of their electricity using renewable energy.

But all of our States will benefit from a national standard, which will lower natural gas costs nationwide, create new economies of scale in manufacturing and installation, and offer greater predictability to long-term investors. By reducing the cost of new clean technologies and making them more available, as a national RES would do, it would help restrain natural gas price increases.

This bill will spur economic development with billions of dollars in new capital investment and new tax revenues for local communities, as well as millions of dollars in new lease payments for farmers and rural landowners.

For those not yet convinced of the benefits of an RES, I would ask them to look at what has happened in Colorado. Vestas, a major wind turbine supplier, identified our State RES as a determining factor in locating 2,500 jobs in Colorado for its wind turbine manufacturing headquarters. Additionally, Colorado Governor Bill Ritter has estimated that just the solar component of the RES has brought 1,500 new solar jobs to Colorado.

Now, Mr. President, some have argued that a national RES would burden some regions of the country at the expense of other regions. I would argue the opposite. A national RES would, in fact, create public benefits for all.

The bill's definition of ''renewables'' is broad, including biomass such as cellulosic organic materials; plant or algal matter from agricultural crops, crop byproducts, or landscape waste; gasified animal waste and landfill gas, otherwise known as biogas; and all kinds of crop-based liquid fuels. The definition includes incremental hydropower; solar and solar water heating; wind; ocean, ocean thermal, and tidal; geothermal; and distributed generation. Every State has one or more of these resources.

Further, the argument that the Southeast would be disadvantaged by a national RES—that the Southeast has no renewable resources—has been shown to be inaccurate. In fact, the Southeast is one of the regions of the country that would see the most benefit from this proposal. According to the Department of Energy's Energy Information Administration, the technology that does best under a national RES is biomass. Already, 2,500 megawatts of generation come from biomass in the Southeast, and much of the waste from pulp and paper mills has yet to be used for generating electricity.

In summary, a national renewable electricity standard will reduce harmful air and water pollution, provide a sustainable, secure energy supply now,

and create new investment, income and jobs in communities all over our country. That is why I look forward to working closely with my colleagues in the Senate to ensure the adoption of a national renewable electricity standard.

Mr. President, I yield the floor.

Mr. GRASSLEY. Mr. President, I suggest the absence of a quorum, and if it is necessary, to be fair to the other side, I will take it out of the time I have over here, or equally divided.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative 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. KAUFMAN). Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, on Friday the 13th, there is superstition that says we shouldn't be walking under ladders, we should avoid black cats crossing our paths, and certainly you wouldn't purposely break mirrors, would you. But since this is the first significant piece of legislation in this Congress, and under our new President, we ought to take a look in the legislative mirror at what we are doing when we vote here today.

If you look at the developments of this legislation, you will see some patterns. No. 1, House Democrats put together their priorities and drove their priorities through the House of Representatives. They didn't pretend to take any Republican input and they left out 11 of their own Members in the House of Representatives, as we saw from the 11 Democrats who voted against it. In the Senate, Republicans were consulted, and that is a very positive thing, but we were never invited to the negotiating table.

We saw this pattern repeat itself at committee levels and on the floor here and, of course, the most obvious one, at the conference stage. When Republicans offered ideas, generally they were rejected. There were a few exceptions, and the chart behind me will show what those few exceptions were.

The chart deals with one of the improvements—the alternative minimum tax. This is 2006 return data, so it might understate its impact, but you can see that every State would add up to about 20 million for the year 2006. If the 2008 patch were not passed, it would probably add up to 23 million, 24 million middle-class Americans who would be hit if we didn't do something on the alternative minimum tax. Each one of us can look at our own individual State. But you can see that there are high percentages of middle-class people who would be hit by the alternative minimum tax. That needs to be done.

I heard detracting remarks on whether we ought to do that in a stimulus package. It is not as stimulative as some parts of it. I think I heard some figures from the other side that it might be 2 cents on the dollar—or $1.02 of stimulus as opposed to other places where, as with food stamps, you might get a $3 or $4 return on the investment from a stimulus. But it needs to be there for the simple reason that in each of the last 2 years, we have waited a long period of time to do it, and it has created problems for the IRS to do their form work when you do the alternative minimum tax in November.

I pushed this amendment, an extension of the alternative minimum tax patch. I thank the conferees for retaining it in conference. Many in the Democratic leadership—most particularly the senior Senator from Illinois—argued that I should support the package based upon that amendment alone. I agree with my friend from Illinois that the package was improved with that amendment. I also point out that all these families in his State—and you can look at Illinois, where there is a fabulous number of middle-income taxpayers, 909,000 right now, before this bill is signed by the President—would be obligated to pay that alternative minimum tax. In my State of Iowa, it is a large number; not quite that big.

We need to point out that all the families from his State and families from my State will get a tax cut averaging $2,300 due to the amendment. We on this side pushed for that.

I do not get what the senior Senator from Illinois was saying. I only heard him say it last night because I was on the floor at that particular time. I don't get why he doesn't accept the improvements based on merits alone and not whether it has anything to do with who supports this bill or who does not. Why he feels the need to continue to criticize me by name for improving the bill is beyond my comprehension.

Now, instead of repeatedly criticizing me by name, I hope the senior Senator from Illinois would listen to what I have to say and reflect on it. We do not need to be partisan, cutout cartoon characters. We can actually engage in some real debate. In that vein, many on my side could probably support the conference agreement before us, with more improvements such as the one the senior Senator from Illinois has criticized me for offering, the alternative minimum tax. President Obama could get the 80 votes he wanted and still have a stimulus bill.

But on this side we will supply those additional votes, maybe pushing the total to 80, only if we believe the bill as a whole would improve the economy. To that end, House and Senate Republicans offered amendments in committee and on the floor to improve this bill the following ways. I have about four examples.

No. 1: to tie the spending of this bill to the period in which the economy is sagging. That was Senator MCCAIN's trigger amendment. If Senator MCCAIN had prevailed, taxpayers would know their tax dollars would be protected once the economy recovered. It was a good, fiscally responsible idea. It was rejected largely along party-line votes.

No. 2 example: to ensure that the huge amount of State aid money, almost $87 billion for Medicaid alone, was used by the States to prevent tax increases or cuts in important services. We had amendments to do that. The amendments required States to maintain their efforts on keeping taxes low and not cutting services. That was rejected largely along party lines.

Another example was to build on the individual tax relief in the package. On this side, we offered amendments to expand the relief in amount and by the number of taxpayers. Those amendments also were largely rejected along party lines.

The last example: we tried to divert some of the over $1 trillion in this bill—that is $1 trillion when interest on this debt is included—to home mortgages and housing problems. We offered amendments to do that. Senator ISAKSON prevailed with his amendment to provide a robust tax credit for home purchases. How was that amendment received in the conference committee? The answer is it was dumped and new social spending, the priority of a lot of House Democrats, was added back.

These are just a few examples. I would like to remind my colleagues that we would cut back the cost of the bill. Ask Senator MCCAIN. I am sure he will explain, in detail, the large amounts of money that could be saved.

The true test is in the press reports. They note the conference report is not too far off from the basic plans laid out by the Democratic leadership. The bottom line is the basic outlines of the plan did not move all that much between what was originally passed in the House, originally passed in the Senate, and what comes out of conference. It goes back to my basic point—to be bipartisan you have to have a real offer to negotiate and a sincere objective to entertain each other's point of view. There is no better evidence of that kind of pattern than the record Senator BAUCUS and I have established in the committee, the Finance Committee, during the years I chaired the committee and during the years he has chaired the committee.

I yield the floor.

I suggest the absence of a quorum and ask the time be divided.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, this is 10 minutes for morning business?

The PRESIDING OFFICER. The Senator is correct.

Mr. SESSIONS. I ask to be notified after 5 minutes.

Mr. President, I truly believe the legislation before us is a historic piece of

legislation. It is a piece of legislation that changes the course the United States has steered throughout its history, by moving us rather significantly and precipitously toward a European model of an economy. The Government's share of GDP has historically been about 20 percent for the last 34 years, up and down, 17, 21, 22. One score—when you put all the stimulus money, all the bank money and all the bailout money and what we may expect to see in the future—one score indicated that it could reach 39 percent. In 1 year, we go from 21 or so percent of GDP to 39 percent of GDP. They say this is a temporary stimulus package. But it is not a temporary stimulus package. It has all kinds of permanent expenditures, creates new Government programs, and spends more money on things such as IDEA, special education—$14 billion on that existing program. Does anybody think we are going to reduce that in the future by any significant degree?

This bill funds program after program that will be increased in size, and the Government spending will then account for a larger percentage of our economy.

As George Will wrote—he is frequently, I think, thoughtful and wise—recently:

If this is not a matter that ought to be politically discussed, what is?

So we want to be nonpartisan, bipartisan, and work together. But if you realize that we are undertaking an expenditure, the largest in the history of the Republic, the largest in the history of any nation in the world, in one fell swoop, and if you believe that is going to move us significantly in a way that alters the historic principle of this Nation that believes in limited Government, then you need to be here talking about it and opposing it and voting against it.

I think it is pretty clear. I know a lot of my colleagues on the other side of the aisle, a lot of new Senators who came in recently, they are uneasy about this legislation. But they have been led along, I am afraid, by the leadership and some of the others and listened to the Siren songs and are going along with this legislation.

I do not think, in years to come, they are going to be that proud of it. I just don't think so. I wish that some way, even in these last moments, we could stop this train, go back and look at a piece of legislation that might be better. The House proposed legislation. Senator THUNE offered it here. Some folks have taken a look at Christina Romer's work. She is the Obama administration's top economic adviser.

She put a model out on how to evaluate a stimulus-type legislation last year. They believe their legislation, following her model of what creates jobs, following her analysis, would create twice as many jobs at half the cost and not create so many permanent Government bureaucracies and programs that are going to absorb more and more of America's wealth.

I think this is a big deal, and I do not like the process. The bill got out in the middle of the night, and now we are supposed to vote today. There is hardly time to read it. It is $1 billion per page, 700, 800 pages, maybe more in there, and almost $1 billion per page. If you add up the minutes between now and the time we will be voting, it is almost $1 billion a minute. One professor at Hillsdale College notes that this represents—$789 billion is almost equal to all the currency in circulation in America today. It is a stunning piece of legislation.

I want to repeat something that I have spoken about before. In my view, there was a deliberate plan that was hatched to create a perception that something would be done in this legislation that would require any business that obtained money out of this program, any contractor, to use the Government E-Verify Program. All you have to do with this program is punch into the computer the Social Security number of the people who seek employment and have it checked by the Department of Homeland Security. And we are finding that a considerable number of potential new hires—not too many but a considerable number—are here illegally. Now, let me ask my colleagues, is it the desire of the Members of this body that the stimulus money to create jobs—that those jobs should be given to people illegally in the country? People who are here lawfully, green card holders or temporary workers, if they are lawfully here, they can have a job under the program. I am not objecting to that. But the Government has a computer system, and 2,000 businesses a week are signing up to use it voluntarily. Nobody has required them to do that. Those businesses are finding that some of the people who apply are not here legally, and they are not hiring them, as a good citizen company should do. They are not supposed to hire illegals—in fact, it is a criminal offense if they knowingly hire people who are in the country illegally. So why would we not do that? Why?

The PRESIDING OFFICER. The Senator has used 5 minutes of his time.

Mr. SESSIONS. I thank the Chair.

Why would we not include this simple requirement? Well, let me tell you, the American people want us to do it, overwhelmingly, and I think the leaders of this body know that. So a clever plan was hatched. I began to get the feel for it when I began to offer this amendment. Three or four times I offered the amendment. Many amendments were voted on on the floor during this debate. The leadership was most proud of that: Oh, we had a lot of votes. But some did not get voted on. This was one that did not. Why? It passed the House last year. One part of my amendment was passed on a floor vote of 407 to 2 to extend the E-Verify Program, which is set to expire in March. The other part was accepted in the Appropriations Committee, without objection, and that part would say that if you get a contract under this jobs bill, you would use E-Verify. So the House passed it. It was in their bill. All but 11 Democrats voted for the overall bill, so they voted for the E-Verify provision. And I am sure that the Republicans and the 11 Democrats, had they been asked to vote on just this provision, would have voted for it too. So it was virtually unanimous in the House.

So I kept pushing it here, and if it had passed here, using the same language our House colleagues used, it would have—absent skullduggery, which sometimes happens—been in the final bill because it would have been in the House bill and the Senate bill and become law.

So the House Members are most proud. They voted for it. They voted with their constituents. They voted for common sense. They voted for American jobs. And they are proud of themselves.

The Senate, however, did not get to vote on it—sorry, JEFF, we just couldn't find time to get your vote. We had all the other votes, but we did not have time for yours.

No Senator is now on record as having voted against E-Verify. But just as I predicted, they went to conference and they got with Speaker PELOSI and Majority Leader REID, who control the conference—both of them pick the conferees; a majority of Democrats on both the House and Senate side, and they had the power to write the bill as they chose—and lo and behold, surprise, they took it out. They did not want it in from the beginning. They systematically maneuvered around to get a plan to take it out, and they think they can pass the bill without it, and perhaps they will. And who is to lose? Low-skilled, honest, decent American workers out looking for a job.

Let me tell you about E-Verify. Doris Meissner, who is the former head of the Immigration Service under President Clinton, in a report last week, February 2009, said this:

Mandatory—

That is what we are doing, requiring these companies to use E-Verify, not mandatory now—

employer verification must be at the center of legislation to combat illegal immigration . . . the E-Verify system provides a valuable tool for employers who are trying to comply with the law. E-Verify also provides an opportunity to determine the best electronic means—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. She goes on to say that:

E-Verify also provides the best opportunity to determine the best electronic means to implement verification requirements. The administration—

She is talking about the Obama administration—

should support reauthorization of E-Verify and expand the program.

Alexander Aleinkoff, a Clinton administration official, called it a ''myth'' that there is ''little or no competition between undocumented workers and American workers.''

And I would say, I am disappointed. I am not surprised, I could see how this was headed for the last week or so. I hoped it was not so. I raised openly my concern with the majority leader and the bill managers that this would happen, and I am now seeing it happen.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Mr. President, today all over the country, millions of Americans went to work unsure whether they would bring home a paycheck or a pink slip. Today, millions of Americans got up, put on their suit, left the house, not go to work, but for another interview, another visit to the unemployment office, another spot in the long hiring line. Today, millions of Americans will have that late-night session at the kitchen table trying to figure out how they are going to make ends meet on their stressed family budget. And today, millions of Americans worried how they could afford it if a child or an elderly parent were to get sick. In my home State of Rhode Island, where the unemployment rate is the highest it has been in decades, the second highest in the country, I hear stories like this over and over again.

This past Sunday, I had one of our community dinners that we hold. This one was at the Tri-City Elks Lodge in Warwick. More than 200 people came from all over the State to talk to me about their struggles to afford health care in this economy. From them all, the message was the same: We are trying to get by, but times are tough and we feel the deck is stacked against us so we just can't make ends meet. What can you do to help?

Our economy, our country, is in crisis. Americans are urging us to take action now, before things get worse, before it is too late. So this week, the Senate took action. It was not easy, it is not perfect, and it will not be cheap. But it was the right thing to do. The bill we passed on Tuesday will create or save 12,000 jobs just in Rhode Island over the next 2 years. Many of those jobs will come from new investments in Rhode Islands's infrastructure, including millions for road and bridge repair, to improve drinking water and sewer systems, and to help families weatherize their homes and cut their energy bills.

The recovery plan will provide a refundable tax credit, a downpayment on the middle-class tax cut President Obama promised this country. That credit will reach 470,000 Rhode Island workers and families, giving as much as $800 worth of breathing room in a family's budget in this year when every little bit counts.

I am also proud that the recovery bill will provide a one-time $250 payment to those living on Social Security or SSDI. In the Ocean State, we know that for vulnerable seniors, that little bit of extra help from the Federal Government can make the difference between housing and homelessness, between health and sickness. Approximately 138,000 Rhode Islanders receive Social Security, so this bill will mean more than $34 million into Rhode Island's economy for Rhode Island seniors and those who are disabled.

The recovery plan will send an additional $100 a month in unemployment insurance benefits to 86,000 Rhode Island workers who have lost their jobs, and it will provide extended unemployment benefits to an additional 17,000 laid-off Rhode Island workers.

The bill we passed does not stop there. It increases Pell grants so people who cannot find work can go to college, improve their skills, and come back into the workforce better trained, and in better days. It increases funding for food stamps, for Head Start and other early childhood education programs, and for Medicaid—all to help struggling families just weather this storm.

It includes $18 billion in Medicare and Medicaid incentives to build health information infrastructure to improve the quality and safety and efficiency of our health care system.

The bill we passed will put people back to work. It will jump-start our faltering economy, and it will support struggling families. It is not a perfect bill, but at this moment, in this crisis, it is necessary.

We tried to do this together with our Republican friends. President Obama reached out his hand in unprecedented ways. George Bush never once came to the Senate to talk to us, to Senate Democrats. President Obama traveled to Congress to meet with the House Republicans; he came over here to meet with the Senate Republicans; he did individual calls and meetings. Three Republican Senators, Senators SNOWE and COLLINS of Maine and the distinguished ranking member of our Judiciary Committee, Senator SPECTER, heard his call, put their country first, and helped us pass this bill. I do not agree with all of the compromises that they required, but without them, we might have had no bill at all.

But from the vast majority of Republicans in Congress, from every Republican Member of the House of Representatives, what did President Obama get for his pains? They slapped away his hand of friendship, and they gloated about it, saying, ''The goose egg you laid on the President's desk, [the goose egg meaning zero Republican votes in the House of Representatives] was just beautiful.''

They claimed—hold your horses here—to take inspiration from the Taliban. They said their boycott of President Obama's bill was a political shot in the arm going forward.

And their party leader said this:

> You and I know that in the history of mankind and womankind, government—federal, state or local—has never created one job.

I guess his history book ended at the chapter on Herbert Hoover. Mr. Steele, read on; read the next chapter about Franklin Delano Roosevelt and the Works Progress Administration and the Citizens Conservation Corps and how the Government got us out of the Great Depression.

Another measure of whether our Republican friends are being fair is to look at the arguments they have made. Do they make sense?

''We should do housing first.'' We have heard that one. Well, fixing the housing market is, indeed, important. But actions speak louder than words, and while the Republicans' words call for action, their actions spell obstruction. They still resist the single most important and effective thing we can do to stem foreclosures, which is Senator DURBIN's bill to allow bankruptcy courts to modify mortgages on principal residences, the only loans that don't have this authority in all loans in our country.

And when we tried to address the housing crisis only a few months ago, they stopped all those bills, refused to allow us to move forward because they said expanding—remember this—oil drilling was more important and we had to do that first. It's the number one issue facing the American public.

Look where we are now and how important oil drilling is in our crisis. If we had done housing first, can you not see the signs here saying: Jobs first? I fear our friends would rather move the goalposts than move legislation.

''It is full of spending, and it is too big.'' Yes, it is full of spending. The recession of consumer spending and business spending is what is draining the economy. The whole idea is to counterbalance the loss of that spending with Government spending. And you know what? It is probably not enough. Our economy has already lost more than 3.6 million jobs since the peak of the business cycle in December 2007, and 11.6 million Americans are currently looking for work. A report last month estimated that in the absence of this legislation, we could lose another 3 to 4 million jobs. This legislation will create or preserve 3 to 4 million jobs. 11.6 million Americans out of work. This accomplishes the first necessary step of stopping the bleeding. But more, I suspect, will be required to cure the patient. Realistically, the danger that this bill is too small is worse than the danger that it is too big.

''The bill doesn't all create jobs.'' Well that is true. But let's look at two examples of provisions that don't create jobs—Pell grants and Medicaid. The Pell grant money lets people step out of the market for jobs at a time when it is highly stressed, train up, improve their skills, and move back in in better times. Isn't that smart? Doesn't that make sense for the country?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WHITEHOUSE. I ask unanimous consent to speak for 3 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. The health care spending will protect precarious State budgets and protect people's health care as they ride out the storm. Isn't that the decent thing to do as this storm hits American families?

Another argument: ''Some of it isn't soon enough.'' Well health information technology, for instance, will take a while to ramp up, but it is necessary infrastructure to avert the $35 trillion health care calamity now bearing down on us. It has to be done sooner or later. The recession will almost certainly be here 2 years from now, and if it does take a little while to do, isn't that all the more reason to start now?

And then there are the—what I call the ''oh, please'' arguments. The party that ran up nearly $8 trillion in debt under George Bush—now that Barack Obama has been elected, and now in the one time of crisis when every respectable economist is saying this is the time for deficit spending—now suddenly gets religion about deficit spending? If this weren't so serious, it would practically be funny.

Finally this: If our opponents cared about jobs and putting people to work quickly with effective, valuable infrastructure, why such widespread opposition to the $20 billion for school repair and construction? This money could have put contractors to work on school repairs, green renovation, weatherization, and conservation measures. It would have made schools cleaner and greener. It would have lowered local fuel budgets, and it would have reduced dependence on foreign oil. What does opposition to that tell you?

And what did they argue for? Here is a golden oldie: Reduced corporate tax rates. How many companies do you think are out there reporting big, taxable profits in this economy?

On even brief consideration, the Republican arguments against the bill don't hold water. It is instant replay of the same, tired, flawed ideology that put us in this mess in the first place. Barack Obama did not ask for this mess. He inherited this mess. Barack Obama would rather have come into a budget surplus, a growing economy, and a trajectory to a debt-free America, like George Bush and Dick Cheney did. But that is not what they left him. And now he's the guy who has to dig us out of their mess. In simple decency, you would think the least one could ask is that the party whose President made the mess not slap away Barack Obama's hand of friendship. ''I am sorry, but I won't help you clean up my mess unless you do it my way.''

After weeks to ventilate their arguments, our friends now have an opportunity to show that when all is said and done, they care more about moving the country forward than scoring political points. Now we have the chance to come together and pass this bill and send to it President Obama's desk so we can begin to restore confidence and hope to our country.

I hope—I hope—our Republican friends will join us. There is too much at stake to do nothing.

I thank the presiding officer, I thank distinguished Senator from Texas for her courtesy in yielding me additional time.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Texas.

Mrs. HUTCHISON. Mr. President, I rise to speak against the bill coming from the House shortly. We have had a chance to look at this bill for the last few hours. There is much in it that is different from what passed the Senate. Some of it is different from what passed the House as well.

I wish to address a few points that have been made. It is somewhat misleading to talk about the Republican input in the way it is being described. First, the bill was written without any Republican input. It was written in the House of Representatives by Democrats. There were no amendments allowed. The committees were not allowed to exercise their jurisdiction on the bill there. It came to the Senate. I was on the Appropriations Committee which passed the spending part of the bill. Amendments were discouraged. The meeting lasted a couple hours. The same thing happened on the Finance Committee, which is the tax part of the bill. There were no amendments that were hammered out. There was not an amendment process where we gave and took. To say Republicans had a chance to have input is disingenuous.

I respect the President of the United States for coming and talking to Republicans. He talked to the Republican Senators and House Members. That is good. There is nothing bad about that because he is a smart and civilized man whom we all respect. We want the President to work with Congress as we go forward. But talking should include taking ideas and shaping them into something on which we could all say we had a part. If I could support half this bill, I would be inclined to look at it in a way that maybe I would be able to support. But let's look at what this bill is.

It has a total cost of $787 billion. The spending portion is $580 billion. With interest, the cost of the bill is going to be about a trillion dollars. I take the cost of a trillion dollars, and borrowing that money from the future, very seriously. We ought to spend some time before we spend $1 trillion in a bill that is going to be off the budget and is not in any projected budget we have seen. It is going to add almost $1 trillion to the deficit. Is it going to succeed? I hope it does. But let's talk about what is in the bill.

Eleven percent of the spending in this bill will occur this year. The purpose of a stimulus bill is to stimulate the economy quickly. We are talking about almost $1 trillion and 11 percent is spent this year. A stimulus bill should inject money into the economy that will cause jobs to be either produced or kept, that will produce spending so there will be something for people to make and retailers to sell. After we have that stimulus, which we hope would be in the private sector and therefore permanent, then we are going to have to deal with the deficit in years 3 through 10, so we don't have an upside down situation where we have so much debt that either our foreign investors will not buy our debt or, if they do, the risk is so high that they increase the interest rate, which then becomes an inflationary problem. This is not a stimulus package when 11 percent is spent in the first year.

Eighteen percent of this conference report is dedicated to tax relief. I believe tax relief has been proven again and again to spur the economy. President Kennedy gave tax relief, and it spurred the economy and increased revenue. President Reagan, tax relief, and it increased revenue. President Bush, in 2001 and 2003, when we were having a rough time in the economy, the tax cuts gave us the largest increase in revenue in the history of America.

People scoff at tax relief as part of a stimulus package. How can they scoff, when it has been proven again and again to work? In this conference report, 18 percent is tax relief. It is not even tax relief that will spur the economy. The tax relief is the Making Work Pay Credit which is going to be approximately $7.65 per week in tax relief for a worker. That is going to be limited to $400 a worker.

Speaking of what has been tested, last year, when we became concerned that the economy was beginning to lag, we passed a $600 tax credit. Every economist I have read says it did nothing. It did not spur the economy. It did not help our financial situation at all. That was $600 per person last year. This is going to be $400 per person, and it is going to be strung out in such small amounts in a person's paycheck, they are not going to go out and spend money which is what you want in a stimulus package. The stimulus provides $1.10 a day in tax relief to workers, while saddling every American family with $9,400 in added debt.

The home buyer credit the Senate added, which tries to correct the fundamental problem that started this whole economic downturn—housing—is all but eliminated from the conference committee report. We have an $8,000 credit for first-time home buyers. Now, I support this because it will be some credit for a first-time home buyer to go out and buy a home. But the Senate provision was $15,000 for any home buyer. So we had the capability to give every home buyer that $15,000 tax credit so we would move inventory and allow homebuilders to start building again, which would create jobs. That was changed in the conference report.

The conference drastically reduced the auto purchase deduction which would have spurred our struggling auto industry and provided relief to dealers

all across the country. I have a great sympathy for auto dealers. When we were taking up the automobile manufacturing bailout, I was very concerned about not only the manufacturers but also the dealers because the dealers could not help what was happening in the auto manufacturing industry. They had nothing to do with the manufacturing, but the dealers and the families who are supported by dealers were being hit again and again and again because their buyers could not get credit and they could not buy cars.

So we should have dealt in this bill with housing and credit. Those are the two things that caused this financial downturn, and so I hoped the first things we would deal with in this package would be housing and credit, and I hope eventually we will.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent for an additional 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, 17 percent of the discretionary spending in this package is for infrastructure items. Now, infrastructure is what we should be spending money on because infrastructure is jobs. Infrastructure is American jobs. In this bill, we do not have enough in infrastructure spending.

Mr. President, we should keep in mind that the money in this bill isn't temporary. There are concerns that it will be permanent. It is likely that those funds will be extended well beyond the short window that we claim to be acting in. And in that case, according to The Heritage Foundation, the total cost of the bill comes to $3.27 trillion over 10 years.

This is not the bill we should be passing right now. This bill did not even have the signature of one Republican on the conference committee. We do not expect to have dominated the conference committee or the Senate or the House production of a bill, but to have no Republican support cannot under any circumstances be declared bipartisan. Mr. President, 3 Republicans out of the Republican contingent is just not bipartisan.

Let me add, in a couple of minutes, what we are for. I am for stimulus. We all know we need stimulus.

I would like tax cuts that would spur spending, not tax cuts that would be dribbled out in such small amounts that no one would feel they could go out and buy something. Tax cuts that would spur spending would be in the form of a card, such as the converter box cards that were sent in the mail, that would be for specific purposes—maybe it would be home improvements, maybe it would be weatherization. Specific purposes would require spending. It would be a card that people would know they could spend, and it would make a difference in jumpstarting the economy.

Tax cuts that would spur hiring. It was sort of said on the other side that we do not need corporate rate deductions because no one is making a profit. Well, let's do something that would allow corporations to make a profit because that is when they hire people, when they are making a profit.

How about a tax credit for hiring people? That might make a difference. How about spending on infrastructure? How about more than 17 percent of $1 trillion going for infrastructure? That would be jobs today for people building bridges, building highways, building things that would clearly be job creation.

I had an amendment which never made it to the floor that said that military construction should be moved up from the Department of Defense 5-year plan to 3 years. Military construction is money we know we are going to spend. The Department of Defense has a 5-year plan. They know exactly what their priorities are. We normally take it 1 year at a time. Why not take the 5-year plan and bring it up and do it in 2 or 3 years? Because we know it would be American jobs. We know it is money we are going to spend anyway. It would be stimulative, and it would be the right kind of spending. Instead, the conference cut the military spending in this bill from what passed in the Senate. The conference cut our military spending for hospitals and for Veterans' Administration hospitals to increase the quality and access to health care for our veterans. What kind of priority is that? And they are increasing spending to save a mouse in San Francisco that might be endangered.

This is not a package we can be proud to give to the American people and say: It is worth tightening our belts to do this because it will make a difference. But we can be for something. We do not say we should have everything we propose. There are other good ideas on the other side. We acknowledge that. But this is not the right bill for the American people, and I urge my colleagues to please consider their positions and let us do this right: tax cuts to spur spending, tax cuts to spur the opportunity for corporations and businesses to hire people, spending on infrastructure, more in military construction. That would be a bill we could support.

Mr. President, I thank you and yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Wyoming.

Mr. ENZI. Thank you, Mr. President.

Mr. President, I, too, want to speak about the conference committee report. I did not think it was possible, but after waiting until late last night to finally receive the text of this trillion-dollar economic bailout legislation, the Speaker of the House and the majority leader took a bad bill and made it worse.

Fix housing first. The housing market is where the problems began, and it is where they will end. Fix housing first. So what did the negotiators between the House and the Senate do? Amazingly, Democratic leadership managed to remove one of the provisions that would really do some good and help address housing. Stripped from the conference report is Senator ISAKSON's home buyers tax credit extension amendment. Expanding that successful tax credit program—we know from the 1990s—would have addressed the source of our economic crisis—housing—and would help bring tentative homeowners back into the market. There are over 3.5 million homes on the market right now and no buyers. Instead of including this provision, the conferees replaced it with more wasteful Government spending. They have used our last bullet. They have maxed out the Federal credit card. Every drop has been taken out of the well, and they have spent this one-time money on expenses that will go on and on—and that is the real problem—on and on with money we do not have for things we do not need.

I have listened to the Democratic leadership speak on this legislation over the past day or so and have been surprised as they described it as bipartisan compromise legislation. I have been a Member of the Senate for 12 years, and in my experience, finding only three Members of the minority party to support legislation and only involving them at the end of the process is not bipartisan. It is not bipartisan in the slightest.

I am disappointed that we have reached this point. When we first began discussing this legislation, President Obama asked for change. He asked for a bipartisan economic stimulus measure, something that could garner as many as 80 votes. I wanted to see that as well. I wanted to see legislation that both parties could support because the economic crisis we are in is not a partisan problem. Unfortunately, the legislation we have before us is partisan, and it reads like a list of bundled liberal priorities that could not gain support individually. How do I know? It is a wish list that could not be passed for the last 20 years because they could not find the money.

Democratic leaders, even at the exclusion of other Democrats, wrote a bill, brought it to the floor, and then negotiated with Republicans they thought they could pick off. Several saw what was happening and dropped out. They picked three off by asking what it would take to get them to vote for the Democratic bill and making a few changes. It was not a bill made by both parties.

President Obama turned the drafting of this bill over to the Speaker of the House and other Democratic leaders who did not consult Republicans and even said: We won the election, we get to write the bill. Then the President went out on the campaign trail to stump for a plan crafted solely by Democratic leaders in the House and

Senate. He complained that he reached out to Republicans but they did not reach back. Reaching out cannot just be an afterthought.

The supporters are using the politics of fear. Fear mongering adds to the problem.

I was not part of the initial ''gang of eight'' Republican Senators who were handpicked to work with Senator BEN NELSON and the majority leader on a ''compromise'' ''stimulus'' bill. I would note, however, that five of the eight Republicans quickly saw how superficial the compromise was going and bowed out.

I nevertheless offered and supported ways to improve the bill that was put forward by some of my colleagues. I am not just talking about amendments you saw on the floor that would reduce the price. Those were simply efforts to salvage something out of the wreck. I suggested removing a number of things that did not make sense—policies backed by Republicans and policies backed by Democrats. I always recognize that both sides have to have things left out to be fair. I also backed moving the bill forward in several understandable pieces so we could bring the American public along.

I offered amendments that sought to improve several parts of the bill, including a change that would make sure the billions of taxpayer dollars spent to pay for health information technology would go toward items that will actually work in the real world. This was a real bipartisan effort which enjoyed broad support among both Republicans and Democrats. In fact, I did get an amendment adopted that was just technical changes, and that was difficult to do. I think it has been ripped out now too. But the bill will not work without those.

Unfortunately, it, along with my efforts to try to protect patients from Government bureaucrats rationing their access to health care, was largely ignored. As a result, I have strong concerns that this stimulus bill will likely backfire on patients and providers, resulting in more harm than any good we are likely to see from its ill-conceived and misguided efforts.

We are going to do health care reform this year. Partisan pieces do not have to be rushed through as ''stimulus.'' We do not have to legislate on a spending bill.

This massive bill contains short-term and long-term spending, and I advocated moving forward with the short-term spending immediately. I advocated for addressing the housing crisis and the jobs crisis right now. I suggested that after we dealt with those pieces of legislation, we should work together on the long-term items, not jam them in with no time for debate. Some of those items in this bill are important, but they should be dealt with in a separate measure going through the normal legislative process where we can have the time for real debate about our Nation's priorities.

I am not happy about deficit spending in these bailouts. I realize something is wrong with our economy, and we need to take steps to fix it. I worked to create a bill that efficiently used taxpayer money to improve the housing market and put people back to work. The ''compromise'' we are forced to take or leave is so far off the mark and full of pork that it is obscene. I will not support spending money we do not have for projects we do not need. I will support legitimate efforts put forward by either party that could help our country out of this economic mess.

I have been very critical of this bill and other bailout bills passed last year, and time is showing I made the right decisions opposing those bailouts. I would support an economic stimulus package if only it lived up to the President's own threshold of being targeted, timely, and temporary. I am leery of spending one-time money on programs that will have to continue. These will be continuing payments on our maxed-out credit card. But this bill does not fit with the President's words, and Democratic leadership has made no real effort to make it conform.

This bill is both bad in content and in process. It includes wasteful spending, including $2 billion for groups like ACORN and $1.3 billion for Amtrak. Funding that was stripped from the Senate version for sexually transmitted disease prevention was included in the conference report.

As is typical in Washington, programs that were Members' pet projects saw ridiculous increases in the conference. The Senate bill provided $2 billion for the High-Speed Rail Corridor Program. The House bill included no funding for the program. How did we compromise that? How much did the conference provide? It provided $8 billion. This is compromise according to Congress. Both the House and the Senate version of the bill included $200 million for ''Transportation Electrification''—both bills, House and Senate—$200 million for transportation electrification. Logically, one would then expect that the conference would provide $200 million, but logic flies out the window around here when you come inside the beltway. The conference provided $400 million—double what either body suggested.

I know how to do more than talk about bipartisanship. I have built a career on it without compromising my principles. Take a closer look and we will see bipartisan isn't about compromise; it is about establishing common ground and finding a third way. First you sit down together with principles each side can agree on. That is probably about 80 percent of any issue. Then you identify the 20 percent you were never able to agree on and either leave that out or preferably find a new way both sides can agree on—one that hasn't already been down in the weeds and washed for years and years. After you have the principles, you work on the details, keeping what you can agree on and throwing out what you can't, until you have legislation that is for and from both sides, from the beginning. That didn't happen here.

Talk is cheap, but the latest economic bill pushed through by a majority and three Republican Senators is not. And if this is the description of bipartisan support, then the House, with every Republican and 11 Democrats voting no, must be bipartisan opposition. This legislation is the single most expensive bill in the history of the United States and it is being sold to the American people as a ''compromise.'' Buyer beware.

Mr. President, I reserve the balance of the time, I yield the floor, and I suggest the absence of a quorum and ask that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DODD. 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. DODD. Mr. President, I rise this afternoon to speak about the agreement that was reached a day or so ago by conferees on the American Recovery and Reinvestment Act and the inclusion of two priorities of mine in particular.

Before I give the substance of my remarks, let me commend the leadership of the Senate and the House as well as the Members on both sides of the so-called political divide in this Chamber and elsewhere who helped put this together. I know there were many who obviously did not want this bill to pass and who have spoken against it. Most, I believe, feel that inaction is unacceptable. We may have significant disagreements about what should have been included in this package—whether it is stimulative enough; whether the size of the package itself will provide the necessary jolt to our economy to have us moving in a better direction than the one we are obviously in. I happen to believe we are doing the right thing by doing this. I don't take any great joy or pleasure in the fact we are doing it, any more than I did when we had the vote last fall on the emergency economic stabilization effort. That was no great moment of joy either.

Normally when we pass legislation, we are directly helping some group or helping the country in some way. These efforts obviously help, but they help us get out of a mess we are in, one that, in my view, could have been avoided. This was not a natural disaster that occurred in our country; this was a manmade disaster—inattention, misfeasance, malfeasance that allowed this country to watch the greatest economy in the history of mankind evaporate in the pockets of many overnight. Job losses—20,000 a day—with our fellow citizens finding themselves without an income. Nine thousand to

ten thousand homes a day are foreclosing in our country. Retirements are evaporating within minutes. People who have spent years accumulating, to be able to enjoy the latter years of their lives in some peace and comfort and security, knowing they can take care of themselves and their loved ones as they step out of the workforce and enjoy a well-deserved period of retirement, are now in jeopardy. People may have to stay at work, if they can find work, at an older age in our country.

So while I am pleased this bill is going through and pleased that my State will be the beneficiary of some help at this particular hour, I don't take any great pleasure in this moment at all; quite the contrary. It saddens me that it has come to this. So with that as a framework, I wish to share some thoughts about what is in this bill and why I think it can be of some help to get us moving in the right direction.

Most Americans I think are aware now that our economy has been in a recession for the last 14 months or so and has impacted every State differently. My State of Connecticut is no exception. While the effects of the recession took a bit longer to hit my State than others, economists believe Connecticut may take longer to recover for a variety of unique reasons, including the kinds of jobs we provide and the like. We have lost about 125,000 jobs in my State. Close to 20,000 homes have been foreclosed on. One of my cities alone, the city of Bridgeport, has had 1,100 foreclosures—one city, 1,100 foreclosures. That means our efforts to get our economy moving in this bill are going to be important to families all across the country, and certainly my State is no exception.

We are addressing many priorities with this economic recovery package, providing urgent help to communities who are struggling in the midst of this recession while making a downpayment on long-term needs as the new President, President Obama, has articulated in Indiana, in Florida, and in Illinois, where he has spoken in townhall meetings about this over the last several days, as he did in his first nationally televised press conference. At a time when layoffs are increasing the rolls of the uninsured, this bill provides $24 billion in health care premium assistance to 7 million unemployed workers. I can't begin to tell my colleagues how important that is.

I have held two townhall meetings in my State in the last two weeks on health care. I had one at 8:30 on a Monday morning, which is a dreadful time to hold a townhall meeting, obviously. We anticipated maybe 75 people might show up at the small community college on the banks of the Connecticut River outside of Hartford. Well, 700 people showed up at 8:30 in the morning to talk about health care and to talk about what they are going through. The discussion was supposed to be about coverage. Specifically, we had three themes: one on coverage, one on costs, and one on prevention. But the conversation was far beyond the issue of coverage. Seven hundred people showing up at 8:30 in the morning. These are people who either didn't have coverage—most had coverage, but couldn't afford the 42-percent increase in premiums they have seen in the last 6 years.

Then, last Saturday at Western Connecticut State University at 2:30 on a Saturday afternoon—not exactly, again, an optimum time for a townhall meeting—500 people showed up to express their views and to listen to some professionals in the field talk about what they thought ought to be included in a comprehensive universal health care program, one I hope that will be charting a course and moving forward very quickly. I know my great friend from Montana, the chairman of the Finance Committee, MAX BAUCUS, is already deeply involved. Senator TED KENNEDY has been a champion of this issue for decades. While he is struggling with his own health issues, he is on the phone every day, talking to everybody, and he wants his committee to be deeply involved in this effort as well.

But in the midst of it, until that gets done, more and more people—the 20,000 a day who lose their jobs—if they had health care are losing that as well. So the fact that we are providing $26 billion to help out unemployed workers at a time such as this, I think most Americans—most; not all, but most Americans—would say that is the right thing for our country to do for hard-working people who, through no fault of their own, may find themselves on an unemployment line today, tomorrow, or next week, to know of the fear and fright that you may have a health care crisis with you or your family and all of a sudden don't have the capacity to deal with it.

These people didn't lose their jobs because of something they did wrong and should not be put in a position where their ability to take care of their families regarding their health care needs will be disregarded.

To ensure that people have safe, affordable shelter during these tough economic times, there is a $4 billion downpayment on an estimated $30 billion backlog for capital repair needs in public housing. A lot of people are falling behind out there. That will put people to work, and that is the major goal here.

As we see families struggling to make ends meet, I am proud and pleased that people in Connecticut will receive over a billion dollars in Medicaid assistance. Every State in the country and every Governor has asked for assistance in this area. We have a program called the HUSKY Program—our Medicaid Program. It is strongly supported across the political spectrum. This assistance will help out in that area.

I am glad we were able to include assistance for our fire first responders. Fire departments in my State are reporting they are turning down awarded what they call SAFER grants—funds used to put additional people on these rigs. You ought to have at least four people in a rig when going out to deal with these fires and problems they have to face. Those numbers are dwindling. This bill provides assistance and support for first responders. I am pleased to say that is the case.

We included $8.8 billion in stabilization funds to States to provide for public safety and other critical services. That was a change—a welcome one.

Across our State, from city to town, communities faced with budget deficits are crunching the numbers to maintain critical education, police, firefighter jobs, and services.

In East Hartford, CT, the town was forced to lay off 8 municipal employees and eliminate 11 positions that were vacant or will be vacant because of retirements—including firefighters and police officers.

The city of Stamford was counting on $500,000 in State assistance that was eliminated in the State budget in the last several days for the city's $16 million overhaul of their police and fire radio systems, and that interoperability will get help.

The communities of Farmington and Colchester are trying to replace decade-old fire engines.

These stabilization funds will help communities in my State, and others across the country, to prevent layoffs of first responders, firefighters and police officers, which are so critical to the well-being of our communities.

Our communities' safety must not get left behind during this economic downturn. While the comprehensive economic recovery package before us today will provide critical support for a broad range of additional needs, there are three issues I want to focus on today.

First, I wish to highlight an amendment I authored to restrict executive compensation and bonuses. I have to thank the majority leader, his staff, and others, for making its inclusion a priority. On executive compensation, let me say that when the American people wake up in the morning and see some institution just received billions of dollars and you have a headline that 700 employees received income in excess of a million dollars, people ask themselves: What are you thinking of?

The idea that we continue to pour billions of dollars into institutions that are still awarding their employees massive amounts of income is infuriating—and that hardly describes the reaction of the American people. This is about trying to save an economy in our country, with 20,000 people losing their jobs every day. I promise you that the overwhelming majority of these people are making nothing like a million dollars a year or $500,000 a year. They are earning $40,000, 50,000 to raise a family of four. When they see their tax dollars going out the door and

into institutions that are then, in some cases, not lending but are hoarding and doing other things, I cannot begin to describe the anger we hear. Then we turn around and say to that taxpayer that we need to have them step up and do more because the economy needs assistance. The American public really reacts to this.

If you have hope of convincing the public we are on the right track—I see my colleague from Alaska, and I know she has time constraints.

I am digressing from the text, but, again, I find it incredible that people are calling up and bellowing about this, how upset they are that we have asked for some constraints in this area. Do they have any idea what is going on? I am mesmerized that people are calling up and bellowing because somehow they are going to be asked to be restrained from providing these exorbitant incomes for some people.

This country is hurting. This is the deepest financial crisis we have had in many years in America, and they are worried about their pay. Our system of economy is at risk these days, and we will be judged by history as to whether we can respond intelligently to it. To be preoccupied over whether someone is going to get a bonus of—whatever it is, is misplaced energy and attention. It is stunning that the very people in the communities who are directly involved in this and the conception are the ones calling about that issue.

The stories we have seen in recent weeks about CEOs giving themselves bonuses and spa vacations on the taxpayer dime after they have been rescued by the taxpayer infuriate the public, and they ought to.

Families in Connecticut have lost everything as a result of this financial crisis. They don't have jobs, health care, their retirement, and they may have lost their homes. When they hear about the complaints coming out of these towers of financial success—about pay cuts—after all these people have gone through, they deserve better than having to put up with the behavior from some of the most fortunate among us, who have made many of the decisions that got us into this crisis.

I have said again and again that if your institution is receiving funds through TARP and at the same time paying out lucrative bonuses, we should look at every possible legal means to have that money come back and ban the practice outright for high-paid executives going forward.

As a result of the inclusion of this language in the legislation, it will prohibit bonuses to the 25 most highly paid employees of the large companies that receive TARP funding—and severely limit other performance-based bonuses as well. It will empower the Treasury Secretary to get back bonuses or compensation paid to an executive at these companies based on false earnings reports or anything else later found to be materially inaccurate or misrepresentative of what was occurring. It will also give shareholders the right to vote on executive pay at these firms. And it will strictly prohibit golden parachutes to senior executives of companies that receive taxpayer help. Because of this bill, we now will provide far more safeguards than exist today—measuring whether executive compensation plans pose risk to the financial health of the company and preventing the manipulation of earnings reports.

The President told the world a few weeks ago that a new era of responsibility had begun—it is time our executives in those companies understood that message.

The second issue I wish to discuss is transit. The bill dedicates some $8.4 billion to transit issues. Connecticut alone will receive $137 million, which will meet many important needs, reducing congestion in our State. Route 95 through Connecticut and other arteries of transport are under tremendous congestion. Transit assistance and support is long overdue. This bill provides that needed assistance.

The American Public Transit Association has said that $48 billion worth of transit projects are to be completed over the next 2 years; therefore, jobs will be created, putting people back to work. That is valuable not only in the short term but for the long-term economic growth in investments for transit. That is not only about being shovel-ready, it is also future ready. Ridership is already at record levels. Traffic congestion in metropolitan areas is getting worse, and our population is going to grow by another 50 percent by 2050.

I am pleased that the legislation includes $100 million to establish and implement a program to provide assistance to transit agencies to become more energy efficient as well. This is a very important part of this bill. There are a number of other provisions that provide that kind of assistance.

Public transit saves over 4 billion gallons of gasoline annually and reduces carbon emissions by some 37 million metric tons a year—that is the equivalent to the electricity used by almost 5 million households. The need to repair our highways, roads and bridges is obvious, and I am pleased the bill includes $302 million in highway funds for my State of Connecticut.

But the most effective way to reduce congestion is to provide transportation options that take cars off the road. Investing in transit creates jobs, it addresses climate change and reduces our dependence on foreign oil, and makes our economy competitive in the 21st century.

Third is an area where I think we fell short in this bill—the failure to include the amendment I offered with Senator MARTINEZ of Florida, which would require the administration to use $50 billion of the TARP money to attack the root cause of the economic crisis: foreclosure. It would have gone a long way toward dealing with the safe harbor so we can avoid the kind of litigation that may slow down some of these workouts. That was a mistake. We are trying to get to the root cause of the problem, the foreclosure issue. Senator MARTINEZ had a very good idea that was adopted unanimously, and it had no cost of any measurable amount. I don't understand why it was taken out, but it is gone. That will create problems in terms of addressing the foreclosure issue. Clearly, we wanted the $50 billion used for foreclosure prevention.

In 2001, this body approved $1.3 trillion in tax cuts at a time when unemployment was 4 percent and our economy was in fairly good shape. Today, with an unemployment rate of 7.6 percent and headed upward and as many as 8 million foreclosures potentially on the horizon, we are dedicating $800 billion to jump-starting our economy. Meanwhile, nearly 10,000 families enter into foreclosure every day, as I mentioned earlier. In December alone, there were 2,000 foreclosures in Connecticut. Other States, such as California, Arizona, Nevada, and Florida, have many more than we do. Eight million homes are underwater, with mortgages that exceed the value of their homes.

Perhaps the most important step we could have taken in this bill is to require Treasury to spend some of the TARP money Congress previously released to modify home loans. By providing the Treasury with the authority and funds in this bill to design and implement a loan modification program in consultation with FDIC, HUD, and the Federal Reserve, we could have ensured we would help nearly 2 million families.

Some 16,000 families in my State of Connecticut would have avoided losing their home, moving them out of these unaffordable, exploding and often predatory mortgages that are strangling our economy and into mortgages they can afford.

While I am disappointed we didn't codify this requirement into law, I am pleased that the Treasury Secretary has pledged to dedicate at least $50 billion to preventing foreclosures—and I believe that is in no small part due to the strong support this body expressed for this amendment last week.

Quite frankly, that is a step which should have been taken months ago in the previous administration. There was no interest in it despite the fact that expert after expert warned that unless you get to the bottom of the residential mortgage market, the economic crisis will persist. They are right. I hope we will see a change in direction and resources committed to the underlying problem of our economic issues.

While we will hold this administration's feet to the fire, I believe they recognize that unless we act now to stop foreclosures and put a tourniquet on the crisis, the hemorrhaging will get worse—the number of layoffs will increase, more businesses will shutter

their doors, and more Americans will suffer.

With this bill, we begin to get our economy moving again. This is not a moment of great joy, as I said. We should not have had to have been in this moment to talk about this, but we are here. While I know many have said they are going to vote against this, I think they bear a responsibility of having offered some alternative ideas because just saying no is not enough, in my view. That is the conclusion of almost every economist who has analyzed this issue over the last number of weeks and months.

Again, I commend the efforts of Senator REID, the majority leader, NANCY PELOSI, and the efforts made by SUSAN COLLINS and OLYMPIA SNOWE and ARLEN SPECTER, who have agreed to work with us and come up with this package. We would not be at this point without them. I appreciate their efforts.

Lastly, some of my colleagues are concerned that some of their amendments were dropped as well. Senator SESSIONS mentioned one, the E-Verify Program. E-Verify is currently authorized through March. When we take up the omnibus spending bill in 2 weeks, I am told it will include a provision to extend that until September 30, 2009. This is a program that, when fully funded, will be operational for hires funded by the stimulus bill for companies participating in the program.

I see my friend and colleague from Alaska, who I know wants to express her thoughts on this.

I thank those who put this together. We need to get back on our feet again. Obviously, unleashing the clogged-up credit market is a critical issue, but also providing that jolt this stimulus package will provide is also necessary if we are going to complete the effort to do what we can to improve the economic conditions in our country. For those reasons, I will be supportive of the bill.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I wish to acknowledge the remarks of my colleague from Connecticut and thank him for his efforts to focus on the housing issues that face this Nation right now. As he has mentioned, if we are not able to get to the root cause, which is the housing debacle and the failures we have seen, all our good efforts may not be successful.

I thank him for his efforts in that regard. I know we will continue working on this issue together with the administration. It is essential we focus on the housing piece.

Later this afternoon or this evening, we are going to be voting on the conference report to accompany the American Recovery and Reinvestment Act. I was one of those 37 Senators who voted against this bill earlier this week. I would like to take a few minutes this afternoon to speak to some of the reasons why I was unable and why I will be unwilling to support the conference report when it comes before us later.

My principal concern in voting against the Senate measure at the time was the scope of the spending. It is not just the scope of what we have in front of us with this particular bill, this package of $790 billion. There was an article in the Washington Post on Wednesday that had a chart that outlined all of what we have been spending in the past year.

The header is: ''It Adds Up.'' ''The Federal Government has committed at least $7.8 trillion in loans, investments, in guarantees since the beginning of 2008.'' The funding coming from the Federal Reserve is at $3.8 trillion; from the FDIC, $1.22 trillion; from the Treasury, this includes the TARP moneys we authorized back in October, $771 billion; the joint programs that include the guarantees of Bank of America and Citigroup, $419 billion; and then in the ''Other'' category, it includes not only the programs Fannie and Freddie at $200 billion, but then at the bottom we have the Senate bill for the current stimulus package at that time coming in at $838 billion.

It is almost inconceivable what we are talking about in terms of the outlays we are putting forward.

The cost of this stimulus package before us, as everyone in America knows, is $790 billion, but when we account for the interest, which we need to do—that is part of the bill—the cost increases to more than $1 trillion; it is about $1.2 trillion. So add this in to the outline of what I have laid out, and the cost to America is considerable.

Where do we get this money? From where do we get it? We don't just tell the Treasury to turn the printing presses on full bore: let's go, let's print the money. No, we have to borrow. We sell Treasury bills. We sell debt. Who buys it? People such as the Chinese and others from outside this country.

It is not just cranking up the presses and printing more money. We will be paying for this legislation. My children will be paying for it. We have a responsibility to make sure what we spend is spent wisely.

The focus of this stimulus, of course, is the job creation. Even if it actually creates the 4 million jobs the White House once promised, then those jobs, if you piece it all out—do the math—these jobs come at a cost of about $300,000 apiece. What we are seeing now is probably not 4 million jobs. Even the most optimistic economists are now estimating what we are looking at would create or save less than 2.5 million jobs.

I noted the comments of the Senator from Connecticut about the need to fix housing first, and I strongly agree with that approach. But this afternoon, I wish to speak to another issue.

As the ranking member of the Committee on Energy and Natural Resources, I wish to spend some time on another aspect of the bill. This is an area where millions of new jobs are promised, and that is in the area of energy. There is absolutely no doubt we must facilitate the development of renewable resources, increase our energy efficiency, and pursue the many innovative solutions to the challenges we face when it comes to how we consume, how we use, and how we create energy.

I am not satisfied with the energy provisions that are contained in this measure. I am not satisfied that they are timely, that they are targeted, and that they are temporary. By adopting this conference report, we are missing out on some significant opportunities that could revive our economy and improve our energy security at little or, hopefully, no cost to our taxpayers.

When it comes to criticisms, there is plenty of room to be critical. One of my first criticisms this afternoon is not necessarily the items that are included in the stimulus but perhaps some of the items that were left out. Simply put, this package makes no effort to increase domestic production of our traditional resources, such as oil and natural gas. What we have done is focused on the new technologies, to the total exclusion of those tried-and-true technologies. I think this creates this false dilemma. It says clean energy is the only viable option for energy development and job creation when, in fact, it might not be the most effective option at this time when we are trying to pursue jobs and get the country strong again.

Consider the benefits that could be brought about by greater production of oil and gas in this country. One recent study outlines that the full development of domestic oil and gas resources could generate up to $1.7 trillion in revenues for the Federal Government and create as many as 161,000 new jobs by 2030.

The revenues from the production could be used to provide a tremendous downpayment on the long-term strength and security of our Nation. Instead, as a result of what we will be doing today, American taxpayers are ultimately going to be paying $1.2 trillion because of the decisions we are making.

Setting aside my concerns about the priorities, it is very uncertain the funds that are provided by this bill can be spent in a rational and cost-effective way. Perhaps the best example of this is within the Department of Energy. It is set to receive roughly $45 billion in the conference report we are looking at now. DOE's total budget for fiscal year 2008 was $24 billion. Assuming the Department receives similar funding through fiscal year 2009 appropriations—and we are going to be debating that after this recess break—DOE will receive almost triple its historic level of funding in less than 3 months. What we have is an unprecedented level of spending within the Department.

CBO is concerned about how we spend this out as well. They determined the

Department would only be able to spend 24 percent of its funding before the 2-year deadline. The Energy Department, along with so many of the other departments we are dealing with, simply does not have the time to gear up and properly spend, with a level of accountability, so much money over such a short period.

The question then needs to be asked: Will this level of funding become the new baseline for the Department? If it does, we will have significantly expanded Federal spending at a time of unprecedented Federal deficits. If it does not become part of the baseline, then that crashing sound we will hear is going to be the gears that are grinding back down as funding returns to normal. I suggest such wild swings in funding are disruptive and one of the most ineffective ways to spend our taxpayers' dollars.

The stimulus, by giving Government agencies completely unprecedented amounts of money for sometimes nonexistent programs, also sets up near perfect conditions for waste, fraud, and abuse. This is exactly what the American taxpayers do not want to see. For example, $3.2 billion is provided for block grant programs for energy efficiency. The conference report provides $400 million for a competitive grant system that does not currently exist and for which there is no administrative process.

The PRESIDING OFFICER. The Senator has used 10 minutes.

Ms. MURKOWSKI. I ask unanimous consent for an additional 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, making matters worse, it provides an additional $3.1 billion to State energy programs but imposes conditions on receiving funds that are currently met by only a handful of States.

Another example I wish to leave you with is the smart grid. We agree this is very important. There is $4.5 billion for the smart grid. This was authorized at $100 million in the 2007 Energy bill. It has received zero funding to date. Is it possible to expect we can ramp up to $4.5 billion in 2 years in a rational way? We don't even have the standards in place for the interoperability framework.

I don't think the American taxpayer is concerned so much about how much we spend, so long as we do it responsibly and with accountability.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. MURKOWSKI. My concern is we have not done this with this stimulus package.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Mississippi.

Mr. WICKER. Mr. President, as Members can see from the debate we have had today and throughout the past couple weeks, almost everyone in this Senate and in the House of Representatives agrees on the need for Congress to be working with our new President on a stimulus plan to jump-start the economy.

We have people in our home States who are hurting. There were 600,000 jobs lost last month across our country. These facts underscore the need for something to be done to strengthen our economy. So we are all in agreement on that basic premise.

There is a great deal of good will out there in the country for our new President. I commend President Obama for making the economy his main focus. I also commend him for publicly stating Democrats do not have a monopoly on good ideas. The President said: Republicans have good ideas also. And he wanted to include them in his stimulus plan.

That is not what happened when House Democrats met behind closed doors several days ago to write this bill. It is not what has happened throughout the process.

Republicans responded to the President's call. We came forward. We came to this floor. We talked to our constituents back home. We stood before every television camera that would film us. We talked with every journalist we could find. We have discussed our ideas with the American people.

We presented ideas that I believe could have turned this economy around. Our ideas focused, first, on getting the housing market out of the gutter. The housing problem is what got us where we currently are, and it should be where we begin in turning our economy around.

Also, we proposed real tax relief for America's working people and for those people who create over half the jobs in this country, our Nation's small businesses.

Additionally, our plan called for targeted infrastructure investments with clear economic development purposes, in addition to putting an emphasis on legitimate Government priorities, such as early investment in military equipment and facilities, items we know will be funded in the future but would create increased jobs quickly if we focused on them now.

Just as importantly, the Republican idea I supported would have stimulated our economy at half the cost of the plan we are considering today, and that is not just my opinion, that is the opinion of a lot of very well-considered Democrats in this town.

Three days ago, the Senate cast one of the most expensive votes in the history of the United States of America. That $835 billion bill, which actually costs $1.2 trillion-plus when we add the cost of interest, has been given, at best, a small haircut. The bill before us is being presented to the American people today at a cost of $789 billion, still in the neighborhood of $1.1 trillion to $1.2 trillion, when one adds the cost of debt service.

In order to reach the current number, this so-called compromise cut much of the tax relief geared toward job creation and stimulating the housing market in order to keep in place spending for slow, unending, and nonjob-creating government programs. As the Washington Post reported yesterday morning, this final product ''claims many coauthors, including house liberals who saw a rare opportunity to secure new social spending.'' And take advantage of that opportunity they did indeed.

It now appears the majority leadership in the House and Senate have taken a bad bill and made it worse. Two popular items, one Republican and one Democratic, added to the Senate bill on the floor have been dropped from the final version and replaced with weaker alternatives that are less likely to work to stimulate home sales and automobile sales.

The first is the Isakson amendment, which was so widely agreed upon in this Chamber that it was approved by a voice vote. It went right to the housing problem. It would have provided a $15,000 tax credit to all home buyers, a concept which has worked in the past. Yet the final conference report before us reverts back to the House-passed proposal, providing much less money—an $8,000 credit—and limiting the provision to first-time home buyers. We need to encourage home buying by every American who is creditworthy, and this provision doesn't get the job done.

The Mikulski amendment, offered by our Democratic colleague from Maryland, also had wide bipartisan support. It passed this Chamber by a vote of 71 to 26. It has been dropped in favor of a weakened alternative. The plan now allows new car buyers to deduct from their Federal taxes the sales tax they paid on a new car. But the Mikulski provision that would have also allowed them to deduct interest on their car loans was stripped. The Mikulski amendment would have helped struggling U.S. automakers and auto dealers get buyers in the showrooms, it would have helped move cars off their lots, and helped protect the endangered automobile industry jobs. Like the Isakson amendment, it was unfortunately removed from this final package.

So while the conferees tinkered around the edges—making the bill worse in some ways—we stand here today debating a bill that will add over $1 trillion to the national credit card. I have said it before in this debate, and I will say it one more time: A trillion dollars is a terrible thing to waste. But that is exactly what this bill does. This bill is full of bad decisions that will take Americans decades to pay for.

Much has been made during this debate—by me and by many of my colleagues—about how much $1 trillion is, and I think we have established well that this is a staggering amount of money. Again, this is the most expensive piece of legislation ever passed in the history of our Republic.

Last September, Congress approved the $700 billion Wall Street bailout.

That came on top of approximately $200-plus billion earlier in the year in the form of rebate checks. I think the American people have the right to ask: of that $200 billion and then the $700 billion—and that is almost $1 trillion right there, and certainly more than $1 trillion when you add the debt service, as I have already pointed out—what did we get? What did the taxpayers, the American public, get for that unbelievable expenditure of taxpayer funds last year? A worsened economy is what we have gotten. We certainly didn't get the economic boost that was promised.

In an editorial yesterday in the Wall Street Journal, it was noted that the Congressional Budget Office estimates the 2009 deficit will reach 8.3 percent of the economy—a number that does not include the stimulus or the TARP bailout funds. We know that after this is enacted—and it does appear that the proponents of this conference report have the votes to move it to the President's desk—another very expensive financial package will be forthcoming from the administration in a matter of days. So what does this mean for people across America? Each household now owes more than $100,000 to pay for the debt we already have, not including the additional debt that is coming.

Senators need to ask themselves, when is enough enough? When will we begin making hard choices?

The PRESIDING OFFICER. The Senator has used 10 minutes.

Mr. WICKER. Mr. President, I ask unanimous consent to consume about 30 seconds more.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WICKER. We need to ask ourselves in the Senate: When is enough enough? When will we begin making hard choices between what will truly work to stimulate this economy and what we wish to have but which will not work to get the job done?

Americans expect us to get this right and to take the time necessary to make sure we get this right. This bill fails to hit that mark. I will vote no because we simply cannot afford again to make a mistake of this magnitude.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Montana.

Mr. BAUCUS. Mr. President, President John F. Kennedy said:

> There are risks and costs to a program of action. But they are far less than the long-range risks and costs of comfortable inaction.

President Kennedy's observation applied well to the economic policies of the late 1920s and 1930s. When we look back at the late 1920s and early 1930s, we wonder what our leaders must have been thinking. With the benefit of hindsight, we see that they should have acted more forcefully. We see they should have used the tools of government to increase the demand for goods and services in the economy. By failing to act to spur demand, our leaders prolonged the Great Depression. By seeking to balance the budget in the face of economic decline, our leaders only worsened that decline.

President Kennedy's adage about action applies as well again to the economic policies of our time. Yes, there are risks and costs to the bold program of action we recommend today. But those risks are far less than the long-range risks and costs of failing to act forcefully.

Since this recession began, 3.6 million Americans have already lost their jobs, and job loss is accelerating. In each of the last 3 months, more than half a million American workers lost their jobs. Economists warn that the worst is yet to come.

Last month, before the latest bad news, the Congressional Budget Office—a nonpartisan professional organization—said:

> Under an assumption that current laws and policies regarding Federal spending and taxation remain the same, CBO forecasts . . . an unemployment rate that will exceed 9 percent early in the year 2010.

Those are the costs of inaction. The costs of inaction will be paid with millions—millions—more lost jobs. The costs of inaction will be paid by the heartache of millions of families plunged into economic hardship.

And so, with the leadership of our new President, we have sought to act forcefully. We have put together this $787 billion package designed to help bring our economy back. We have assembled this package, designed to create and save jobs.

The day before yesterday, the Congressional Budget Office said it will work. The Congressional Budget Office—again, a nonpartisan professional organization—said:

> The legislation would increase employment by . . . 1.2 million to 3.6 million by the fourth quarter of 2010.

That is an objective observation done by professional analysts. The administration agrees. The administration projects the legislation before us will create or save 3½ million jobs.

That is what this debate is about. It is about creating or saving millions of jobs. It is about acting forcefully to avoid yet more hardship. It is about avoiding the far greater risks and costs of comfortable inaction.

The history of the 1920s and 1930s teaches us what we must do. The history of the Great Depression teaches us the costs of delay. This recession is the economic test of our generation. Responding to it with forceful action is our duty. Let us not be found wanting.

So let us not find comfort in ''no'' votes and the blocking of action. Rather, let us rise to the challenge of our generation and let us finally send this jobs bill to the President's desk to become law.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Mr. President, this is a bittersweet day for a lot of us, I know a lot of Americans. A lot of Americans have called in expressing their opinions, sent thousands of e-mails and letters. If my colleagues' offices are anything like mine, mine have been 80 to 90 percent against this bill.

Folks are saying: Slow down. Let's see what is in it. We know about unintended consequences. Let's not spend all this money unless we know what we are doing. Folks have expressed concern that we seem, as politicians for the last 2 years, to have been talking down the economy—holding press conferences in the very worst areas of our country and saying this is what is happening everywhere, and every day saying it is going to get worse, it is going to get worse. What businessman would expand his business, or what businesswoman would go out and invest her life savings to start a new business if what they were hearing from Washington every day is: It is terrible; it is going to get worse. I am afraid we have done our part in creating a bad economy.

Clearly, there is a difference in philosophy, and I have to respect what the President and the Democratic majority have said: They won the election, they get to do it their way now. But I think some of us believe—and if you look at history, there are a lot of facts behind us—that when the economy slows down and there is a need to get more money in the economy, the fastest and quickest way to do it is to stop taking so much out in taxes. Some say on the other side: Well, tax cuts are an old idea. But tax cuts are related to individual freedom, people making their own decisions about how money is invested; leaving profits in the hands of thousands of small businesses so they can use that money to hire people and grow their businesses. Because that is where all the jobs are created.

Government doesn't create jobs. It may hire someone, but they have to take that money to pay that person from the private sector, from businesses that are actually creating the wealth.

We have talked about so much data in this very short debate. People have talked about the Great Depression. It is pretty clear that we tried getting out of the Great Depression for about 10 years by spending and adding new government programs, and it didn't work. In the 1960s, though, the economy grew after President Kennedy cut taxes. Our economy sagged again during the big spending days of Lyndon Johnson. In the 1970s, we tried to get out of a recession, or grow our economy, with heavy spending and new government programs and huge deficits and ended up in recession again. The 1980s were the boom years, when Reagan and Margaret Thatcher and others around the world realized that freedom does work. Free markets do create prosperity.

We have seen countries, such as the Soviet Union, change from their old centralized government approach to some free market principles and grow

out of a lot of their problems. We have talked about Japan during this debate. They had a lost decade. They kept their taxes the highest in the world and they tried to spend their way out of a recession. It didn't work. They lost a lot of time, a lot of money, and a lot of opportunity.

There is a big difference in philosophy that we should debate. But why the rush? I think the consternation I hear from the American people now more than anything else is, if this is the biggest spending bill in history, why are we trying to rush it through? Why does it have to be on the President's desk Monday morning? Why are we going to vote on a bill that not one of us have finished reading at this point? We just have had it today in any kind of searchable format on the Internet. Yet we are going to vote on it before we leave today. It seems we are afraid there might be some good news coming out of the economy in different sectors and the panic could subside long enough that maybe Congress doesn't feel we have to do something, even if we do not know what it is.

It seems we are rushing such an incredible spending bill. I talked to one of my sons last night and said: You might get $400, spread out in $17 increments. The bad news is you will probably end up owing $10,000 or more because of this one bill. He didn't seem to think it was that good a deal.

I know the other side won and that makes it bittersweet, in a way, because I feel like a lot of us have been standing for what the American people are calling and telling us about. We know if we let the people who are earning it and hiring people keep the money, we would stimulate our economy.

There are other things we can do, other than tax cuts as well. As to energy, at a time when we know that by opening our own energy reserves, drilling for our own oil and natural gas, we could stop the flow of American dollars overseas and create lots of jobs here, this very week this new administration delayed the planning of opening our own reserves by another 6 months. What are we waiting for, gas prices to go up to $3 or $4? Why delay something that could help the economy?

If we only allowed States to take the money we are already spending for education and allow students to take that to any school of their choice, it would attract literally billions of dollars—probably hundreds of billions of dollars of private sector investment in education to create all kinds of new choices for students that might actually prepare them to compete in the global economy. But what we are doing is more Government spending with the old Government model, and it is not going to create new jobs.

Even in health care, there is something in this bill that will help subsidize people's health care with COBRA when they lose their jobs. But we will not allow that same subsidy to apply if the same person wants to apply a less expensive policy of their own choosing that they can keep more than just a few months. We will support something that is Government, but we will not help people live free and make their own choices. Certainly, it is bittersweet.

But the news is not all bad today. I think the American people have resigned themselves to the fact that they are going to lose this battle, but they have gotten more informed and more engaged and outraged. I think they have seen if they call, if they e-mail, if they stand and express their opinions, they have a chance to turn around this move by our Government toward a more socialistic style of economy and culture to one that is more like the freedom Americans have always known and loved.

Freedom is not an ideology; it works. When we let people take advantage of opportunities and direct their own spending and start their own businesses, that creates jobs. We cannot do that artificially, by taking money from one person and giving it to another, which we are doing a trillion times in the bill we are talking about.

I think Americans are watching what is going on today. They are going to wonder why we voted on a bill that is not even on our desk, that we have not read yet, that they have not been able to search—as the President promised during his campaign, that he would not sign any bill unless it had been on the Internet for at least 5 days so the American people could know what we are doing here. We promised in these Chambers that we would not bring a bill to the floor unless it was on the Internet for people to see before we voted on it. We are breaking all those promises with this bill today.

The American people may have lost this one, but they have raised their voices and they have seen what is going on a little bit better than they have seen it before. I think they are going to win the final battle against this big Government approach to every problem that comes up, against this idea that every time there is a problem out across America, that we throw up our hands and say we have to do something, even if it is wrong, even if we had not read it, even if it is $1 trillion; we have to do something so the people back home will think we are doing something. Wasting this kind of money and putting this kind of debt burden on the next generation is inexcusable and intolerable and the American people are starting to figure it out.

They may lose this vote today, but the American people will win that final battle for freedom when they continue the fight they have started this week.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Florida.

Mr. NELSON of Florida. Mr. President, it is good to see you in the chair. You are a great addition to the Senate, being a distinguished new Senator from Delaware. What a pleasure.

Although we are in an emergency condition, I almost wish this vote this afternoon were taking place a week from now, after the Presidents Day recess, so Senators who have voiced opposition—and I take them at their word and I certainly respect their right to disagree, and I respect them. Almost all the Senators in this Chamber know how much this Senator enjoys them personally. But I almost wish this vote were being taken a week and a half from now, after the recess, after Senators have gone home to their States and looked into the eyes of their people and understood the pain and the anguish that is going on across America and how much people are depending on us, the Government, to stop the downward spiral of our economy; and to try to get it righted and going back up the other way.

In the meantime, as that attempt is being made—and it is going to take some time. We hear every economist in the world say it is going to be at least a year, if not 2 or 3 years. In the meantime, our people are hurting. We hear, every day, these stories.

This Senator is going to scores of townhall meetings all across Florida next week. I know what I am going to hear. It is what I have been hearing every weekend when I go home. It is these horror stories, these impossible economic stories of people who have worked hard and played by the rules and done everything right and they lose their job, they lose their home, they get upside-down in an economic condition and they do not have any hope. It is almost as if I wish this final passage vote were not coming so Senators who have expressed an opinion about voting against this legislation could listen to them. Fortunately, there will be a vast majority of at least 60 in this Chamber, with not all the Senators present today because I don't think the health of Senator KENNEDY is going to allow him to return to the Chamber—so at least 60 of the Senators are going to be voting for it.

But there will be a substantial number, at least 37 in this Senate, who will vote against it. If they could hear the stories, they would understand why there is $120 billion in this bill in investments in infrastructure and science; and $14 billion for health and $106 billion for education and training and energy—$30 billion in energy infrastructure; and helping with direct economic help to those hit hardest by the economy, of $24 billion; and helping law enforcement, $7.8 billion.

My State is one of the States that has been the hardest hit. We are second only to California in the total number of foreclosures of homes. You wonder, why did the President go to Fort Myers earlier in the week? The Fort Myers area is the highest foreclosure rate area in the entire country, and for people who are getting laid off there, there is no economic opportunity for them to find another job. Out of this stimulus bill, just this bill, with the spending

and the tax cuts, some $10 billion is going to go to my State. It is going to be for roadbuilding, it is going to be for health care, it is going to be for classrooms and teachers, it is going to be for food stamps, it is going to be for unemployment compensation, it is going to be for Medicaid. Look at the human face. Our people are hurting and they need help.

Of that amount that is going to Florida, $4.3 billion is going to help people who have lost their jobs to keep their health insurance. Can you imagine the trauma of a breadwinner who loses the job—and that is traumatic enough—not to be able to afford health insurance for his family, especially if there is a traumatic injury in that family? That amount of $4.3 billion going to Florida is going to provide health care for the poor. This is what I am talking about. This is compassionate assistance in an economic downward spiral that only the Government can provide.

Specifically, in Florida, this bill is going to create or save 206,000 jobs. Nationwide it is going to be somewhere between 3 million and 4 million jobs it is going to create or save. Over 1 million jobs have already been lost since the first of last year. But there are several million more that are going to be lost in this country if we do not do anything. So this stimulus bill is designed to create 3 million to 4 million jobs that will, in fact, take up that slack of what otherwise would have been lost and has been lost.

This bill is going to provide $800 for a family. That is going to provide almost 7 million workers and their families, just in the State of Florida—7 million are going to be eligible for the making work pay tax cut of up to $800. Just in Florida, this bill is going to make 195,000 families eligible for a new tax credit to make college affordable. That is almost 200,000 in Florida alone able to have the tax credit for college.

For those out of work who are getting unemployment insurance benefits, there is going to be an additional $100 in my State, to 761,000 people—761,000 workers in Florida who have lost their jobs in this recession are going to get a little bit more help in unemployment compensation.

In addition, what this bill is going to do for my State of Florida is, it is going to give funding sufficient to modernize 485 schools so our children are going to have labs and classrooms and libraries that they need to get ready to compete globally in the 21st century.

Then, in addition, this legislation is going to help transform our economy in our State, in Florida alone, by doubling the renewable energy generating capacity over the next 3 years. It is going to create enough renewable energy in Florida to power 6 million homes.

We are going to be able to computerize every American's health record in 5 years, and look what that is going to save Floridians. We are going to be able to enact significant——

The PRESIDING OFFICER. The Senator has used 10 minutes.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent for 30 additional seconds. I will complete my thought.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON of Florida. We are going to provide the most significant expansion in tax cuts for low- and moderate-income households ever. That is going to occur right in the State of Florida. We are going to increase the investment in roads and bridges and mass transit. We need all of this in Florida. This is stimulus. This is providing jobs. This is helping people in need. This is the right thing to do for Florida.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. KYL. Mr. President, the bill we are considering now was made available to us at 11 p.m. last night, long after the Senate was out of session. This is it. Now, I daresay that I doubt any of my colleagues have read this bill. I have not, I confess. Yet we are going to be voting on it in about 3 hours. We have relied on our staff to tell us what is in this bill, and we found some very interesting things.

There are changes from when the bill passed the Senate. My colleagues need to know what some of these changes are. I would note, by the way, that the middle-of-the-night, behind-closed-doors way this legislation was created is a far cry from what the President requested of us and promised on his Web site. He talks about ending the practice of writing legislation behind closed doors. He says: By making these practices public, the American people will be able to hold their leaders accountable for wasteful spending, and lawmakers won't be able to slip favors for lobbyists into bills at the last minute.

Well, would that it were. So, unfortunately, it looks as though a lot of favors were inserted for a lot of folks. I don't know whether it was because lobbyists requested it, but there are sure a lot of things that relate to specific Members and specific States. And, as I said, many of these items were not even included in the Senate-passed bill. Let me mention a couple because they are matters that have been in the media a great deal.

I think we have all heard discussed the fact that when Republicans raised the fact that ACORN could receive money from the neighborhood stabilization fund, this was a provision that the other side, the Democrats, said: Well, we will take that out. And, indeed, they removed the words ''neighborhood stabilization fund'' as a subheading. Then they just lumped that funding under the community development fund.

Bottom line is, they took out three words. The money can still be spent, including for ACORN; same thing for the billion dollars for a new prevention and wellness fund. This was in earlier committee reports that indicated it could be spent for things such as STD testing and prevention and smoking cessation. There was a lot of commentary about that in the media, and folks made fun of it. So the assumption was that has come out. No, it turns out there is still very clearly flexibility to use the funds for these kinds of things.

Let me mention two or three others: $50 million for the National Endowment of the Arts, $500 million for Social Security Administration disability backlog, $60 million for Student Aid Administration, $50 million for the Compassion Capital Fund. There is $450 million for Amtrak security grants, which was not in either the House bill or the Senate bill. They simply put it in this legislation.

All of these items were new from when the Senate passed the bill. There is also $53.6 billion for a fund labeled ''Fiscal Stabilization Fund.'' In looking to figure out what the Fiscal Stabilization Fund is, we find it is really nothing more than a discretionary slush fund for States to use.

Now, the Senate has cut the fund from $79 billion. They cut that down to $39 billion. Some of our Members were proud that was accomplished. All of the Democrats voted for that. But it turns out in the conference—of course not the public conference; that was merely for show. But when the Members went behind closed doors, they tucked all of the money back in—added about $14 billion, I should say, back into the slush fund. But what is $14 billion when we are talking about $1 trillion?

There is an article today in the Washington Post that includes a story titled, ''Despite Pledges, the Package Has Some Pork.'' It begins:

> The compromise stimulus bill adopted by the House and Senate negotiators this week is not free of spending that benefits specific communities, industries or groups, despite vows by President Obama that the legislation would be kept clear of pet projects, according to lawmakers, legislative aides and anti-tax groups.

Included in the pork called out by the Washington Post is $8 billion, $8 billion for high-speed rail projects, for a MagLev rail line between Los Angeles and Las Vegas, and other things. I mean, I had mentioned this before, the money for Filipino veterans, I think a very worthy cause except they are from the Philippines, and it does not create jobs in America.

There is money for the Nation's small shipyards. I wonder why the big shipyards were not adequately represented? And I mentioned before the $1 billion for a powerplant in Mattoon, IL. These are what we call earmarks. These are especially for a specific Member's congressional district or State. They may be good spending, some of them may even create jobs, but they violate what the President talked about when he talked about special projects put in these bills.

The bottom line is, this legislation continues to spend money in a wasteful

way that our constituents strongly oppose.

Now, the Coburn amendment was adopted to reflect our constituents' concerns. We voted for that amendment, 73 to 24. We are in favor of ending wasteful Washington spending, we said. Specifically, the amendment prohibited funds from being used for a casino or other gambling establishment, aquarium, zoo, golf course, swimming pool, stadium, community park, museum, theater, art center, and highway beautification project. And that is where we thought it ended. But not so. In this group of negotiators who met behind closed doors for at least a couple of nights, it turns out that a lot of these things have crept back into the bill.

So now section 1604 of the conference report includes part of the funding limitation from the Coburn amendment but drops its applications to museums, stadiums, art centers, theaters, parks, or highway beautification projects. So a lot of the good that we thought we had accomplished, it turns out, does not carry at the end of the day.

The end result of this is, the CBO scores the long-term consequences of the spending in this bill not to be $800 billion, as has been discussed, or even $1 trillion when you add in the interest. But, as you know, the Congressional Budget Office, nonpartisan, scores for 10 years what is the cost the real cost, over a 10-year period.

They say the cost will jump to $3.27 trillion. So when we are talking about the $800 billion stimulus bill, let's understand it is really a $3.27 trillion bill.

Now, there are a couple of other interesting things about this. It is not temporary. There are 31 new programs totaling $97 billion, in fact, 31 percent of all of the appropriations. It expands 73 programs by $92 billion. These should be part of the regular appropriations process.

It is interesting that while the Congressional Budget Office confirmed the bill might provide a short-term boost to the gross domestic product in the next few years, the added debt burden and crowding out of private investment will actually become a net drag on economic growth and wages by 2014. That means a lower standard of living for all of us.

This is fascinating to me. The Congressional Budget Office forecasts that the time period where economic growth is boosted, 2009 and 2010, is the same timeframe when 98 percent of the tax cuts are disbursed. But between 2011 and 2019, when only 2 percent of the tax cuts are left, you have over half of the spending in the bill, and yet the bill actually reduces economic growth. Let me repeat that. This is from the Congressional Budget Office. Their forecast is that economic growth will be boosted in the years 2009 and 2010. I talked about it like a sugar high for kids. That is when 98 percent of the tax cuts are disbursed.

We like to say tax cuts can do a lot of good here. Our Democratic friends say: All you want to do is talk about tax cuts. We think tax cuts would really help. So the period where 98 percent of the tax cuts are disbursed, but less than half of the spending is where you have the economic growth.

Then in 2011 to 2019, when there is only 2 percent of the tax cuts and over half of the spending, you actually have reduced economic growth. That is why Republicans have been emphasizing tax cuts. It is interesting the actual incremental tax cuts represent only 20 percent of the overall size of the bill, and we do not know all of the exact totals in the bill. But an analysis of the earlier passed House version would result in 22 million families getting a check back from the IRS that is bigger than what they paid in both payroll and income taxes combined.

So when we say, well, this goes to folks who do not pay income taxes, our friends on the other side said: Yes, but they pay payroll taxes. Yes. Combine the two. The check they get back, in 22 million cases, is still more than the combination combined.

There are so many other concerns that we have expressed with this package. We talked about the fact that small businesses create 80 percent of the jobs in the country. So you would think this bill would contain all kinds of things to help small businesses create more jobs.

Well, we looked in vain. It turns out that about one-half of 1 percent of this package is dedicated to helping small businesses produce jobs, one-half of one percent. In fact, only $7 billion total is provided for all business incentives combined, and one of the key features relating to net operating losses that passed the Senate was taken out of the conference report.

There are other provisions that will expand the cost dearly. If you look closely in this package you will find a $17 billion tax, in effect, on Government spending because we included a requirement that the Davis-Bacon prevailing wage rules must apply to most of the spending in the bill. That adds a cost of $17 billion because of the requirements of Davis-Bacon. There are provisions that expand welfare dependents. It reduces or eliminates current work requirements for welfare and will obviously or ultimately lead to less work and more poverty.

There is even a provision relating to unemployment benefits that allow people to leave a job to care for a family member and then collect employment insurance compensation. Now, States, interestingly, have to amend their State laws in order to take advantage of this provision.

We really missed an opportunity to create private sector jobs through trade. Yet that is the area where the——

The PRESIDING OFFICER. The Senator has used his time.

Mr. KYL. I ask unanimous consent for 30 additional seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. The United States has actually only had a positive growth in our gross domestic product by virtue of our exports. This is another area, sadly, that has been missing from this legislation. At the end of the day, this is not the right way to spend $1 trillion, gambling on our future and certainly not providing that we will stimulate economic growth.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I believe I am scheduled for 5 minutes.

The PRESIDING OFFICER. There is no order, but the Senator is recognized.

Mr. CARDIN. If the Chair would advise me when 5 minutes has been used, I would appreciate it.

The PRESIDING OFFICER. The Chair will so note.

Mr. CARDIN. It is interesting my friend from Arizona mentioned small business, because this morning on my way into the Capitol—I go home every night to Baltimore—I had a meeting with small business leaders in Prince George's County. We noticed this a couple days ago. The room was overflowing. These small business owners want us to take action to help them. Minority businesses, women-owned businesses, veterans' businesses—they want to see bold action because they are hurting. Their businesses are hurting. They are having a difficult time getting credit. They are using their credit cards for credit because they can't get SBA loans and credit from banks.

In this legislation, there is help for small business procurement from the Federal Government. There are provisions in this legislation that will make it easier for them to get 7(a) loans and 504 loans by eliminating the cost so it would be less expensive for small businesses.

The bottom line is that the American people are looking for us to take bold action, to give our new President the tools he needs to get our economy back on track.

In Maryland we have lost jobs, as has the rest of the country. Nationwide we have lost over 600,000 jobs last month, over a million jobs in the last 2 months. Foreclosures are at record numbers. Businesses are closing their doors. Consumer confidence is at an all-time low. We need to take action.

The American Recovery and Reinvestment Act will create jobs. In my State, it is estimated to be 66,000. It will provide tax relief for 2.2 million Marylanders of $800. It will provide for the American opportunity tax credit for 253,000 Marylanders which will help them pay for college education. It will increase unemployment insurance for 242,000 Marylanders who are on unemployment by $100 a month. It will help modernize 138 schools in my State.

Nationwide we will double the renewable energy capacity of America. We will computerize medical records which will make it safer for patients and less expensive. We will build roads and

bridges, the most expansive public infrastructure efforts literally since President Eisenhower.

I am pleased that the final bill includes the Mikulski amendment that will help auto sales by allowing taxpayers to deduct the cost of the sales tax. I am appreciative that the committee included an amendment I offered with Senator ENSIGN to expand the homeowners credit for first-time home buyers, introduced last year to make it a true credit of $7,500 and to extend that through November of this year. That will help home sales. It was the housing market that triggered the current recession. That is an important issue. It will restore consumer confidence in home buyers. I am pleased to see that was included.

I am pleased to see the amendment I offered for small business, for surety bonds to make it easier for small businesses to get surety bonds, increasing the limit from 2 million to 5 million for construction companies to get help from SBA to get the surety bonds so they can get part of this procurement.

This underlying bill provides for significant opportunities to create jobs now in which small businesses will participate and be the driving engine for creation of new jobs in our country. That is how it should be. We need to take action in order to expand job opportunity now and make the type of investments so America can compete in the future. There is accountability. There is transparency in this legislation.

I have confidence that we will pull out of this recession. America will continue its economic strength. But let us give the tools to President Obama that he needs so we can answer that person who talked to me this morning, the small business owner who has to use personal credit cards in order to get a loan to keep the business open, because he can't get a loan from the bank even though he is creditworthy. We need to provide the type of economic stimulus to our economy to create the type of jobs now to fill the void to make sure America can compete in the future.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Kansas.

Mr. ROBERTS. Mr. President, if the Chair could let me know when I have about a minute remaining, I would appreciate it.

The PRESIDING OFFICER. The Chair will so notify the Senator.

Mr. ROBERTS. Mr. President, our economy needs a stimulus; there is no question about it. Senator CARDIN certainly illustrated that in his remarks. Americans are worried, very worried about job security and how they will support their families and stay in their homes if they lose their jobs. The Senator mentioned businesses in Maryland. I know businesses in Kansas are the same way. All over the country, our Nation's businesses are struggling. Not a day seems to pass without another major U.S. employer announcing stunning layoffs. However, this conference report—this didn't get here until 12 last night. You talk about transparency. I defy any Senator to say he has been through every page of this in terms of transparency.

This conference report is a missed opportunity. We had an opportunity to provide pro-growth policies that put money directly into the pockets of families and businesses. When they have more money in their pocket, they can spend it as they see fit rather than handing the money over to the Government to redistribute elsewhere. Instead the conference report further reduces the tax relief that will go to workers from $500 to $400 per individual, from $1,000 to $800 per couple. Estimates are that this tax relief will add about $13 more per week in the worker's paycheck this year. Next year it will add only about $8 a week. How will $8 a week stimulate the economy? It won't even buy a family of four dinner at McDonald's off the dollar menu. They will probably have to split the hamburger.

We also had an opportunity to fix housing first—that is the Gordian knot of what faces us in terms of an economic stimulus—to address the core problem in our economy. Unfortunately, our colleagues across the aisle rejected meaningful housing relief during Senate debate. Now the conference report dramatically cuts the tax relief to encourage qualified home buyers to purchase a home, one of the very few things in the stimulus that would have done us some good.

Most Americans are clearly opposed to the spending in this bill. A bill negotiated in a back-room deal without the transparency we were promised by the new administration. A bill that increases spending at the expense of putting money directly in the pockets of families and businesses.

This bill remains a honey pot for too many special interests. It reinforces a growing and dangerous mindset that the Government—not private enterprise, personal responsibility and hard work—is the creator of wealth and prosperity. It reinforces for individuals, businesses, and State and local governments that the Federal Government is the source for funding for—the honey pot—for whatever they need.

I have here the ''Berenstein Bears,'' a little book I read to first, second, and third graders. It should have been required reading prior to the stimulus. ''The Trouble With Money, With the Berenstein Bears.'' Open the book and it reads: When little bears spend every nickel and penny, the trouble with money is they never have any. And then after learning their lesson, the cub asked Momma bear: What about the money we earned?

You earned it and it is yours, said Momma.

No more, not with this conference report. It borrows money for programs that, in many cases, should be funded by local or State investments and that won't create jobs now, such as $300 million for new cars for Federal employees. The problem with $300 million for new cars is that somebody is going to drive them. Rather than focusing on practical and comprehensive approaches to fixing housing first, this bill diverts Federal funds to controversial and politically skewed groups that will do nothing to address interest rates, availability of credit, or declining home values that are at the root of the housing and mortgage crisis.

Two infrastructure provisions have miraculously grown during this conference. First, the Senate bill provided the highest level of funding for Amtrak at $850 million. The House had $800 million. The conference report includes $1.3 billion for the rail company. Does this mean Amtrak will stop in Dodge City, KS at some time other than 4 a.m. which they do today?

Second, the high speed rail earmark that is not an earmark, that received $2 billion in the Senate bill and zero in the House, has somehow grown by 400 percent overnight. I know some of my colleagues will come up and say this is not an earmark to the tune of $8 billion in taxpayer money. But press reports have already questioned this definition since it appears the rail link between Los Angeles and Las Vegas will be the major beneficiary. I guess they hit the jackpot.

I want to be clear as well that the health care provisions in this bill are not stimulative. Instead they represent major policy changes that should have gone through the regular order.

The most egregious example of this stealth maneuvering is $1.1 billion for the establishment of a new Federal board to conduct comparative effectiveness research. The majority is aiming, bluntly put, for research that justifies restricting access for Medicare patients to medical treatments that the Government deems to be not cost effective. That is an extremely dangerous path to be on. One need look no further than Canada and the United Kingdom for examples of comparative effectiveness research being used to deny access for treatments for breast cancer, Alzheimer's disease, rheumatoid arthritis, and much more.

I also want to highlight the inequitable increases to Federal Medicaid funding for States. I have heard arguments from my friends from States that reap large windfalls under the regular Medicaid formula as well as under the special bonus formula in this bill. But you cannot tell me with a straight face that the State of New York deserves $12.2 billion more than the State of Kansas.

Under this bill, the State of Kansas is estimated to receive an additional $450 million, while the State of New York will receive an additional $12.65 billion. That is nearly 28 times more than what my State will receive. When CBO estimates that total enrollment-driven State Medicaid increases are only expected to be $10.8 billion, well anything

more than that is an earmark in my book.

So I want everyone to understand the State of New York is getting an earmark that is 28 times what the State of Kansas is getting, 23 times what the State of Iowa is getting, and 41 times what the State of Nebraska is getting. That is not fair.

Americans do not want us to place greater debt on future generations by supporting a bill that doesn't provide the right incentives to stimulate the economy and create private sector jobs. The American public does not want the Government determining what is and what is not a beneficial health care treatment.

This is not our finest hour as a Congress. We had a real opportunity to stimulate our economy, create jobs, and put money back in families' wallets through common sense tax relief.

There is an old story that says you can't kill a frog by dropping him in boiling water. He reacts so quickly to the sudden heat that he jumps out before he is hurt. But if you put him in cold water and warm it up gradually, he never decides to jump until it is too late. He is cooked. Men are just as foolish.

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. ROBERTS. I thank the Chair.

If you take away their freedom overnight, you have a violent revolution on your hands. But steal it from them gradually under the guise of security or stimulus or recovery, and you can paralyze an entire generation. I think we failed on that front. We are not stimulating the economy. We are creating a nanny state based upon a new form of American socialism. The lure of that is especially dangerous, as many people I would have never suspected will be coming to Washington, coming to the honey pot, not doing things for themselves at home but coming to Washington expecting some kind of a stimulus or money or grant. That is not right. It tears at the fabric of what America is all about.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Connecticut.

Mr. LIEBERMAN. I thank the Chair.

Mr. President, I do not have much time, so I cannot take the liberty I would normally take to build on the metaphor offered by my dear friend from Kansas about this frog in the hot water. But I will say briefly that I see this legislation, this conference report, as essentially being a prod to the American economy, which is kind of like a lethargic frog right now, not moving very far, and when this bill passes and is signed by President Obama, that American frog is going to go jumping positively all over the landscape.

Now, having gotten that out of my system, may I say that you have to judge this bill not just on its face or as a matter of theory but in reality, in the context of the world we live in now. The fact is, without belaboring it, because we are living it, we are going through in this country the most severe economic emergency since the depression of the 1930s, and it is happening in a way that is unprecedented. It is not like the 1930s. So we are working very hard to figure out a way to get us out of it.

What is the reality? Hundreds of thousands of jobs lost every month, people laid off, hundreds of people every month; the market going down; the value of people's homes dropping more than $4 trillion in the last year; the stock market dropping somewhere around $8 trillion; confidence sapped in our economy; no credit from the banks.

So this is not a perfect piece of legislation. I do not believe I have ever seen one in my 20 years in the Senate. But this is a very strong piece of legislation. I will say, bottom line, I am confident that passage of the American Recovery and Reinvestment Act, which is before us from the conference committee, will be the turnaround of the American economy. It will stop the slide of our economy. It will protect and create millions of jobs. It is that strong and that urgent.

I said from the beginning that I thought this so-called stimulus package should be as big and clean and quick as possible. Big because the problem is so big that the economists I have talked to—left, right, center—say: Don't do what Japan did when it, through a similar crisis, kind of gave a little, it did not work, and gave a little more. Give it a big investment. I think this bill does that.

Clean. Yes, there was some stuff in it at the beginning that, in my opinion, was not as directly related to job creation or economic recovery as it could have been, should have been. That is why I worked with the bipartisan group of centrists, and I think we ended up cutting out $110 billion, a lot of programs. The bill is as clean as possible, as it could be.

Quick. That is most important. You cannot legislate in the middle of an emergency in a way that is as lethargic as that frog I described in the beginning. The American people need help. This bill will provide them help.

I want to make two quick points. There is a lot of spending in this bill, and some people are rightfully worried about whether we can spend this much money this quickly and do it without waste or fraud. I want to say on behalf of Senator COLLINS, who is the ranking member of the Homeland Security and Governmental Affairs Committee, and myself, we have responsibility for the oversight of Government spending generally. We take that seriously. We intend to oversee aggressively the carrying out of this economic stimulus package. We are going to begin with a hearing in our committee on March 5 to examine how the Federal Government will account for the billions of dollars that will be spent over the next 2 years, with a focus on ensuring that measures are taken to prevent cost overruns, that strict oversight of contractor performance is in place, that grant conditions are met, and that fraud is promptly prosecuted.

Speed in distributing money, as I said, is critically important, but we cannot repeat the kinds of mistakes that occurred in support of Iraqi reconstruction projects or in the aftermath of Hurricane Katrina where money rushed out the door with little accountability and too many billions of taxpayer dollars were wasted.

This bill, on its face, gets off to a good start in that direction. It includes $200 million in additional funding for our inspectors general to hire experienced auditors and investigators to police the spending under this program. It creates a Recovery Accountability and Transparency Board, headed by a Presidential appointee and composed of at least 10 inspectors general from the departments and agencies that have jurisdiction over the recovery package.

The bill adds protections for whistleblowers who work for State or local governments or private contractors, who generally have no protection against retaliation, if they disclose waste or fraud in the spending of these stimulus funds. A special Web site called recovery.gov will provide transparency by posting information about spending, including grants, contracts, and all oversight activities, so that any American will be able to report on waste, fraud, or abuse when they see it. But our committee is going to police this, working with this board, and stick with it to do our best to make sure every taxpayer dollar is spent efficiently.

Final point: I cosponsored, with Senator ISAKSON, a proposal to create a home buyer tax credit of $15,000 to help stimulate the home-buying sector of our economy, raise home values, along with the $50 billion the Secretary of the Treasury has to use to prevent foreclosures and modify delinquent mortgages. Unfortunately, the conference committee determined that our proposal was too expensive to fund. It ended up coming in at over $35 billion. But there was a good compromise to create an $8,000 first-time home buyer tax credit, with no recapture—in other words, you do not have to pay it back—and it can be used until the end of this year, December 1, 2009. As I said, it is raised to $8,000. This is no small incentive. In fact, the estimates are that this credit will cost us $6.6 billion. But what that means is, I think hundreds of thousands of people who want to buy a home will get this special incentive—an $8,000 tax credit—to buy that home. That will raise the values of homes generally and get this economy of ours moving again.

Bottom line, we are in an emergency. This bill is as big and unprecedented as the emergency. As I said before, I believe we will look back at the passage of this bill and say: This is where the

American economy began to turn around and work its way out of the great recession of 2008 and 2009.

I thank the Chair and yield the floor.

The PRESIDING OFFICER (Mr. BENNET). The Senator from Texas is recognized.

Mr. CORNYN. Thank you, Mr. President.

Mr. President, the administration and many of my colleagues have argued that we cannot rely upon the same strategies that got us into this mess to get us out of it, and I wholeheartedly agree. I am voting against this stimulus bill because I believe it replicates a failed strategy.

Some of my colleagues have claimed that a ''nay'' vote on the bill means we are for doing nothing. I want to correct that misimpression. That is just not true. We all understand the economy is in crisis. This week, the president of the Federal Reserve Bank in Dallas said that my State—which had been doing well relative to the rest of the country in job growth and from an economic standpoint—is now officially in recession, which confirmed what small businesses have been telling me for weeks. None of us disputes we are in a crisis. Some of us disagree about what we ought to do in order to get out of this crisis.

I believe a stimulus bill would have been a good idea if it had been focused on the right priorities. That, I believe, was President Obama's original vision. The administration said it wanted a bill that was timely, targeted, and temporary when it came to the spending that is contained in it. I daresay that if this bill had reflected President Obama's priorities, it might well then have received the 80 votes he said he wished it could receive, if it had truly been the product of bipartisan collaboration and cooperation. But it was not.

The fact is, we never saw the bill the President said he wanted. We saw instead that Speaker PELOSI and Democrats in the House essentially wrote the bill themselves and really redefined the word ''stimulus'' to mean nearly anything they wanted in a bill which they knew they could pass because they knew this was an emergency, there was not adequate time to scrutinize the spending and projects, so they knew this was a moving vehicle, and they took every opportunity to load it up with a lot that is certainly not targeted, timely, or temporary and thus breached with the vision President Obama had said he envisioned for the bill.

That is the reason why this bill will receive very little support on this side of the aisle. In fact, out of 535 Members of Congress, I would be surprised if there are more than 3 on this side of the aisle who will support this bill because it was essentially written by the leadership in the House and the leadership in the Senate and without Republican contributions. Indeed, every amendment that was offered, with only rare exception, was rejected upon party-line votes—both in the Finance Committee, on which I serve, and here on the floor. That is not bipartisan. If, in fact, this bill had been produced by a bipartisan process, I have every conviction it could well receive an overwhelming vote on both sides of the aisle in this body. But this was a failed opportunity, I believe.

Many of the programs in this bill are, in fact, wasteful and unnecessary. These are earmarks in all but name only: golf carts, art projects, company cars, and new buildings for Federal employees. And these are only some of the spending plans that we know are contained in this 1,100-page bill which, as the Senator from Kansas pointed out, we did not get a copy of until roughly midnight last night—without enough time for Senators to actually read every line, to discuss it and deliberate on it and to make sure we understand what is in it and that we are not simply wasting taxpayer money. The fact is, we will not have even had 24 hours to look at the conference report before being required to vote on it later today, a report negotiated in secret, behind closed doors, and which seemed to be briefed to reporters and leaked to the press before many Members of Congress actually got a chance to look at it, but we are told: Don't worry. Trust us.

The people in my State of Texas were promised many benefits under this bill, at least $10 billion of direct spending and aid to our State, according to the Democratic policy committee—$10 billion. Well, that is one reason some of my constituents are saying: Senator CORNYN, we want some of that even if we understand your point that in order to get it, my State's share of the cost of this bill will roughly include $90 billion, including interest. Mr. President, $10 billion for $90 billion in debt? That does not strike me as a great bargain. Now, I am not an accountant, and I am not sure the Democratic policy committee's numbers are accurate. I just cannot vouch for them. But accumulating $90 billion in debt to receive about $10 billion in benefits does not strike me as a good deal. And I suspect the deal is not much better for any of our other States.

The math does not work on a national scale either. Even if this bill does ''create or preserve'' up to 4 million jobs, that means we are paying about $300,000 per job—$300,000—which is more than five times the median household income in the country.

Now, if we are going to do this, why don't we just give the money directly to the people through lower taxes, letting them keep more of what they earn? They would create and preserve far more jobs than the Government is going to be able to do and we would not be in the process of picking political winners and losers in the process.

But now the tax relief in this bill is even weaker tea than it was before, averaging only about $8 a week, according to some accounts—hardly stimulative. The simple truth is, Government is inefficient at creating jobs, and this morning the Wall Street Journal explained some of the reasons why.

Many Federal agencies, such as the Department of Energy, simply do not have the capacity to spend all of this money as quickly as Congress is appropriating it through this bill. I expect the same is true for many State and local governments. But the fact is, we in Congress have simply not taken the time to find out. Instead, we are determined to turn up the water pressure across all levels of government without thinking about which pipes will burst and whether they can handle the load.

Nobody knows what will happen once this bill is actually implemented. I appreciate the distinguished Senator from Connecticut saying he and the ranking member on the Homeland Security and Governmental Affairs Committee are going to do extensive oversight. But I would suggest, the time to do our due diligence is before passing the legislation, before spending the money, not after it is already spent, when Government does not have the capacity to deal with it.

And then there is this: The Congressional Budget Office estimates that this so-called stimulus bill will actually reduce growth of gross domestic product over the next 10 years. Because as the CBO says, it will actually—because of such enormous direct Government spending, it will crowd out private investment in the economy and actually hurt the economy, rather than help it as its proponents have promised. That means many millions of our children will have fewer opportunities as they enter the workforce, even as they inherit more and more public debt than any generation in history.

The tragedy of this $1 trillion bill is it ignores hard-learned lessons. We cannot spend our way to prosperity. During the Bush administration over the last 8 years, we spent a lot of money. We strengthened our homeland defenses, we delivered a prescription drug benefit under Medicare, and we increased Federal support for education. Yet all that additional spending—for the war on terror, for homeland defense, prescription drugs, and education—did not protect us from a recession.

In last year's stimulus package, we sent out rebate checks. Remember that was about a year ago where we sent out cash to taxpayers ostensibly as a rebate which, in fact, represented a redistribution of money from people who did pay income taxes to people who don't. You know what. It had virtually zero effect in terms of stimulus. Now we are going to do it all over again, this time under the guise of refundable tax credits, again sending money to people who don't pay income taxes from people who do pay income taxes in a vast redistribution of wealth and replicating the failed example of the stimulus package we passed a year ago.

Now, I understand these are unprecedented economic times. I understand

even the smartest people in the world have a hard time knowing what we should do, but shouldn't we at least prevent repeating mistakes we know don't work? I don't think it takes a rocket scientist or a master of the universe to know that.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CORNYN. Mr. President, I ask unanimous consent for 1 more minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, it is not as though my colleagues are just complaining about the bill on the floor. We offered a constructive alternative to fix housing first that got us into this mess and which, I believe, if we had listened to some constructive suggestions on this side, would help lead us out of it. We also know that letting people keep more of what they earn exerts a much greater multiplier effect in terms of the economy than does direct Government spending. Finally, the idea that we can spend money we don't have on things we can't afford simply defies logic.

I am sorry this is a missed opportunity, both for bipartisanship and an opportunity to actually solve a real problem confronting the American people. I believe there are better ideas available, and those ideas remain available if we simply have the will to embrace them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Ms. KLOBUCHAR. Mr. President, I am honored to be here to speak in favor of the economic recovery plan.

Yesterday we celebrated Abraham Lincoln's 200th birthday. As I sat there and listened to the historians talk about Abraham Lincoln's life, there was one thing that stood out to me and that is the importance of timing. They talked about when he was there in those very dark days of the Civil War, that he had to make a decision. He had to make a decision about whether he was going to sign the Emancipation Proclamation, freeing the slaves. He thought about it for awhile. He knew if he did it at one time, it would be too early, and if he waited too long, it would be bad. Finally, he signed it. The Historian said yesterday it is very possible that if he had done it 6 months earlier, we would have lost a number of States that wouldn't have been with us; and if he had done it 6 months later, we would have lost the momentum that propelled us forward to win the Civil War. It reminded me again that timing is everything and that timing matters.

This is a time to take action with our economic crisis. This is the time. With each passing day, we get more bad news: another round of layoffs, dropping consumer confidence, increasing debt. Last month, we learned the United States had lost 598,000 jobs in just 1 month—the month of January. As the President pointed out, that is basically equivalent to the total number of jobs in the State of Maine. That happened in 1 month in the United States of America.

In my home State of Minnesota, the unemployment rate rose to 6.9 percent last month. That is the highest it has been in 20 years. The national unemployment rate is now at 7.6 percent. It is across the board. Great companies in my State such as Target and Best Buy and Ameriprise are trying everything to do the right thing, but they still are having to lay off employees.

Behind all these numbers and statistics are real families. They are not just a number, such as 598,000; they are real families, people whom I have spoken to across our State; moms and dads who put their kids to sleep and then sit at the kitchen table with their heads in their hands thinking: How are we going to make it? A woman wrote me saying she got a little inheritance from her father. She was going to use it for her daughter's wedding and now she had to spend it on her own retirement because it got blown in the stock market.

As we prepare to vote on this bill, it is important to remember how we got there. Our economic crisis is a result of bad decisions on Wall Street, a result of greed, as well as the result of a failed economic policy for 8 years. There is a diner that used to be down the street from me in Minnesota. It was a motorcycle diner called Betty's Bikes and Buns. There would always be a bunch of motorcycles parked in front. There was a sign in the window that said: ''Betty's Bikes and Buns: Where lies become legends.''

Look at the past 8 years. We were told by the past administration they would create jobs. Just last month—the last month of the past administration—we lost 8,000 jobs. They told us they would restore fiscal responsibility. Well, we went from the largest budget surplus left by the Clinton administration to a record-high budget deficit left by the Bush administration. They told us they would reduce that deficit. They didn't do it. ''Where lies become legends.''

The people of this country in this last election said they had enough of lies, they had enough of legends, and they wanted to see change. They wanted to put a President in who was going to tell them the truth and not sugarcoat it, not make a bunch of promises and not keep them. If we are going to get out of this crisis, we are not going to be able to rely on the ideas that got us here, as some on the other side have argued. We need a new direction and that is what this bill offers. It is not a perfect bill, but it is the first step to jolting this economy back in the right direction.

The American Recovery and Reinvestment Act will jump-start our economy in the near term by creating jobs, but it is also going to give the people of this country something to show for their money. The legislation provides economic assistance aimed directly at Main Street. It provides economic relief to working families, small businesses, and seniors. It gives critical support to States and communities so they can ensure a safety net for families hurt by the economic downturn, and it will save or create 3.5 million jobs.

In my State of Minnesota, the projections are that this bill will create 66,000 jobs. A recent analysis concluded that the economic recovery bill could create as many as 91,000 jobs in Minnesota by 2010. Additionally, it will provide a tax cut to 95 percent of working families and offer additional unemployment benefits to so many of the people in our State who have lost their jobs.

This legislation will put Americans back to work building bridges, building roads, building schools. That is what this legislation is about. The legislation invests $116 billion in infrastructure, in science, roads, bridges, highways, and transit systems. The Federal Highway Administration estimates that for every $1 billion of highway spending, it creates nearly 35,000 jobs. We know a little bit about the need to invest in infrastructure in my State. We had a bridge that fell down right in the middle of the Mississippi River, 6 blocks from my house. As I said that day, a bridge shouldn't fall down in the middle of America. Not a six-lane highway, not a bridge 6 blocks from my house, not a bridge that my daughter travels as she rides with me and my husband every day when we go to work or go visit our friends. It shouldn't have happened.

The Federal Highway Administration estimates that more than 25 percent of the Nation's 600,000 bridges are either structurally deficient or functionally obsolete. That is the good thing about this bill. It gives us immediate short-term jobs, as well as giving us something to show for it, so that years later, when this economy is running again, we will have the bridges that will take the goods to market, the good highways, and the good rail.

This plan will also create jobs by investing $43 billion in homegrown renewable energy, creating new energy jobs across the country. As I have traveled across my State, I have seen the possibilities. I have seen the little solar panel factories. I have seen the wind turbine farms. When we had the information technology revolution—the IT revolution—it created jobs. A lot of those jobs were for people who had graduate degrees and Ph.D.s and they had to be in certain parts of the country. That is what is great about this energy technology revolution—the ET revolution. We have had experts testify before our environmental committee, and they have told us the ET revolution will create not just those Ph.D. jobs and those graduate student jobs, they will create jobs for working people, building those wind turbines, working on those solar panels, putting in those lines for that electricity grid.

It is jobs across the demographic spectrum of this country. It is green-helmet jobs, not just Ph.D. jobs.

Finally, I wish to highlight the $7 billion this plan contains for broadband for Internet and for telecommunications infrastructure. When President Roosevelt, back in 1935, looked at this country, he knew there was a problem. Only 12 percent of American farms had electricity. There we were in the middle of the Depression and only 12 percent of American farms had electricity. Now, what did he do? Did he put his head in the sand and say: Well, times are bad, we are not going to do anything? No. He said: Let's invest in some jobs, and let's invest in making things better for people so we can get this economy moving again. You know what. Fifteen years later because of rural electrification, we had about 75 percent of the farms with electricity. We went from 12 percent to 75 percent in 15 years. That is what Government action will do when it is done right.

Focusing now on the present day, in so many counties in my State we have Internet service, but it is either too slow or too expensive. This country has gone from fourth in the industrialized world for Internet service subscribership to 15th in just 8 years. How are we going to compete with countries such as Japan and India if we are going downhill, if we are nosediving when it comes to Internet service? This bill puts over $7 billion in infrastructure for Internet. In these tough economic times, broadband Internet deployment creates jobs, not only direct creation of jobs in the technology sector but also the creation of even more indirect employment opportunities by increasing access to the Internet. I want these jobs to go to Thief River Falls, MN, or to Lanesboro, MN, instead of over to India and to Japan. I want them to be in our country.

This recovery plan offers an economic one-two punch, including tax cuts that will promote more consumer and business spending by providing relief to middle-class families, small businesses, and seniors. Second, Federal spending that will create jobs and strengthen the economy with investments in transportation, renewable energy, and high-speed Internet.

The American people are tired of the lies and legends of the last 8 years.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent for 30 more seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. KLOBUCHAR. Mr. President, they want action. They want the truth. We literally can't afford to wait any longer to pass something.

As President Obama recently said, the time for talk is over. The time for action is now. If we don't act, a bad situation will become dramatically worse. This is our time. This is our opportunity. Let's get this passed today.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. THUNE. Mr. President, the moment of truth is almost here, the time when we will all have to cast our votes. I submit this is a sad day for our country, for the American taxpayer, and it is a sad day for future generations, who will be left paying for this trillion dollar spending bill.

The American people are hurting and they are demanding action. Unfortunately, Congress has failed the American people and lost an incredible opportunity to empower small business owners, fix our housing crisis, and turn our economy around. So many things could have been done with this legislation that could have meaningfully led to job creation and economic stimulus.

In the few short hours that the final bill has been available, it is clear that the Democratic leadership has turned a deaf ear to the American taxpayer.

The final spending bill still includes spending on wasteful Government projects that have outraged taxpayers across the country. The final bill includes: tax benefits for golf carts, electric motorcycles, and ATVs; $300 million for Federal employee company cars; $1 billion for ACORN-eligible block grants; $50 million for arts endowment; $165 million for fish hatcheries; $1 billion for the census.

Instead of mouse habitats, electric golf carts, and fish barriers, Congress should have focused on serious proposals to address the housing crisis and create jobs through small business tax relief.

There were a number of opportunities. I view this as the question of what could have been. A number of amendments that were offered last week would have addressed this crisis with respect to housing and job creation and getting the economy back on a path to a recovery. Senators MCCAIN and MARTINEZ and other Republican Senators offered an alternative proposal that would have cut wasteful Government spending and focused on targeted investments and tax relief.

This proposal was a well thought out and fiscally responsible proposal. It included a commonsense provision that would have cut off new spending after two consecutive quarters of economic growth greater than 2 percent of inflation-adjusted GDP.

The alternative plan would have invested about $45 billion in transportation infrastructure, $17 billion in defense facilities and resetting our combat forces. This targeted spending would have rehabilitated our military facilities and equipment while creating jobs over the next 9 months—important tax relief that would have put money back into the hands of average middle-income families in this country and incentives for small businesses to create jobs, hire employees, and purchase equipment.

What is unbelievable and, in my view, a major flaw in the Democratic stimulus bill is this simple fact: The bill we will be voting on spends $6 billion on Federal buildings and only $3 billion on small business tax relief. Small businesses create most of the jobs in our economy—three-quarters to 80 percent of the jobs in this country. We ought to be figuring how can we get that economic engine going again so small businesses are making those investments. As I said before, this bill contains $6 billion for Federal buildings and only $3 billion for small business tax relief—a small, minuscule amount. One-third of 1 percent of the final stimulus bill is going to small business tax relief.

In terms of the way the bill breaks down, 27 percent of the entire almost trillion dollar bill is in tax relief in some form, or tax provisions. Many would argue that it was meaningful tax relief. There are a lot of better ways to deliver tax relief. The rest is in the area of spending. Forty-seven percent of that spending doesn't occur in 2009 or 2010. Only 11.3 percent will be spent in 2009, which means one thing—there is a lot of spending in the bill that cannot be characterized as stimulus. In other words, it is spending that will go on and on for years to come. What is remarkable about it—the late President Ronald Reagan once said that the closest thing to immortality on this planet is a Government program.

There is a letter out from the CBO in response to a question posed by a House Member regarding some spending in the bill: What would happen to the 20 most popular Government programs that are funded in this bill if, in fact, at the end of the 2 years the funding doesn't terminate? In other words, a lot of this spending will go on and on over time. What CBO found was the total cost of the bill, if those programs are expended—bear in mind that these are popular items on which it will be difficult to turn off the spigot. If the spending continues past that 2-year window, the cost of this explodes to $3.27 trillion. The interest alone is $744 billion. So it will be $3.27 trillion for much of the spending in this bill if it continues beyond the 2-year window.

As I said, according to CBO, only 47 percent of the spending part of the bill gets spent in 2009 and 2010. There are so many better ways this could have been done. We offered amendments last week. I mentioned the McCain amendment. I offered an alternative focused on tax relief for middle-income families and small businesses, which, according to the methodology developed by the President's own economist, Christina Romer, would have created twice as many jobs at half the cost—6.2 million jobs—and the cost of this amendment voted down last week was about $440 billion or, in rough terms, half of what we are looking at in the bill we are voting on today.

The last amendment I offered last week, toward the end of the debate, would have taken the total amount. I don't agree that we ought to spend this

amount of money. I think it is stealing from future generations. If we are going to do it, the question is, should Washington spend it or should the American people? I took the total amount and divided it by every tax filer in the country—182 million people who file a tax return in this country—and we could have given a rebate of $5,403 to a single filer and to a couple filing jointly, $10,486—if we take the total amount of the bill and divide it among the taxpayers in this country. I would be willing to bet that the American people would much rather have that check than have money going to Washington, DC, to spend on these new programs, many of which will create obligations and liabilities for generations to come.

I think we have missed a golden opportunity here. I think we have created a whole new realm of spending that will go on for some time into the future. It is not fair to our children and grandchildren. The Federal Government needs to learn to live within its means. I can tell you as somebody who comes from the prairies, when the prairie pioneers settled South Dakota and places such as that, they understood a basic principle or ethic, which was that they were going to have to sacrifice so their children and grandchildren and future generations could have a better life.

What we have done with this bill is turn that very ethic entirely on its head. What we are asking future generations to do is sacrifice by handing them a trillion dollar debt so that we here and now can have a better life, and we cannot live up to the obligations we have to pay our bills on time.

It is a sad day; it is unfortunate. This could have been much different. There could have been more input from our side. It is a bill heavy on spending, not only temporary but spending that will continue to go on for some time into the future and create obligations down the road. If this is correct and the CBO response in this letter is accurate, if these programs continue to be funded and don't terminate at the end of the 2-year period, there will be $3.27 trillion in liabilities that we are creating today by voting for this legislation. It is not fair to our children and grandchildren and to the future generations who will bear the cost of the fact that we cannot live within our means and cannot come up with a way to fund an economic recovery plan that creates jobs and helps stimulate the economy and gets this recovery underway in a fashion that is fiscally responsible.

I regret that I will be voting no on this bill. I urge my colleagues in the Senate to do the same.

I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, this is the largest spending bill ever to be voted on. It will probably be passed by this body. It has been done in the most rushed fashion that we have ever done a spending bill. It is the least bipartisan ever. Not a single Republican in the House voted for this bill; nine Democrats voted against it.

Unfortunately, in conference, the bad parts of the bill got bigger and the good parts got smaller. We are left with a spending bill of gigantic proportions and a stimulus package that is small, by any measure.

I will point out a few historical numbers. We have had stimulus packages in the past, and we have needed them. We need one now. We have never, in the history of the Republic, had a stimulus package over the size of 1½ percent of GDP. That is the biggest we have ever done in the history of the Republic. This stimulus spending bill is 5.5 percent of the GDP of the entire country. It is huge—more than three times larger than any we have ever done.

To give perspective, we did a stimulus package in 2008 in the amount of $152 billion. This is $800 billion. In 2001, it was $38 billion. That seems small by today's standards. This one is 5½ percent of GDP. If you look at the actual tax cuts, there are things in the tax cuts I think are good. There are other things in spending I think are good, but they should not be in a stimulus bill. They should go through the regular order in a spending package.

We will have the omnibus spending bill after the break. That will be hundreds of billions of dollars, and people can measure that. But the tax cut piece of this bill that is probably going to be stimulative—and I would support as being stimulative—is a total of $76 billion, which is 9.6 percent of the bill. Many of the tax cuts in the bill are actually spending through the Tax Code or an AMT fix that will not be stimulative, which most people regarded as that will be fixed and they are not going to alter economic activity based on that. You are left with $76 billion in tax cuts that would be stimulative. As I said, there are things in there I like. I congratulate the majority on some of those tax cuts that are in it—the issue on first-time home buyers. We have done that in Washington, DC. It was helpful in stimulating the housing market here. I think it will stimulate the market across the country. Wind energy is in here that will help our Plains States—the Senator from South Dakota, myself, and many others. This will help in wind energy, a key growth area for us. I am supportive of that. I think that is important. We got a piece in here about deductibility of State taxes on purchases of new automobiles in 2009. That will have a stimulative effect. I think it will be small. There is bonus depreciation for a big industry in my State, aircraft, that will have a stimulative effect. It will be positive. All of those I support and I applaud the majority side for that.

The sum total of those altogether is less than 10 percent of the whole package. Instead, we are left with this gargantuan spending bill that is 5½ percent of the economy, which we cannot afford. It will not be stimulative. It will a be highly speculative Government bubble that we are creating.

At the end of the day, the last and biggest number in this whole bill is a number of $12 trillion. That is in the bill and that is what we are growing, what we are setting the debt limit of the country at in this bill. We are raising it to $12 trillion. That is in the bill. The reason we are raising that debt limit to $12 trillion—you guessed it—it is headed that way. We are getting closer with this bill.

We have come to a very big speculative bubble on housing and consumer credit and a number of other things as well. This speculative bubble led to a lot of housing being built, cars being purchased, and all was fine. But then the bubble burst. Now we are trying to substitute that with a Government speculative bubble. We are going to spend all this Government money and in a speculative, highly leveraged nature, because 100 percent of this is borrowed. That is somehow going to stimulate the economy. It is going to leave that big, massive hole in it.

I am deeply concerned about what this is going to do both in the present and in the near-term future. I hope we can do better. There is a great possibility that we can do better. I think we should.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009—CONFERENCE REPORT

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the conference report to accompany H.R. 1, the American Recovery and Reinvestment Act, with the time until 5:30 for debate, with the time divided as follows: the majority controlling 30 minutes and the remaining time under the control of the Republican leader or his designee; that a budget point of order be in order and if raised against the conference report, then a motion to waive the applicable point of order be considered made; that at 5:30 p.m. the Senate then vote on the motion to waive the point of order; further, that the vote on the waiver of the point of order count as a vote on adoption of the conference report, with a 60-vote threshold; that no further points of order be in order during the pendency of the conference report; and that upon adoption of the conference report, the motion to reconsider be laid on the table, with no further intervening action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I wish to publicly express my appreciation for the thoughtful time certainty on this by the Republicans. As they know, we

have a couple issues on our side, one is a death and one is the health of one of our Members. They have been very thoughtful and understanding of our situation. For that I will always be grateful.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, I would like to propound a unanimous consent request for speakers on our side.

I ask unanimous consent that the following Republican speakers be recognized for up to 7 minutes each: CHAMBLISS, GRAHAM, ENSIGN, ALEXANDER, SHELBY, HATCH, MCCAIN, SESSIONS, and that Senator COBURN be recognized for up to 30 minutes.

Mr. ENSIGN. Reserving the right to object, is it in that order——

Mr. MCCONNELL. No.

Mr. ENSIGN: Or is it just total time?

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the conference report.

The bill clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on 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, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. The Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings at pages H1307 through H1516 of the RECORD of February 12, 2009.)

The PRESIDING OFFICER. Who yields time on the conference report?

The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I ask that I be recognized for 7 minutes and be informed when I have used 6 minutes.

The PRESIDING OFFICER. The Senator is recognized.

Mr. GRAHAM. Mr. President, this debate is coming to an end, and it never really started. We are bringing a conclusion to a process that will spend $1.1 trillion over the next 10 years, and there has never been a thoughtful discussion between the parties to figure out how we can get there from here.

The Republican alternative was $440 billion, I believe. It had tax cuts. It had spending on unemployment benefits extension, food stamp extension. It had a $35 billion, $45 billion amount of spending for infrastructure, shovel-ready jobs. It was an alternative that also had a trigger that said that once the economy got back on its feet and we had two quarters of positive GDP growth, any unspent funds would be frozen, and we would look at trying to get back to a balanced budget situation. In other words, it had a slowdown provision. There is nothing in this bill that is going to slow down spending.

The compromise that has been reached—$440 billion was the Republican alternative—we are going to settle on a bill of about $787 billion-plus that received no Republican votes in the House. I think they lost seven or eight Democrats in the House. Apparently, they are going to pick up three Republicans in the Senate.

I would argue that if the shoe were on the other foot, if Republicans were in charge and we lost more Republicans than we picked up Democrats, that would be a lead story. So the idea that this is bipartisan does not meet any realistic test of bipartisanship, and that is a loss. Mr. President, $1.1 trillion unfocused over 10 years, in terms of job creation, is a huge loss to the next generation of Americans who are going to pay this bill.

We had a chance to start over early on in this administration. The attitude that started this process in the House, ''We won, we write the bill,'' never changed. It came to the Senate. We spent 1 hour 40 minutes marking up this bill. We have had a handful of Republican amendments accepted. I am not saying our version is the right way completely. I am saying the difference between $440 billion and $787 billion and $819 billion, the House version, is not $787 billion.

There has never been a real effort to try to find common ground. The percentage of this bill that is tax cuts is 27 percent of $787 billion; 27 percent of the amount is for tax relief. A $400 rebate check is a great part of the tax provision. Last year, we gave people $500 tax rebates. That did not stimulate the economy. The $400 will not.

What stimulates the economy is cutting taxes for consumers as well as business. As Senator THUNE from South Dakota said about 75 percent of the jobs in America are created by small business. If your goal is to stimulate the economy and create new jobs, one test of this bill would be how much did you do for small business.

Less than $3 billion in the entire package is directed to small business. I would argue that if 75 percent of the jobs come from the small business sector and only $3 billion of the money is allocated for small business relief, we missed this thing by a country mile.

This bill started out of the House as a ''We won, we write the bill'' spending package that never had a focus on job creation. There are so many things in this bill unrelated to creating a job in the next 18 months that it is, in my opinion, a failure as a stimulus package.

Of the $580 billion of this bill that is appropriated—about 53 percent of it is appropriated—only 11 percent of that money hits the economy in the first year. Fifty-three percent of the appropriated funds are not spent until after 2 years from now.

So the goal I had working with our Democratic colleagues and the White House was to try to create as many jobs as possible by stimulating the economy through a combination of tax cuts and spending that would create jobs in the near term and, yes, help people who have lost a job. We have failed miserably in that endeavor, in my opinion. We have run up the cost of this bill, and every dollar that is wasted in the stimulus package that does not create a job is one less dollar to jump-start housing and banking.

To my colleagues, you all know this one fact. We will never get out of this economic mess until we deal with the banking problem and the housing problem. We have wasted a lot of money in this bill that could have gone to banking and housing. There will be a request in the future, mark my words. The TARP funds left to deal with banking and housing of $315 billion are not nearly enough to deal with the toxic assets that cripple the ability to lend, not nearly enough, in my opinion, to deal with the foreclosures that are coming in waves in this country.

The stimulus package is important, but it was, in my opinion, the least-effective measure to jump-start the economy. We put all the money in the thing that works the least, and we designed it in a fashion where it will work hardly at all. This is a blown opportunity to come together in a bipartisan fashion to deal with banking and housing. We put all our resources upfront in a stimulus package that has very little to do with creating jobs and a lot to do with growing Government.

The PRESIDING OFFICER. The Senator has used 6 minutes.

Mr. GRAHAM. Mr. President, we have created more Government, new Government than we created jobs. We lost the spirit of bipartisanship we were yearning for. It is going to be hard for us to come back to the American people after this monstrosity of a bill is understood in the next couple weeks and ask for more money in housing and banking.

I am disappointed in the process. I am disappointed in the final substance of the bill. We spent $1 trillion in about 2 weeks, with very little discussion.

Finally, America wants this Congress and this new administration to be smart and work together. We are not being smart, and we sure as heck haven't worked together.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. Mr. President, I claim the 7 minutes that is part of the unanimous consent agreement.

The PRESIDING OFFICER. The Senator is recognized.

Mr. ENSIGN. Mr. President, the scope of this legislation is enormous and endangers our country's future economic health.

Currently, the U.S. debt burden is huge, but it is going to rise to 54 percent of the economy in just the next 2 years. That is before we take into account this omnibus spending bill that

is still to come before the Congress, another round of TARP, and approximately $1 trillion that we have in the bill before us today. When we add the Children's Health Insurance Program that was passed, TARP, a supplemental, the omnibus bill, we will add an additional $2 trillion to our national debt. That means higher taxes for our children, our grandchildren, and actually just in a few years for almost all Americans.

We have been borrowing against future generations. Keep in mind that we have a $60 trillion debt out there in Social Security, Medicare, Medicaid, and other entitlement programs. That money has to be paid someday.

We have to ask ourselves: What will the credit markets around the world think? What will they think about the idea of the United States being actually solvent? The previous administration, as we heard from the other side, spent money like crazy. I am not going to defend them. I was one of the people fighting against a lot of that spending.

The spending that is before us today is unprecedented. Unfortunately, in the so-called stimulus bill, only about 25 percent of the bill is in true tax relief. A lot of it is disguised as tax relief, but it is just spending. Not all tax relief is equal when it comes to stimulating the economy. Unfortunately, some of the tax relief in this bill that was actually good was stripped out of the bill.

Today, as a percentage of GDP, Government spending last year was around 21 percent. This year, it is going to be close to 30 percent. The historical average over the last 40 years is around 20.6 percent. If we continue to add and add, in not too many years, it is heading toward 40 percent. This amounts to the Europeanization of the United States. Why is this? The government takes up a large percentage of the budgets of Europe's economies. These are more socialist-type economies, and that is the percentage of their gross domestic product they spend on government.

Let's consider the cost of this bill. If we count everything that is going to expire in the stimulus and say it is not going to expire over the next 10 years, the true cost of this bill is somewhere around $3 trillion. We have to ask ourselves: When was the last time a Federal program was cut or was discontinued? That does not happen around here. Once we put something in place, it seems to be in place forever.

The assumptions in the bill that the spending put in place is actually going to go away in 2 years seems a little ridiculous to me. That is why we actually should be honest about the true cost of this bill.

According to CBO, all the stimulus spending will do little to help our long-term economic growth. It will help some in the short term but not in the long term. We have to think about not just short term. Too many companies in America were thinking short term. We have to think long term as well for our, once again, children and grandchildren.

We did not even receive this 1,100-page bill until 11 p.m. last night. Thanks to all my staff, and the Republican Policy Committee staff. They spent most of the night and today going through this bill. There is no way everybody is going to know everything that is in this bill because of the difficulty of trying to go through an 1,100-page bill in less than 24 hours.

We need to look at history. Japan, in the 1990s, gave us valuable lessons about not what to do. They spent $6.3 trillion. Unfortunately, they spent it building a lot of bridges to nowhere, roads to nowhere.

We heard we need a lot of infrastructure spending in this country. If this bill had only answered that call. This bill has very little to do with infrastructure. Only a small percentage of this bill actually deals with infrastructure. That is unfortunate. Japan also failed to address the underlying problems in their banking system. Japan created zombie banks. These are banks that should have failed but were not allowed to. Japan also suffered from a bad course of monetary policy. While the parallels may not be exactly the same between Japan and the U.S., we may be headed in the same direction. That is why a lot of us are afraid that this stimulus bill before us today is actually not going to cure our economic woes.

The housing industry is what brought this whole economy down. We understand that. The American people in my State of Nevada know it was the housing crisis that brought the economy down. So if we don't fix housing, how are we going to fix the economy? The underlying problem with the patient here is the housing problem.

I had an amendment that actually would have gone a long way toward fixing housing. My amendment had three components. The first was that Americans would have been able to get a much lower interest rate—somewhere between 4 to 4.5 percent. About 40 million American households would have qualified for it. It would have given the average American household about $450 per month more for their budget. This was permanent, though, it wasn't just a one-time check. This was a 30-year fixed interest rate. That actually would have helped stimulate the economy.

The second part of the amendment was that we took a provision from Senator ISAKSON.

Mr. President, I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENSIGN. The second part of the amendment would have given a $15,000 tax credit to buy homes. That would have helped to stimulate the housing market. Unfortunately, in this bill, that was dramatically cut down. And the third part was to help those houses underwater.

This spending bill that is before us could have been made so much better if we had sat down in a bipartisan fashion—not as Republicans, not as Democrats, but as Americans. I hope we learn from the way this bill was done that it is not the way we need to fix some of the major problems the country will face in the future. I hope we can actually sit down in a bipartisan fashion.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, may I be informed when 6 minutes of my 7 minutes has expired?

The PRESIDING OFFICER. The Chair will notify the Senator.

Mr. ALEXANDER. I thank the Chair.

Mr. President, here is what we know of the so-called stimulus bill.

This bill will give American workers $8 a week in their paychecks in exchange for passing along a $1 trillion debt to our grandchildren. The entire New Deal, in today's dollars, cost only half of what this bill costs.

We know that if we were to spend $1 million a day, every day since Jesus Christ was born, we would still spend less money than the cost of this bill.

We know that if you were to add the cost of this bill to the national debt that we already have, it would cost each American household more than $100,000 to pay off our country's debt.

We know that in the bill there is $50 million that could be used to save red-bellied harvest mice in the San Francisco area, something that Speaker PELOSI has supported.

We know that in the bill there is $8 billion for a levitating train from Disneyland to Las Vegas that the majority leader is very interested in.

We also know that people are hurting. That we need to do something to help the economy. And that something includes a real stimulus bill. But we know this is not the right approach.

Mostly, this is spending, not stimulus. Most of the spending in the bill does not come soon enough to help create jobs quickly. Most of the tax cuts in the bill—such as the $8 per week for working families—are welcome but not stimulative.

We know this is a lot of money. An example of how much money is that it took us until about 1980, from the beginning of our Republic, to accumulate a debt that equals the amount of this bill. Or to look at it another way: The entire annual Federal budget in the early 1980s was about the amount we are spending in this bill.

We know this is not temporary. Even though stimulus bills, as defined by Speaker PELOSI, are to be timely, temporary, and targeted, this is not. We know that because of the mandatory spending it adds to the long-term budget. We know that because the Senate rejected Senator MCCAIN's amendment which said that after two consecutive quarters of economic growth above 2 percent, the new spending would stop. So this bill is not temporary.

We know we are bailing out States with much more money than they

need. In my State of Tennessee, it had a $900 million dollar shortfall. That is a lot of money for our State. But our legislature and Governor are handling that, with some pain. Yet we are giving Tennessee almost $4 billion, as if we had the money to spend.

We know we are not seriously thinking about how much spending is too much spending in Washington, and how much debt is too much debt. We know that we establish policies in this bill—huge policies in education, energy, and health—in 2 weeks, without careful consideration that deserve enormous consideration.

I used to be Secretary of the U.S. Department of Education. Its budget today is about $68 billion. We are adding $40 billion a year to that Department for the next 2 years. Does that mean we are completely satisfied with what is happening in kindergarten through the 12th grade? If we are to add $40 billion a year, should we not be asking what can we do differently to reward outstanding teachers, to add charter schools, to offer parents more choices for afterschool programs for their children? Surely, we can have a debate about education, or energy, or health care if we are going to spend that much new money.

We know there has been a lack of bipartisanship. The refrain seems to be: We won the election; we'll write the bill. That was not the tone of the election. That was not what we looked forward to on the Republican side of the aisle.

We know what we should have done instead. We know we shouldn't have spent the whole piggy bank on a spending bill that doesn't include much stimulus. We know that we should have reserved as many of those scarce dollars as we could to focus on fixing housing first and making sure that we don't underestimate the difficulty we have in getting toxic assets out of the financial institutions in this country so they can start lending again and on Main Street we can start doing business again. We know those are the things we should have done instead.

This bill doesn't pass muster with truth in labeling. It claims not to have earmarks, although that levitating train from Las Vegas to Disneyland looks a lot like an earmark.

We know that the two provisions in the bill that seemed to do the most to help were cut by the conference report in substantial ways. I am speaking of Senator ISAKSON's $15,000 tax credit for home buyers who would buy homes in the next year, which was gutted. And Senator MIKULSKI's and Senator BROWNBACK's effort to give encouragement to automobile and truck buyers all over America to revive the automobile industry.

We know that if we are to add $87 billion over 2 years to Medicaid for the States that we may be making the program so rich that we will never be able to decide what to do about it when we have our national health care debate. We are preempting that discussion without very much debate.

I know what bipartisanship is. I have participated in it. When I was Governor of Tennessee, I worked with a Democratic legislature. We became the first State to pay teachers more for teaching well. I said what I thought we ought to do and the Democratic speaker said what he thought we ought to do. We sat down together.

The PRESIDING OFFICER. The Senator has spoken for 6 minutes.

Mr. ALEXANDER. I thank the Chair.

We took some of Speaker McWherter's ideas and some of my ideas. We came to a conclusion and we together announced the result.

President Bush and the Congress did the same thing with No Child Left Behind when President Bush working with Senator KENNEDY and Representative MILLER. Senator BINGAMAN and Senator Domenici gave us a good example with the energy bill. Seventy of us cosponsored the America Competes Act. And the Gang of 14 helped keep the Senate functioning and produced good Supreme Court nominees.

I am disappointed that we have not risen to the occasion. This bill should have been easy to do in a bipartisan way. I hope that this is not a symbol of what is to come with more difficult pieces of legislation, like health care, climate change, and entitlements.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, during the last 18 months, our economy has been crippled by an unprecedented financial crisis. What began simply as rising defaults on subprime mortgages has rapidly evolved into the greatest economic storm since the Great Depression.

Shackled by mounting losses on mortgage-backed securities and falling home prices, our banking system has retracted from normal lending. Starved of financing, our economy is rapidly deteriorating, while millions of Americans face unemployment.

Unfortunately, we have watched two succeeding administrations—the Bush administration and now, I fear, the Obama administration—propose plans to revitalize our economy that have failed to live up to expectations.

We are now told that the solution to the current crisis lies in this stimulus bill before the Senate. Proponents claim that this bill will jump-start the economy and reinvigorate private commercial activity. I disagree.

This bill has been poorly conceived and hastily crafted. First, the immediate impact of this bill is far too small. According to the Congressional Budget Office, only 12 percent of the discretionary spending in this bill takes place in the year 2009. Secondly, this bill is not targeted to maximize its impact. It simply funds, I believe, a wish list of government programs rather than focusing on creating jobs and bolstering the incomes of all Americans.

Finally, I fear that the supporters of this bill have been resting far too heavily on their Keynesian ideological crutch rather than devising good policy here.

We are told that Professor Keynes said that government spending was the key to restoring long-term economic growth. We need to remember that Professor Keynes' views evolved a great deal over time. He was continually changing his opinions when confronted with new facts and circumstances. His famed ''general theory'' of employment, interest, and money was borne of his concern that the old policy prescriptions were not working.

Because his thinking was always changing, Keynes was often criticized for being inconsistent. He famously replied:

When the facts change, I change my mind. What do you do?

I believe we need a solution that fits the facts and circumstances of our times, just as Keynes sought to provide a solution to address those of the United Kingdom at one time.

Our solution, I believe, needs to focus on restoring our banking system. Unless our banking system is nurtured back to health, our economy will remain crippled, and much of what is in this stimulus bill, I believe, will have been wasted.

It is worth remembering that the first thing Franklin Roosevelt did upon becoming President of the United States was address the Nation's banking crisis, long before he embarked on the New Deal spending programs. Another example I believe we should keep in mind is the experience of Japan during their so-called lost decade. You will recall that during the 1990s, the Japanese experienced a banking crisis as well. Rather than deal with their zombie banks, Japanese policymakers enacted numerous stimulus bills. And despite those spending sprees, the Japanese economy continued to stagnate as they increased Japan's debt-to-GDP ratio from 60 percent to a staggering 180 percent today.

Mr. President, I ask unanimous consent to have printed in the RECORD a list of economists, including several Nobel Prize winners.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Burton Abrams, Univ. of Delaware; Douglas Adie, Ohio University; Ryan Amacher, Univ. of Texas at Arlington; J.J. Arias, Georgia College & State University; Howard Baetjer, Jr., Towson University; Stacie Beck, Univ. of Delaware; Don Bellante, Univ. of South Florida; James Bennett, George Mason University; Bruce Benson, Florida State University; Sanjai Bhagat, Univ. of Colorado at Boulder; Mark Bils, Univ. of Rochester; Alberto Bisin, New York University; Walter Block, Loyola University New Orleans; Cecil Bohanon, Ball State University; Michele Boldrin, Washington University in St. Louis; Donald Booth, Chapman

University; Michael Bordo, Rutgers University; Samuel Bostaph, Univ. of Dallas; Scott Bradford, Brigham Young University; Genevieve Briand, Eastern Washington University.

George Brower, Moravian College; James Buchanan, Nobel laureate; Richard Burdekin, Claremont McKenna College; Henry Butler, Northwestern University; William Butos, Trinity College; Peter Calcagno, College of Charleston; Bryan Caplan, George Mason University; Art Carden, Rhodes College; James Cardon, Brigham Young University; Dustin Chambers, Salisbury University; Emily Chamlee-Wright, Beloit College; V.V. Chari, Univ. of Minnesota; Barry Chiswick, Univ. of Illinois at Chicago; Lawrence Cima, John Carroll University; J.R. Clark, Univ. of Tennessee at Chattanooga; Gian Luca Clementi, New York University; R. Morris Coats, Nicholls State University; John Cochran, Metropolitan State College; John Cochrane, Univ. of Chicago; John Cogan, Hoover Institution, Stanford University.

John Coleman, Duke University; Boyd Collier, Tarleton State University; Robert Collinge, Univ. of Texas at San Antonio; Lee Coppock, Univ. of Virginia; Mario Crucini, Vanderbilt University; Christopher Culp, Univ. of Chicago; Kirby Cundiff, Northeastern State University; Antony Davies, Duquesne University; John Dawson, Appalachian State University; Clarence Deitsch, Ball State University; Arthur Diamond, Jr., Univ. of Nebraska at Omaha; John Dobra, Univ. of Nevada, Reno; James Dorn, Towson University; Christopher Douglas, Univ. of Michigan, Flint; Floyd Duncan, Virginia Military Institute; Francis Egan, Trinity College; John Egger, Towson University; Kenneth Elzinga, Univ. of Virginia; Paul Evans, Ohio State University; Eugene Fama, Univ. of Chicago.

W. Ken Farr, Georgia College & State University; Hartmut Fischer, Univ. of San Francisco; Fred Foldvary, Santa Clara University; Murray Frank, Univ. of Minnesota; Peter Frank, Wingate University; Timothy Fuerst, Bowling Green State University; B. Delworth Gardner, Brigham Young University; John Garen, Univ. of Kentucky; Rick Geddes, Cornell University; Aaron Gellman, Northwestern University; William Gerdes, Clarke College; Michael Gibbs, Univ. of Chicago; Stephan Gohmann, Univ. of Louisville; Rodolfo Gonzalez, San Jose State University; Richard Gordon, Penn State University; Peter Gordon, Univ. of Southern California; Ernie Goss, Creighton University; Paul Gregory, Univ. of Houston; Earl Grinols, Baylor University; Daniel Gropper, Auburn University.

R.W. Hafer, Southern Illinois University, Edwardsville; Arthur Hall, Univ. of Kansas; Steve Hanke, Johns Hopkins; Stephen Happel, Arizona State University; Frank Hefner, College of Charleston; Ronald Heiner, George Mason University; David Henderson, Hoover Institution, Stanford University; Robert Herren, North Dakota State University; Gailen Hite, Columbia University; Steven Horwitz, St. Lawrence University; John Howe, Univ. of Missouri, Columbia; Jeffrey Hummel, San Jose State University; Bruce Hutchinson, Univ. of Tennessee at Chattanooga; Brian Jacobsen, Wisconsin Lutheran College; Jason Johnston, Univ. of Pennsylvania; Boyan Jovanovic, New York University; Jonathan Karpoff, Univ. of Washington; Barry Keating, Univ. of Notre Dame; Naveen Khanna, Michigan State University; Nicholas Kiefer, Cornell University.

Daniel Klein, George Mason University; Paul Koch, Univ. of Kansas; Narayana Kocherlakota, Univ. of Minnesota; Marek Kolar, Delta College; Roger Koppl, Fairleigh Dickinson University; Kishore Kulkarni, Metropolitan State College of Denver; Deepak Lal, UCLA; George Langelett, South Dakota State University; James Larriviere, Spring Hill College; Robert Lawson, Auburn University; John Levendis, Loyola University New Orleans; David Levine, Washington University in St. Louis; Peter Lewin, Univ. of Texas at Dallas; Dean Lillard, Cornell University; Zheng Liu, Emory University; Alan Lockard, Binghampton University; Edward Lopez, San Jose State University; John Lunn, Hope College; Glenn MacDonald, Washington University in St. Louis; Michael Marlow, California Polytechnic State University.

Deryl Martin, Tennessee Tech University; Dale Matcheck, Northwood University; Deirdre McCloskey, Univ. of Illinois, Chicago; John McDermott, Univ. of South Carolina; Joseph McGarrity, Univ. of Central Arkansas; Roger Meiners, Univ. of Texas at Arlington; Allan Meltzer, Carnegie Mellon University; John Merrifield, Univ. of Texas at San Antonio; James Miller III, George Mason University; Jeffrey Miron, Harvard University; Thomas Moeller, Texas Christian University; John Moorhouse, Wake Forest University; Andrea Moro, Vanderbilt University; Andrew Morriss, Univ. of Illinois at Urbana-Champaign; Michael Munger, Duke University; Kevin Murphy, Univ. of Southern California; Richard Muth, Emory University; Charles Nelson, Univ. of Washington; Seth Norton, Wheaton College; Lee Ohanian, Univ. of California, Los Angeles.

Lydia Ortega, San Jose State University; Evan Osborne, Wright State University; Randall Parker, East Carolina University; Donald Parsons, George Washington University; Sam Peltzman, Univ. of Chicago; Mark Perry, Univ. of Michigan, Flint; Christopher Phelan, Univ. of Minnesota; Gordon Phillips, Univ. of Maryland; Michael Pippenger, Univ. of Alaska, Fairbanks; Tomasz Piskorski, Columbia University; Brennan Platt, Brigham Young University; Joseph Pomykala, Towson University; William Poole, Univ. of Delaware; Barry Poulson, Univ. of Colorado at Boulder; Benjamin Powell, Suffolk University; Edward Prescott, Nobel laureate; Gary Quinlivan, Saint Vincent College; Reza Ramazani, Saint Michael's College; Adriano Rampini, Duke University; Eric Rasmusen, Indiana University.

Mario Rizzo, New York University; Richard Roll, Univ. of California, Los Angeles; Robert Rossana, Wayne State University; James Roumasset, Univ. of Hawaii at Manoa; John Rowe, Univ. of South Florida; Charles Rowley, George Mason University; Juan Rubio-Ramirez, Duke University; Roy Ruffin, Univ. of Houston; Kevin Salyer, Univ. of California, Davis; Pavel Savor, Univ. of Pennsylvania; Ronald Schmidt, Univ. of Rochester; Carlos Seiglie, Rutgers University; William Shughart II, Univ. of Mississippi; Charles Skipton, Univ. of Tampa; James Smith, Western Carolina University; Vernon Smith, Nobel laureate; Lawrence Southwick, Jr., Univ. at Buffalo; Dean Stansel, Florida Gulf Coast University; Houston Stokes, Univ. of Illinois at Chicago; Brian Strow, Western Kentucky University; Shirley Svorny, California State University, Northridge.

John Tatom, Indiana State University; Wade Thomas, State University of New York at Oneonta; Henry Thompson, Auburn University; Alex Tokarev, The King's College; Edward Tower, Duke University; Leo Troy, Rutgers University; David Tuerck, Suffolk University; Charlotte Twight, Boise State University; Kamal Upadhyaya, Univ. of New Haven; Charles Upton, Kent State University; T. Norman Van Cott, Ball State University; Richard Vedder, Ohio University; Richard Wagner, George Mason University; Douglas M. Walker, College of Charleston; Douglas O. Walker, Regent University; Christopher Westley, Jacksonville State University; Lawrence White, Univ. of Missouri at St. Louis; Walter Williams, George Mason University; Doug Wills, Univ. of Washington Tacoma; Dennis Wilson, Western Kentucky University; Gary Wolfram, Hillsdale College; Huizhong Zhou, Western Michigan University.

Mr. SHELBY. Mr. President, all these economists agree that government spending is not the way to improve economic performance.

Over the past year, I have repeatedly called for an extensive examination of the origins of this economic crisis and of the potential solutions. So far, the majority has refused. In the absence of any analysis or detailed information, they have chosen time and again to solve the crisis by throwing money at it. I believe this is laying the groundwork for a much greater economic catastrophe.

It took until 1982 for our publicly held debt to cross the $1 trillion mark. In the 27 short years since, we have amassed a debt 10 times that amount. Now we are about to vote on a measure that will, in a single year, add to the national debt what it took nearly 200 years to accumulate.

I fear this is a day we will come to regret, not only because I believe the stimulus bill will not work but because it will mark the day when our generation decided we were not capable of enduring the consequences of our own actions, and therefore future generations must shoulder the burden we could not find the courage to bear ourselves.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I rise this afternoon to talk about the economic recovery package, a package that will create jobs, put money in the pockets of the middle class, and strengthen our investment—three extremely worthy and necessary goals. It is a package that will turn our economy around—and Lord knows we need it.

Let me say, I have heard much talk from the other side claiming they are against this package because it increases the budget deficit and the national debt too much. For instance, I heard my good friend from Arizona this morning talking about generational theft. There is one surprising thing: When we talked about $1 trillion for the war in Iraq, all told, we never heard about generational theft. When President Bush talked about $2 trillion of tax cuts, mainly for the wealthy, did we ever hear the words ''generational theft''? Did we ever hear we should not do tax cuts for the wealthy or fund the war in Iraq because it was generational

theft? Because it would increase the deficit? No, we didn't. I am not commenting on whether those two actions were worthy, but we certainly did not hear any qualms from the other side.

The GOP was a borrow-and-spend party for each of the 8 years President Bush was in office. They doubled the national debt in 8 years and by some estimates added $30 trillion to future liabilities over 8 years. Our friends on the other side of the aisle simply have no credibility when it comes to the issues of deficits and debt because, until 3 months ago, they didn't give a hoot about it. Only now, when there are Government programs for education and health care and transportation, do we hear about Government debt. But we never hear about it when it comes to funding wars overseas, like Iraq, or when it comes to tax cuts for the wealthy—that is perfectly OK. Where were our colleagues on the other side of the aisle for the last 8 years as the debt skyrocketed, as generational theft occurred? Where was my good friend from Arizona, who talked about this earlier today when I was on the floor?

Mr. COBURN. Will the Senator yield?

Mr. SCHUMER. I will only yield, since I have only 5 minutes, on the Senator's time.

Mr. COBURN. I will be happy to yield myself the time. The Senator paints with an awfully broad brush. I have been in this Senate for 4 years. He knows very well that I voted against most appropriations bills. I talked about the debt in almost every speech I have given. So I hope we would talk about individuals rather than a group because it is not necessarily representative of all on my side.

Mr. SCHUMER. Reclaiming my time, I think my colleague from Oklahoma makes a fair point. There have been occasional Members, such as the Senator from Oklahoma, the Senator from Ohio, the Senator from Maine, Ms. SNOWE, who have talked repeatedly about increasing the debt. But by and large, the speakers we have heard this morning and this afternoon and the votes we have seen from the other side of the aisle, both under George Bush and now—we didn't hear much talk about generational debt.

Mr. SANDERS. Will my colleague yield?

Mr. SCHUMER. I am happy to yield on my colleague's time since I only have 3 minute left.

Mr. SANDERS. Sure. Does my friend recall that for many years under President Bush, the Republican leadership told us how imperative it was to repeal the estate tax, which would cost this Nation $1 trillion over a 10-year period? Mr. President, $1 trillion—and who were the beneficiaries of that tax break? The top three-tenths of 1 percent.

We are spending $800 billion, including tax breaks for the middle class, rebuilding this country. What does my friend think about $1 trillion for the top three-tenths of 1 percent as opposed to putting money into the middle-class and working families?

Mr. SCHUMER. I thank my friend from Vermont, and, reclaiming my time, he is exactly right. Let's look at it this way: Does anyone really believe that if a Republican President had helped construct a stimulus package with $800 billion of tax cuts, that we would hear talk about generational debt and that we would hear talk about not voting for the bill because it increased the national debt? Obviously not.

Despite the claims to the contrary, the issue that most—not all—Republicans have with this package is not that it is too big. Oh, no; that is a Trojan horse. The issue is plain and simple that they did not like investments—they do not like the Government to spend money on education and schools, they don't like the Federal Government to spend money on helping people with their health care, they don't like the Government to spend money on transportation, helping rebuild our roads and bridges, or spending money on changing our energy policy so we are not dependent on foreign oil. Oh, no. It is OK to spend money on the military—something I usually support—it is OK to spend money on tax cuts for the very wealthy but not to help the middle class with health care and education and transportation.

That is why we took the majority. That is why we will stay in the majority, because the average middle-class person knows. They do not want a profligate government. They do not want a government that wastes money—absolutely not. But I think they want a government that is there for them and makes their lives a little better. They know that all the hue and cry of generational theft and increasing the national debt is only coming because this stimulus package helps the middle class with smart Government programs on education and health care and transportation. It is that simple.

My colleagues, this package is very much needed. Without it, we could end up in a Great Depression, as the deflationary spiral goes down. To talk just ''no,'' as so many on the other side do, is reminiscent of Herbert Hoover. Back in 1930, there was a recession about the level of this one, and Herbert Hoover said, ''Do nothing.'' The recession became a depression.

God forbid that happens now. President Obama is struggling mightily to prevent it from happening. He should have broad support from both sides of the aisle because, simply, this package is a mixture of spending and tax cuts—I think it is 56–44; because this package has accepted major amendments from the Republican side, the largest of all from the Senator from Iowa—a reduction in the alternative minimum tax, something I have long supported. So this is a balanced package.

The horror the other side shows when the Government will get itself involved to help the middle class results in only getting three Republican votes. What more do my colleagues want us to do? Do they want a package just of tax cuts only, no help for health care, no help for education, no help for transportation? Do they want a package that is aimed and skewed at the wealthiest among us who are those who least need the help? We have let them offer amendments. We have accepted a good number of those amendments. Yet we have three votes.

We want to be bipartisan, and we understand that each side mistrusts the other. But I say to my friends, we have reached out, we have accepted suggestions, we have put many tax cuts in this proposal that might not get a majority support on our side alone in an effort to reach out even though we think there are better ways to stimulate the economy.

When we meet you halfway, don't give us the back of your hand and say it is not bipartisan. Don't say: It has to be all our way or 90 percent our way before we will vote with you. Don't let the hard-right base of this Republican Party keep a stranglehold on you and prevent us from marching forward together, because the country needs better. The country needs more. The country does need bipartisanship, but more important even than bipartisanship, as very important as that is, it needs help. It needs help to get this economy out of the mess, to create and preserve 3 to 4 million jobs, to put money in the pockets of the middle class, and to rebuild an infrastructure that is aging and will hurt our economy long after, God willing, this recession is over.

To my colleagues, please, on the next bill—it is too late for this one—rethink the attitude. We are trying. You have had amendments and amendments. A good number have been accepted. Republican input, albeit from three, has been large in this package. Join us. We want you to. We are not going to insist on a bill that is 100 percent spending just as you should not insist on a bill that is 100 percent tax cuts. We are not going to insist on a bill that only invests in the things we care about. We will meet you part of the way. But don't give us the back of your hand because we have made real efforts and we know the arguments about debt and generational theft ring hollow because you didn't make those arguments once in the last 8 years when the deficit ballooned—a few did—when the deficit ballooned because of spending on the Iraq war and spending on tax cuts, largely for the highest income people in America.

I hope we pass this package. It is not perfect. I would draw it differently. My colleague from Vermont would draw it differently than I would. But it is a lot better than sitting here arguing and doing nothing. The country is in tough shape. We have had the most difficult economic time since the Great Depression. It requires concerted and smart action that President Obama has outlined. Please join us and help us move

this country away from the difficult times we are now in.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. HATCH. Mr. President, as I understand it, I have 7 minutes.

The PRESIDING OFFICER. The Senator is correct.

Mr. HATCH. Mr. President, I enjoyed listening to my colleague from New York, as I always do. I was very interested in Senator SCHUMER saying that they have met us halfway. The first two bills out of this administration have been the C.H.I.P. bill—that was completely put together by Democrats without any input at all from Republicans and especially from people like me who wrote the original CHIP bill. The second bill was a stimulus package that was put together with no real impetus and no real help from the Republicans or any of us from this side. If you watched the process, it was basically we were told: Take it or leave it. When it finally passed by a narrow vote on this floor, by really 1, it immediately went into a conference where basically Republican ideas were not really considered. We were left out of negotiating this bill.

I cannot help but paraphrase one of the leaders of the White House who said: We Democrats love crises. Why? Because then we can pass legislation we would never otherwise get through the Congress of the United States or through the elected representatives of the people in the two bodies in the Congress.

I am outraged by the amount of government expansion that is contained in this bill. The Majority Democrats have seized this opportunity to put all kinds of programs in here that are not stimulus, some of which may be very valid in the regular appropriations process, but many of which are not stimulus, and are eating funds that should be going to help pull us out of these difficult times. The legislation clearly states that the funds appropriated in this bill should be for emergency uses, yet there is plenty in this legislation that is not imminent.

I have to say that when my friend from New York, Senator SCHUMER, talks about tax relief they put in this bill, it is not true tax relief. When you start calling it a ''Make Work Pay'' tax credit, where they give refundable tax credits to people who do not pay income taxes, that is not a tax cut. It is not even tax relief. It is a cost to everybody else who works and pays income taxes, and it is not going to produce any jobs.

Now, I am not against helping those who do not pay income taxes. I am not against helping people who are out of work. But, let's call it what it is—spending. And let us not put this in a stimulus bill, which is supposed to be effective immediately. Those provisions will not be effective for 2 or 3 years from now.

I have been in the Congress 33 years this year. There has not been one day in my 33 years in the Senate where the fiscal conservatives point of view has been in the majority, not one day. We have won some battles because of great Presidential leadership or just plain gutsy leadership by the conservative Republicans, fiscal conservative Republicans. But, the Congress has been run by the more liberal left Democrats and a few Republicans who will side with them on these issues. This has created too much spending.

One of the Senators on the floor yesterday said, how can we take advice from people who ran us into bankruptcy over the last 8 years?

Well, Congress has exceeded the President's budget 20 times in the past 28 years. And it has always been because of the liberal left along with a few liberal Republicans to make a majority in the Senate.

Since President Reagan, Congress has exceeded the President's budget every year except the years when President Clinton was in the White House. Now, why did we match President Clinton's budget when he was in the White House? It was the first time you had a Republican Congress, and a President who agreed to a lower budget.

Today, the government spending as a percentage of gross domestic product is moving towards 40 percent. That is government spending as a percentage of GDP that is more in line with Europe. 40 to 50 percent spending of GDP is where Europe is. We are going through the ''Europeanization'' of the United States of America.

We have always had to give in to the left, because they have always been too many liberal people and a few Republicans who support liberal spending. This has led to threats to our principles of freedom, self-reliance, and market-driven prosperity.

An example is how our government is taking over the financial sector. Why are managers and shareholders of failed financial institutions not first in line to bear the consequences of their mistaken actions? Why are we not following the principles of a free market society?

The economy has been stronger than the Democrats have been portraying it during those Republican years and during the Bush years, in particular. Democrats keep blaming the current economic decline on the failed economic policies of the past 8 years. But the economy grew each year over the past 8 years. We have only seen a decline in GDP over the past 6 months under which both Houses being controlled by Democrats. Do not miss the point. Over all of these years, we have had a liberal control of spending in the Congress, and you cannot blame President George W. Bush for that. He could have vetoed more, I have got to admit that, but the spending came from the left.

We are headed toward Government spending being 40 to 50 percent of our gross domestic product. And since the bailouts started last year, we have only added nearly $2 trillion to our national debt. That did not happen when Republicans were in control of the Congress. The financial rescue package with $700 billion and more for AIG and other banks, we are beginning to wonder when the spending will end.

I was amazed that in the last election, the Democrats, who had voted for the financial rescue legislation, went out and chewed up a few Republicans who also voted for that legislation. Even though most of the Democrats voted for it, they chewed Republicans up for voting for it and defeated them at the polls—talk about hypocrisy.

We have seen very little success for our money, but even worse, we have used it to save management and shareholders of big banks, even as homeowners were forced into default and Main Street businesses faced bankruptcy. Now we have a stimulus package of $787 billion.

While there is bipartisan concern over the economy, this is a partisan plan. This stimulus bill will explode the size of Government. Why? Because the more you explode it, the more you get people dependent upon the almighty Federal Government. The liberals who have been running us into bankruptcy over all of these years will put us even more into debt.

I think conservatives need to be more alert. If these provisions are made permanent, and there will be a massive attempt to make these permanent, the expansion of Government is going to be enormous. I do not know what you call it other than socialism.

Do not get me wrong. I am for a stimulus bill that would work, that would help homeowners, that would strengthen research and development, that would cut corporate and small business tax rates so that they can employ more people, that would move farther and farther toward creating jobs. That would be effective.

However, this bill does not do that. I hope our colleagues will vote against it. We have to stand up on something, and this is a bill we should stand up on.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. I wish to be recognized for a unanimous consent request. I understood under the current unanimous consent we are going back and forth. I would ask that Senator SANDERS be recognized up to 5 minutes, then Senator COBURN be recognized for up to 30 minutes, and then I be recognized for up to 7 minutes, and if a Democrat comes in and wants to speak between Senator COBURN and myself that they be allowed to do so.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Vermont is recognized.

Mr. SANDERS. Mr. President, my sense of history is a little bit different than my good friend from Utah. I was under the recollection that George W.

Bush was President for the last 8 years. My recollection was that the Republicans controlled the House and the Senate for 6 of those 8 years. My recollection is that during the last 8 years, 6 million Americans slipped out of the middle class and went into poverty. My recollection is that median family income for middle-class working families declined by over $2,000. My recollection is that, yes, the wealthiest people in the country did very well under President Bush but that ordinary people struggled to keep their heads above water.

The bill we are addressing this evening is not perfect. I would have written it differently. I suspect everyone here would have written it differently. But what it does do is that in the midst of the greatest economic crisis this country has faced since the Great Depression, what we do is begin to address the unmet needs of the American people and we begin marching forward to create the millions of jobs this country desperately needs.

Most importantly, we begin the process of moving America in a very different direction so that, in fact, this country does not fall into a great depression from which it would take us years and years and tremendous human suffering to dig our way out.

What this legislation does is says that after years of neglect, let us create millions of good-paying jobs by rebuilding our crumbling infrastructure. In the State of Vermont, our bridges need work, our roads need work, our water systems need work. That is true all over this country.

Let us put people to work rebuilding our crumbling infrastructure. That is what this legislation does. For decades now, people have been saying what a terrible shame it is, how silly it is that we import every single year hundreds of billions of dollars of oil from foreign countries. How silly it is. Well, finally we are beginning to address that absurdity. We are saying now and we are investing in energy efficiency, we are investing in wind, solar, geothermal, biomass, sustainable energy.

Let's end the talk of moving us into a new energy direction. Let's invest in those areas so that America, in fact, can become energy independent. My Republican friends over the years have said what we need to do is give tax breaks to the wealthiest people in this country. In fact, right now, today, despite the fact that we have the most unequal distribution of wealth and income of any country, the Republican leadership today says, let's repeal the estate tax.

Do you know that if we did as the Republicans wanted and repealed the estate tax completely, we would provide $1 trillion in tax breaks to the wealthiest three-tenths of 1 percent, millionaires and billionaires all? Not one person in the middle class would gain one nickel from that effort. It is one trillion dollars for the three-tenths of 1 percent.

Then they come to the floor of the Senate and they say, what a terrible thing, you are investing $800 billion rebuilding America, creating 3.5 million jobs, giving millions of middle-class and working-class Americans tax breaks. What a bad idea that is. You should do not that. We should not invest $800 billion rebuilding America. We should give $1 trillion to the top three-tenths of 1 percent. That is the contrast in terms of how they want to go and how many of us want to go.

What this bill does is not only begin the process of rebuilding our infrastructure, not only begin the process of moving us away from fossil fuel and foreign oil, what we also understand is that middle-class families cannot afford to send their kids to college. So we are putting a significant sum of money in and expanding the Pell grant program.

This bill understands that in these hard economic times, when millions of our fellow Americans have lost their jobs, hunger in America is a real problem. So we are putting money in for food stamps. We are putting money into energy, homeless shelters so that those among us, those least able among us, are protected.

Working-class and middle-class families cannot afford childcare. We are putting billions into helping them get the childcare they need, the Head Start they need, and creating jobs in that area as well.

This is an 800-page bill. It is not perfect. Everyone knows that. But this bill begins the process——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SANDERS. Of moving the country in the right direction. It should be supported.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. I ask unanimous consent that the Senator from Nebraska be recognized next.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON of Nebraska. Mr. President, I thank my friend from Oklahoma for the courtesy of extending 5 minutes of his time on the front end of his time, so I will not be going between Senator COBURN and Senator CHAMBLISS.

Our Nation's economy is in trouble. Over the course of America's history our economy has been in trouble before but rarely this much. Job losses in my State of Nebraska and across the Nation are climbing, and the recession that began some 13 months ago is accelerating.

Of the 3.6 million who have lost their jobs, nearly half received a pink slip in the last 3 months. Everyone in Congress knows we need to act, and to act soon, to try to stop our economy's downward slide, and to ease the increasing hardship felt by millions of American families, business owners, workers, students, and seniors.

The time is now to begin turning this recession toward recovery. Congress cannot wait another 3 or 6 months to see if economic conditions worsen. By then it could be too late and we could be in a depression which it could take years to overcome. Now is the time to provide the tools the American people will use, with creativity and drive, to rebuild the economy and return us to prosperity.

The $789 billion economic recovery plan before us providing jobs creation and tax cuts for millions of Americans has the best chance to do that, I believe. It is timely. This plan is a vast improvement over the first proposal considered several weeks ago.

In the Senate, we faced a reality that any economic recovery plan would require at least 60 votes to overrule a filibuster attempt and win passage. So I and a number of colleagues came together to work across the political aisle with a shared goal: Scrub as much pork, nonstimulative spending, and fat as possible from the bill to focus it sharply on saving and creating millions of jobs. The group I dubbed the ''jobs squad'' included my friend Senator SUSAN COLLINS of Maine and five other Republicans and some 15 Senators in my own party. I thank each of them for their contributions to making the bill better and for helping Congress respond to a national economy in crisis.

This legislation before us is also targeted. There has been a lot of criticism of the final bill before us, and I agree it is not perfect. One criticism I have heard is that it will leave just $13 to $15 in people's pockets per week. To many hard-working Americans, that is somewhere between $700 and $800 a year, money they can use to pay electric or gas bills, buy food or medicine, provide clothes for their children, take a bit of the stress out of their lives.

Let's look back a moment to recent history. In 2003, under the previous administration, Congress approved a major tax cut bill that included $20 billion in economic stimulus for States. Senator COLLINS and I coauthored the provision to help States cope with the loss of State revenues tied to the tax cuts. The $20 billion in State aid was a one-time boost designed to end when it would likely no longer be needed. Eighteen months after the tax cut bill passed, the aid to the States ceased. We have safeguards in the current economic recovery bill that will shut off spending in a similar timeframe. And 78 percent of the spending in this bill will be completed by the fall of 2010, overcoming the old wives' tale that this money will only be spent at the end of the legislation.

This legislation clearly is temporary. As I said, it is not perfect, but it has the support of such major organizations as the National Association of Manufacturers, the U.S. Chamber of Commerce, and, in my State, the Omaha Chamber of Commerce, and others. Members of these groups will be able to use money from this legislation quickly to hire new workers, tackle infrastructure needs nationwide, expand

their businesses, and begin to get our economy moving again. The bill will have a major impact on States across the Nation as well. For example, my State of Nebraska stands to receive a total of $1 billion from the recovery plan. Nebraska's K–12 school districts will receive about $236 million to prevent cutbacks, teacher layoffs, to modernize schools, and for other purposes. For State flexibility money, Nebraska will receive about $52 million to help rebuild vital educational and other State infrastructure. It can also be used to help State government provide services and avoid layoffs of critical employees such as State troopers and public safety officers. Nebraska is estimated to receive another $310 million in additional Medicaid assistance, preserving needed health coverage for low-income Nebraskans who will feel the economic downturn more than many others.

The PRESIDING OFFICER. The Senator has used 5 minutes.

Mr. NELSON of Nebraska. I thank the Senator from Oklahoma for the time. I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I have been sitting here for about an hour. I have to think the American people are pretty sick of what they have been hearing. We heard the Senator from New York talk about how bad the Republicans were. We heard the Senator from Utah talk in Hobson fashion. It doesn't come anywhere close to solving the problem. I think we ought to have a discussion about how we got here. How do we find ourselves in the mess we are in? I think we can look at history.

There was a great historian named Alexander Tytler. He looked at the ancient Greeks and looked at what happened to them as they fell. He said this about republics. He said: All republics fail. They fail as soon as the people figure out they can vote themselves money from the public treasury.

There is no question we are in hard times. There is no question we need to do a stimulus package. There is no question the Federal Government has the power to make a big difference in a lot of people's lives who are hurting right now. I don't think it would be fair to say that there is anybody in this Chamber who doesn't want to try to accomplish that. The difference is, how do you do it? In doing so, what kind of problems do you create?

The way we got here is abandoning this little booklet. If you read article I, section 8 of the Constitution and then read what the Founders had to say about article I, section 8, it is called the enumerated powers. They were very clear in the role of the Federal Government. We are in trouble today, this Nation is in trouble today—not something we can't get out of, we can; not something that the American spirit won't overcome—because we let the politicians abandon the very clear rules and wisdom that was given to us by a unique, almost ordained group of individuals over 200 years ago who saw a vision and said: How do we keep this?

When we abandon this book, as we have and as we did, and we get into trouble, it is important to recognize what we did wrong, if we are going to try to fix it.

The other thing I am tired of hearing about—and I think the American people are too—this isn't a Bush, Clinton, or Obama thing. This is a Congress thing. No President can spend money without us allowing it to happen. I almost laughed when I heard the claims on the Senate floor from both sides about the trouble we are in and how we got there and deficits and the Senator from Vermont and his claim of a trillion dollars.

I think the CBO cost on that was $60 billion on estate taxes. But the idea that we would put a blame on anybody other than ourselves, the truth of that is, go look at the votes on appropriations bills for the last 8 years. It is nearly 100 percent on one side and almost 95 percent on this side of people voting to spend money we didn't have for things we didn't need.

It is important the American people, as they see us trying to work through a process, No. 1, reject any partisanship they will hear. When somebody starts being partisan, turn the TV off because what it means is, they don't have anything substantive to talk about if they are pointing their finger at somebody else.

The second question we ought to ask is, is what we are doing going to fix the problem? Here is the problem. The problem goes back to this. We set up two agencies, Fannie Mae and Freddie Mac, to socialize the risk for homeownership, a total violation of what is in this book. It is a total violation. Then we said: Maybe we can help people a little more, so let's go to subprime mortgages and let's bonus the people who work at the GSEs, Fannie Mae and Freddie Mac. The more subprime mortgages they take, the more money they make.

If I remember, one former leader of Fannie Mae made $140 million because we bought mortgages he knew people weren't going to be able to pay for, but the incentive was there, in a quasi government-owned agency, to do something that is outside of the enumerated powers of the Constitution.

So as we abandon principles, the best way for us to solve the problems in front of us is to go back and look at the principles.

The other concern is, do we have the potential to make things worse? Nobody has talked about that today. Does what we are doing have a potential downside? You can't talk to one economist who doesn't say yes. As a matter of fact, by CBO's own score, 10 years from now this will either have zero effect or anywhere from a minus 2 to a plus three-tenths effect on the economy. The reason for that is we are going to borrow so much money, as we do in this bill, we are going to crowd out private investment. The Government is going to have all the money, and people will not be able to borrow money to invest in new ideas which create opportunity, which create jobs, which create increased standards of living.

So going back, how did we get here and what is the real problem for us to create a stimulus bill right now, before we have a way to solve the housing and mortgage crisis—because the bank problem wouldn't be there if the mortgage and housing crisis wasn't there, for us to fix those first before we do this and for us to have a plan to do that—as a physician, one of the things I notice is, if somebody comes into the emergency room with chest pain, it is one of three or four things. Either they have an esophageal spasm or their esophagus is irritated or they have terrible reflux where the fluid from the stomach acid is burning the esophagus or they are having angina, heart pain, due to lack of blood supply. If you treat the symptoms, you can make that angina go away, but they still have a vascular abnormality around the heart that could kill them.

My worry with this bill is that we are treating symptoms. We are not treating the disease. We are arguing, partisan arguing: Was this a bipartisan bill, wasn't it a bipartisan bill; you did this over the last 8 years, you did this. We need the country thinking forward, not backward. The guide for that has to be the Constitution, which every Member of this body is sworn to uphold but violates daily. We are in this trouble because the Congress put us in this trouble. The blame lies solely here.

Let me talk about the bill for a minute. This is the bill. I won't pick it up and wave it around for fear I would be called into account of using theatrics. But do the American people realize nobody who is going to vote on this bill has read it? There is $727 million worth of spending on every page of this bill. That is what it averages out. So not counting interest, we have a less than $800 billion bill that had 30 amendments in the Senate before it went to conference. We hear they are accepted. Some of them were accepted. We voted on one unanimously, and it got thrown out in conference, just a simple little thing like maybe we ought to make sure that contracting is competitively bid. Now the language reads we ought to try to do that, but we will not make sure that happens.

I brought along with me, thanks to somebody down in the Senate gift shop, this little green item. It is called a thimble. In Oklahoma, we have a statement for that kind of thinking. It is called ''there is not any more commonsense than what can fit in a thimble.'' So when we take out something that is agreed to unanimously in the Senate to mandate competitive bidding so even if

we are wasting money, we waste it efficiently, you have to wonder what is going on.

Let me tell you what is going on. This is a massive bill. Supposedly, it doesn't have any earmarks, which is laughable, if you have been around here any period of time.

The conference did clean it up so you can't truly find out where the earmarking is. You could find it out a little bit before it went to conference. Now you can't pinpoint it all. But we are going to move from earmarking to a concept called ''phone marking.'' It is a new concept. It is more powerful than earmarking. Phone marking is this: This bill gets signed, $500 billion of it is going to be disbursed through the agencies. Guess what is the first thing that is going to happen after President Obama signs this bill. Members of Congress and Senators are going to be on the phone saying: I want this money spent here and here and here, and if you don't, in your appropriations next year, you are going to suffer.

That is exactly what will happen with the money in this bill. Everybody who works inside Washington knows exactly that will be what happens.

We have heard talk about the earmarks. I won't try to repeat some of the things that are in this bill. But I will talk about one. We have a private company that was developed. It has spent several million dollars developing a railroad from California to Las Vegas.

Do you know what this bill does? It wipes them out. They invested private capital to develop a railway. In excess of $10 million has already been invested in that, and with the wisp of one earmark, we are going to bankrupt people who invested their life savings to try to do something good because the Government is now going to do it through an earmark and going to try to accomplish something that has only been done in one country and not effectively. It costs $100 million a mile to build a maglev train, and we are not going to see any of that money spent for 4 or 5 years because the technology is not here.

That aside, there also was an amendment that truly would have done something to fix the real problem: housing—the Isakson amendment, with a $15,000 tax credit, if you are buying a primary residence, whether it is a foreclosed home or a new one. It would have done something magnificent in terms of lessening the crisis in housing.

What did we do? Out. It had an overwhelming vote in the Senate, but it is out. How do you explain that? What is going on here? What is going on here is the initiation of what Alexander Tytler talked about: the failure of a republic. And it is about short-term politically, expedient thinking to the benefit of politicians, instead of what is the best right thing we can do for our country.

The very claim that Senator MCCAIN did not offer a substantive bill that would have significantly increased the number of jobs created, at a significantly lower cost, as scored by CBO and as scored by outside economists, is a spurious claim.

Another thing that got added into the bill is the most dangerous precedent for health care in this country we have ever seen. We are now, with this bill, embracing Great Britain's health care system. What we are saying is that we are going to allow the Government in the future to decide what care you will get. It is called comparative effectiveness, and it is going to be based on cost, not clinical outcomes. We are going to abandon the knowledge of physicians, the experience they have with their patients, the 8 to 12 years of additional training they have and the lives that have been dedicated to improving the health of their patients. We are going to abandon that to a bureaucracy where the Government says: We know best.

We are going to do that because we cannot afford Medicare in the future, and we are going to say, just like England says, if you only get 1 more year of life, then the most we can spend on you is $49,000. If you are 75 years of age and you are a Medicare patient and you fall and break your hip, we are sorry, we are not going to do it because it is not cost-effective.

The first leg of you losing a doctor-patient relationship and the freedom to have health care decisions made by you and your caregiver is buried within this bill and will kill health care in America as far as its quality. You will get access—you will get to wait just like Canada and England do—but you will kill the quality and will kill medical innovation in this country. This country leads the world. Mr. President, 7 out of every 10 major breakthroughs in medicine occur in this country. And the reason? It does not mean we have a good system now. It needs to be improved.

Here is the theory as I have observed it in the 10 years I have been in Congress: Never do what is best when you can do what is safe. That is how it operates in Washington and throughout the Federal agencies. They are risk averse, just like the politicians are risk averse to challenging priorities in this bill, that we ought to have priorities to spend the money for what would get the most jobs, the most economic benefit.

I had an amendment that was adopted. It had 73 or 74 votes. It got watered down and divided in conference because a lot of special interest groups said: Oh, no. You can't do that. So what did we do? They are not a priority as far as what we should be doing right now. As a matter of fact, 80 percent of—most of the groups that were complaining about it get their funds from private sources. The best way to get them funded back up is getting private sources moving again in terms of the economy. But what did we do? We chose the politically expedient path. Again, it was not often thought of—political expediency—by the people who created this country who risked their lives and their fortunes to make sure we have the freedom we have today. But yet we are abandoning that.

It comes back to: What is our heritage as a nation? What is the heritage we as a nation have been brought forward with? I will tell you what I think it is. I think the heritage we have is that one generation was willing to make hard choices and hard sacrifices so the generation that followed would have greater opportunity—greater opportunity—a higher standard of living, more freedom, more liberty.

What have we done? We are going in reverse. What we have been doing for the last 10 to 15 years in this country, what we have been saying is we will take it now. Kids, you lump it. As an example of that, if you look at 2008, the Federal Government spent $25,000 per household of your money. A good portion of it—a third of it—was borrowed. But we spent $25,000 as a Federal government per household. With this bill, we are going to spend $38,000 per family—just with this one bill. And we are hurrying it up. We have to get it done right now because there are CODELs, trips, and junkets waiting for Members to go on, including the Speaker of the House.

So we have a bill that nobody has read, that has some real questions about whether it is going to be stimulative, that has taken out good financial controls such as competitive bidding, taken out listing priorities, and we are going to vote on it tonight, with nobody ever having read it. That is about as bad as the partisan bickering we have heard.

Does it serve us well to hurry and do something when we do not know what we are doing? Now, there are some staff members who know some of what is in here. But there is not one person who knows the full extent. Mark my words, within a month, we will be back in here passing a bill to do all the corrections to this bill that we do not have right and correct at this time. That is how sloppy we do our work. So it is not only sloppy in terms of our effort, it is sloppy in terms of our theory.

I would also add we are going to move from $2,000 per family in interest costs to $4,817 per family this next year. Now, in my State, the average family income is below what the Federal Government is going to spend with this bill. In my State, average family income is under $36,000. Yet we are going to spend $38,000 this next year per family in this country, and we are going to justify we had to do it to get us out of trouble. And we are going to do it because we did not fix the real problem, we are treating the symptoms. We are all going to feel good, and we are all going to take the invite of the Senator from New York to come on over and join us.

The fact is, my oath as a Senator should disallow me from ever voting for this bill. Anybody who votes for

this bill will be violating their oath to this Constitution. America demands something be done. They are right. We need to do something. Should we do it sloppily? Should we do it without focus? Should we do it without temperance? And should we do it in a timely manner to make sure we are not treating the symptoms as reflux or esophageal spasm, but we actually go in and take the clot or the plaque out of the artery that surrounds the heart? Isn't that what we should be doing? Shouldn't we be fixing the real problem?

While we are at it, we ought to be fixing us because we are the cocommitters of the real problem. Shouldn't we all be thinking long-term rather than short-term political benefit? Shouldn't we be realizing what is expected of us?

I would hope Americans tonight, if they have children, will go and look into the eyes of their children. There is something you see in children in this country that is very different than when you look in the eyes of some starving African child or some Third World country child. What you see, when you look into those beautiful brown, blue, green or hazel eyes, is hope.

I think about my four grandkids and the one who is on the way. When I look in their eyes, I see hope. Then contrast that with the pictures you have seen of the despair and look of no hope of the kids around the world who have not had the opportunity of this country. What we are doing is we are stealing some of that hope tonight from our children.

If you do not have a young child but you have one who has grown up, think back to that picture you have on the wall and look into those eyes and say: Do you want to steal that hope? Because that is what we are doing. We are limiting their liberty economically. We are limiting their freedom to be the best and brightest and have the greatest potential that any society has ever offered their youngest citizens. That is what we are doing with this bill.

I will close with this and reserve the remainder of my time. There was a President we had who made a statement that was fairly popular, but it has great application right now. He said: Freedom is a precious thing. It is a precious thing. It is never guaranteed. It is not ours by inheritance. It has to be fought for and maintained and won by every generation.

As we embrace this bill, we are selling out the heritage of our country. We are denying the hope and joy in those young eyes and we are limiting the freedom our children will enjoy. We can do better. We must do better for this country. Our country needs statesmen who will sacrifice themselves for the best interests of the country rather than the best interests of their party or the best interests of their political career.

Freedom is precious. We are going to take a bit of it away tonight. It is going to go away, and you will see a little decrease in the glimmer of those children as they contemplate and we contemplate their future.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER (Mr. UDALL of Colorado). Who yields time?

The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I think I have 7 minutes under the consent. Will you let me know when I have a minute remaining, please.

The PRESIDING OFFICER. The Chair will notify the Senator.

Mr. CHAMBLISS. Mr. President, I rise to speak in opposition to this bill, and I do so somewhat reluctantly because I do not think there is an individual who is a Member of this Senate who does not agree that something needs to be done.

We are in a financial crisis in this country today. We are in not just a financial industry crisis but every household has their own financial crisis they are looking at. We have folks out of work. We have folks who are looking at their homes being foreclosed, some of whom are even still working. We have real issues that need to be dealt with. The question becomes: How do we solve this problem? How do we, as policymakers, act in a responsible way to address this crisis?

There are three real issues that need to be addressed, in my opinion. First of all, the issue that got us into the crisis mode we are in is the housing industry. The housing industry crisis started years and years ago. I could go all the way back to the Carter administration and talk about bills that were passed by this body that started the ball rolling. It steamrolled in subsequent administrations and came to a head last summer and last fall, when we saw foreclosures reach an alltime high, and they have gotten higher ever since. We saw the financial sector of our economy collapse. But that does not do us any good to talk about that.

We have to deal with the cards we have in our hand today, and we have to look forward. But let us make no mistake about it, if we do not fix the housing crisis this country is in, all the hundreds of billions of dollars and trillions of dollars we have obligated and are about to obligate are not going to be spent in the correct manner because we have to fix the housing market. We have too many households in America that are upside down. Upside down means the home they have now is worth less than what they owe on it. Those particular households all across America are struggling right now with the decision of whether they are going to continue to make their house payment or whether they are going to just let the foreclosure proceed so they don't have to make a payment on a house that is worth significantly less than what it was when they bought it.

There was a provision we debated on the floor of this body last week called the Isakson amendment. My colleague from Georgia introduced that amendment which would have allowed a $15,000 tax credit to anyone who buys a home in the next 12 months. That $15,000 tax credit would have gone a long way towards incentivizing individuals to buy homes and take these houses that have been foreclosed on out of the inventory of the financial institutions across this country and allowed our developers to get back to work. It would have taken those developers now in their own partially developed—or in some instances totally developed—subdivisions and given them the opportunity to get back into the marketplace with credit being freed up and continue to develop those subdivisions and build houses and put carpenters back to work and plumbers back to work and folks who lay carpet back to work. That is the kind of stimulus that needs to be done to get the housing industry back on track.

Unfortunately, during the conference that took place over the last several days, starting, I think, at midnight the other night, from what I hear, and concluding maybe at midnight the next night, that provision was taken out.

So with this bill, as we see it on the Senate floor today, the Isakson amendment has been so watered down that it is meaningless. It is not going to be an incentive on the part of anyone to buy a home.

Now, we don't have one single provision in this bill that is going to be voted on, on the floor of the Senate tonight, that is going to really stimulate and invigorate the housing sector of our economy.

Secondly, there was another amendment I thought was a pretty good amendment. I didn't know about it until we got the bill on the Senate floor, but it was a Democratic amendment by Senator MIKULSKI from Maryland. Her amendment basically said: Look, you are not going to stimulate the automobile industry by writing checks to Detroit. The way you stimulate the automobile industry is to put people in the showrooms around America. I am trying to buy a car right now, and I was particularly interested in what she had to say because what her amendment did was to allow an individual who bought a car and financed that car to deduct the interest paid on that loan at the end of the year off of their income taxes. Pretty good idea. For somebody who is in the market for an automobile, that may have been the final thing that put them over the top. Unfortunately, that particular amendment, too, has been so watered down that it is meaningless. It is not going to do one thing to incentivize or stimulate an individual to go out and buy a car today.

The next issue that needed to be addressed is job security and job creation. Are there provisions in this bill that seek to create jobs? You bet there are. Out of $789 billion, I would hope some of those billions of dollars would do that. Certainly, with respect to part of

that money that is going to infrastructure projects, to build roads, to build highways, to do waterworks projects, there are going to be jobs created by that, and I have an appreciation for that fact. However, the fact is, it falls way short when it comes to looking at the percentage of spending that is allocated in this bill to infrastructure projects. It is minuscule—minuscule—compared to the total amount of $789 billion that has been allocated, and when you add the interest, the $1.2 trillion that we are going to obligate tonight if this bill does, in fact, pass.

There is a way we could have addressed job stabilization and job creation. In the McCain amendment that was on the Senate floor, there was a provision in that amendment that said we can incentivize the small business community—which is the heart and soul of the job creation sector of our economy—we can incentivize that small business community to grow their business.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CHAMBLISS. Do I not have a minute left?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CHAMBLISS. I am sorry, I thought you were going to let me know when I had 1 minute left.

I ask unanimous consent for 1 additional minute.

Mr. DURBIN. Mr. President, reserving the right to object, I ask unanimous consent for 1 additional minute to Senator INOUYE of Hawaii.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAMBLISS. Mr. President, the fact is, that amendment should have passed. It didn't pass. That would have gone a long way toward stabilizing and creating jobs in this market.

The third part of this is that we need to be compassionate. We need to extend unemployment benefits. That is an appropriate part of spending but, again, minuscule compared to what is being spent here.

This total amount of $789 billion which translates into $1.2 trillion has to be paid back. The Lord has blessed my wife and I with four grandchildren, two of whom we have had for about 10 and 12 years, and two of whom were just born about 60 hours ago. It is those grandchildren of mine and the children and grandchildren of everybody in this Senate and all across America who bear the responsibility of paying this money back. When we spend money, we are obligated to spend it judiciously and responsibly. This expenditure of $1.2 trillion is not going to stimulate this economy, and this bill ought to be defeated.

Mr. President, I yield the floor.

SOCIOECONOMIC PROCUREMENT PROGRAMS

Ms. MURKOWSKI. It is my understanding that the language in section 1610 that reads ''is otherwise authorized by statute to be entered into without regard to the above referenced statutes'' is intended to ensure that existing Federal procurement laws applicable to programs that allow for set-asides and direct-award procurements for service-disabled veteran-owned businesses, minority-owned businesses, tribal enterprises, women-owned businesses, HUB Zone qualified businesses and other entities covered through SBA programs, as well as, for example, the Javits-Wagner-O'Day Act Program, remain fully applicable to contracts initiated under this Act, is that correct?

Mr. INOUYE. The Senator is correct. Nothing in this act overturns or changes the existing procurement laws for the SBA or similar programs or the Javits-Wagner-O'Day Act. Since approximately 80 percent of the jobs in the United States are created by small businesses and since one of the main purposes of the American Recovery and Reinvestment Act of 2009 is to get people back to work as soon as possible, the intent of this stimulus package is that small businesses, including those participating in SBA programs, will be able to participate in spending programs contained in the bill so long as the contracts are awarded following existing Federal law for competitive and direct award procurements.

Ms. MURKOWSKI. I thank the Senator for this clarification.

SMALL FREIGHT RAILROAD PROJECTS

Mr. SPECTER. Mr. President, I seek recognition to clarify a provision in the American Recovery and Reinvestment Act. It is my view that our national transportation policy should promote a balance between the highway and rail freight shipment modes. In promoting this concept of modal balance, I have particular interest in the well-being of the 500 short lines and regional railroads of America. I am advised that these railroads operate 50,000 miles of line, nearly 20 percent of the entire system. They connect communities and entire rural regions of the country to the mainline rail network. These carriers provide essential economic and environmental benefits primarily in rural regions of the country, including those in my State.

Pennsylvania has 54 small railroads that operate over 3,000 miles of line. It is estimated that if these railroads are abandoned, Pennsylvania highway users would sustain additional pavement damage of $87 million annually. This alone, in addition to the documented environmental and congestion relief benefits of freight rail, is a notable public benefit to highway users. In 2007, Congress enacted Public Law 110–140, the Energy Act of 2007, and chapter 223 created a new program of capital grants to class II and III railroads to preserve this essential service. I believe that this provides an authorization and public interest justification for funding small rail projects with stimulus appropriations.

There are two programs within the American Recovery and Reinvestment Act that are of particular applicability. They are both adopted from the Senate version of the bill. First, the Senate bill included a $5.5 billion discretionary program that could be used for highway, transit, as well as freight and passenger rail projects. The conference report funds this at $1.5 billion. There is a threshold that the projects must be between $20 million and $500 million. I am informed that this is too high a threshold for most short line rail projects. Fortunately, the conference report stipulates that the Secretary may waive the requirement for smaller cities and regions. It is my understanding that these investments may include short-line railroad projects that meet public benefit tests such as those stipulated in the Energy Act of 2007 and provide a benefit to highway users. Second, the conference report includes $27.5 billion for highways and surface transportation infrastructure. The conference report explicitly states that grants may be for passenger and freight rail transportation projects. The flexibility criteria states that a project must be eligible under Section 133 of title 23 601(a)(8) which reads in part ''for a public freight rail facility or a private facility providing public benefit for highway users.'' My understanding is that short line rail projects that ''provide a benefit to highway users'' are be eligible for this funding.

I would ask the distinguished chair of the Transportation, Housing and Urban Development and Related Agencies Appropriations Subcommittee if I am correct in my understanding that the Secretary may waive the $20 million minimum requirement under the discretionary grant program and that short line and other freight rail projects that provide a benefit to highway users are eligible under the $27.5 billion highway infrastructure investment.

Mrs. MURRAY. Mr. President, yes, the Senator from Pennsylvania's understanding is correct. The conference report does give the Secretary of Transportation authority to waive the minimum grant size under the discretionary grant program for the purpose of funding significant projects in smaller cities, regions or States. Additionally, funds provided for investment in highway infrastructure maybe be used for passenger and freight rail transportation and port infrastructure projects.

Mr. SPECTER. I thank the Chairman.

ECONOMICALLY DISTRESSED COMMUNITIES

Mr. WARNER. Mr. President, I rise to engage my colleague, the chair of the Environment and Public Works Committee, in a colloquy. The Reinvestment Act we are passing today provides a unique opportunity for some of our most economically distressed communities to connect to our Nation's transportation network. We have ''shovel ready'' projects that are in need of funds. As the chair knows,

these Federal funds have enormous potential to help complete work on projects and help bring jobs and economic development to our communities. I ask my colleague, in helping to draft this legislation, is it her intention to ensure that projects already under development in distressed communities receive full consideration under the law?

Mrs. BOXER. Projects in economically distressed communities are a high priority in this legislation and those projects should be addressed on an expeditious basis under applicable Federal requirements.

Mr. DURBIN. Mr. President, our Nation is in a serious recession. The American recovery and reinvestment conference report that we now have before us will help create or maintain 3.5 million jobs.

The question before my colleagues is this: Will we act together to reinvigorate our economy, turn the tide on this recession, and create those 3.5 million jobs, or will we say no?

When we cast our vote today, we are not choosing between the bill we personally would have written and the bill before us. The choice before us today is between the bill we have before us and doing nothing. And we simply cannot afford to do nothing.

The recession is the most pressing threat to our national security.

I have spoken often on the floor over the past several weeks about the alarming job losses that continue to escalate each day. That alone should be enough to convince my fellow Senators we must act.

Yesterday, we heard a new argument for action. President Obama's top intelligence advisor, Director of National Intelligence Dennis Blair, told us yesterday that the deteriorating global economy is now the greatest threat to America's national security—a security threat more grave even than terrorism.

He said:

> Roughly a quarter of the countries in the world have already experienced low-level instability such as government changes because of the current slowdown.

Director Blair said that the most immediate fallout from the worldwide economic decline for the United States will be ''allies and friends not being able to fully meet their defense and humanitarian obligations.''

We have a bill before us that is ready to be sent to the President's desk. What could any of us be waiting for? The global economy will only recover if the largest economy in the world—ours—begins to recover. That is what this bill is designed to do.

The bill provides a long list of critical investments. The powerful investments in America contained in this package are too numerous to list, but here are a few highlights:

On infrastructure, the conference report includes a critical $8 billion investment for our intercity passenger rail system. This funding will take us a long way toward the goal of transforming our national transportation system, including rail service for many people in my home State of Illinois who want to ride the trains today but simply can't find a seat on our overcrowded trains.

The conference report invests $4.7 billion in extending broadband access to underserved areas, so that all American families and businesses can benefit from the technology of the 21st century. These investments will create good-paying jobs here in America. And all Americans will benefit from stronger transportation and telecommunication systems in this country.

In the area of tax cuts, 95 percent of all working families in America will receive a tax cut of up to $800. Mr. President, 26 million families will be shielded from paying additional alternative minimum tax payments for 2009. Small businesses will benefit from new tax provisions related to expensing, net operating loss carrybacks, and capital gains. These tax cuts will help American families keep food on the table and will help many small businesses stay in business and weather the storm of this economic downturn.

On education, Pell Grants will be increased by up to $500 per student so that more students can stay in school even as the finances of their families deteriorate. Illinois students will receive over $650 million from this national investment in their future.

A new American Opportunity Tax Credit will provide eligible students with up to $2,500 to help with tuition and expenses. Over 150,000 students in Illinois will benefit.

Some argue that we shouldn't be investing in education because it isn't ''stimulative.'' I disagree. What is the impact on the economy if students all over the country have to drop out of school because their families can no longer afford the cost of higher education? How does that help turn around our economy and sustain our economic strength over time? An investment in those students pays off now, and it pays off again later, as they emerge from school better prepared to participate in a renewed economy.

On health care, out-of-work Americans trying desperately to maintain the health care coverage they received from their former employer will receive help from the Government with their COBRA payments. The Government will pay 65 percent of COBRA premiums for up to 9 months while these individuals look for work.

States will receive more Medicaid funds to help low-income children and their families keep their Medicaid coverage. My home State of Illinois, for example, will receive $2.9 billion over 2 years.

It is critical that families receive this modest but vital help as they try to stay afloat and desperately look for new jobs. Providing insurance against the costs of health emergencies is a fundamental way to help struggling families, and it produces an immediate, stimulative effect as the fund flows.

Voting no is the real generational theft. Now, some of my colleagues on the other side of the aisle have claimed that this bill amounts to ''generational theft.'' My answer is this: We are stealing from our children's future if we fail to act today. If we don't act, we are stealing from millions of children the one thing that is more important than anything else: hope.

We are trying to save or create 3.5 million jobs with this bill. Those jobs aren't just numbers on a page; they represent real lives—real fathers and mothers who either can or cannot make ends meet for their little ones.

Are we not stealing hope from our children if we tell millions of parents that they have to go home to their kids and explain that there is no more money coming in to put food on the table?

Are we not stealing hope from millions of children if we take away the security of being able to sleep in their own bedrooms each night, if we stand aside as they are thrown out on the street when the banks come to take away the keys to their homes?

Are we not stealing hope from our children if there is not enough money to allow them to go to college because all of the money that might have been saved needs to be used now to keep the family from going bankrupt?

This bill commits generational theft?

We have been told by economists across the political spectrum that today's economic malaise is greater than anything we have experienced since the Great Depression. We have been warned of the potential for a decade of more lost growth.

What is the cost to our children, if they inherit an economy from us that is stuck in reverse or neutral for years and years? If we have a way out of this crisis and we fail to act, isn't that the real generational theft?

Voting no today steals hope from our children. Voting no today steals economic growth from our children. Voting no today steals a more secure future from millions of children.

That is the theft we commit today if we fail to send this recovery bill to the President's desk.

Mr. GRASSLEY. Mr. President, I would like to speak on concerns I have with the Medicaid and welfare provisions in the conference agreement we will be voting on shortly.

This bill would provide an $87 billion slush fund for the States.

As I have said on the Senate floor numerous times during this debate, States don't need $87 billion for their Medicaid Programs.

The Congressional Budget Office analyzed an amendment I wrote to target funds just for enrollment-driven increases in Medicaid spending. The nonpartisan Congressional Budget Office gave us the answer for how much it would cost to provide federal funding for the additional Medicaid enrollment

caused by the economic downturn. And that cost is not $87 billion; it is 1.8 billion.

The remaining $75 billion in this bill goes to helping States fill in their deficits. Giving States almost eight times what they need for enrollment-driven Medicaid does not meet the definition of targeted in my book.

Now, we will hear that this $87 billion Medicaid slush fund for States is necessary to avoid tax increases at the State and local level. We will also hear that vital State services will be cut unless the Federal Government cuts this big blank check to the States. But when asked to tie the taxpayer dollars to guarantees that the States will not raise taxes or cut services, we have been turned back by Members on the other side.

I heard some folks on the other side of the aisle claim the formula for distributing the funds better targets relief to the States that need it most by using unemployment rates in the formula.

Using unemployment makes sense to target—there is nothing wrong with that. But it doesn't work if you then funnel the money for the States through Medicaid.

Let me explain. Every State has a different sized Medicaid program—some States have bigger Medicaid Programs and some have smaller ones.

By using Medicaid to distribute the 87 billion, the formula in the bill necessarily biases the funds towards States with large Medicaid Programs, like California, Illinois, Massachusetts and New York.

Now we'll hear that those States need more because they have larger Medicaid Programs. But remember it only takes $10.8 billion to pay for enrollment-driven Medicaid spending increases.

So States like California, Illinois, Massachusetts and New York get favored treatment and everyone else gets short-changed.

Simply put, this way of targeting misses the target. The formula in this bill clearly fails the targeting test of the three Ts.

This bill also undermines key principles of welfare reform. While it makes sense to provide a safety net for families that have lost their jobs, this bill moves welfare policy in the wrong direction.

The historic Welfare Reform law signed by President Clinton already has a built-in mechanism to help states during an economic downturn. That law provides welfare contingency funds for States in economic need.

But rather than make the existing contingency fund more accessible to States, this bill creates a new fund that includes policies that are not consistent with the principles of meaningful welfare reform.

For the first times since the abolishment of the aid to families with dependent children program, this new fund gives States financial incentives for expanding their welfare caseloads. Rather than encourage States to reduce their welfare rolls, this provision rewards States for enrolling families on welfare.

This bill also relieves States of the responsibility to engage able-bodied adults on welfare in work training, work experience programs or education.

It makes no sense to promote policies that encourage States to expand their welfare rolls while loosening requirements on States to provide work training, work experience programs or education. At this critical time, these job training activities are even more important than ever.

These changes will not stimulate the economy nor will they lead to productive jobs. In fact, these policies could trap families in deep and persistent poverty.

Mr. President, that is clearly not what we should be doing in this bill and it is another reason why I am unable to support the legislation.

Mr. President, I am back again to speak about some provisions that are buried deep within this stimulus bill that was put together behind closed doors without input from the minority. I know this was done behind closed doors because I was a conferee to the negotiations and I wasn't even in the room.

Now, I have always been a strong advocate of opening up Government, making it more transparent, making it more accountable, and shedding some sunlight on how the Government works for the people. So, in that vain, I am here today to shed some light on provisions hidden away in the conference report that will actually hurt transparency and accountability of taxpayer dollars.

Inspectors general are the front line against fraud, waste, and abuse of taxpayer dollars at Federal agencies. They are independent from the Federal agencies they oversee and are independent from Congress. They are the watchdogs that are responsible for sifting through all the budgets and expenditures by conducting audits, performing program evaluations, investigating allegations of wrongdoing, and working closely with whistleblowers to uncover the truth. Inspectors general point out problems that need to be fixed and save taxpayers billions of dollars a year. They are integral to any effort to stamp out waste and deter fraud and abuse. So, I was pleased to see that they weren't forgotten in the bill and were given some more resources to oversee the billions in new spending. However, tucked away in this bill is a provision that threatens to micromanage these independent watchdogs in a manner that is contrary to not only the spirit and intent of the Inspectors General Act of 1978, but the 31 years of results these dedicated fraud fighters have worked to achieve.

I will point my colleagues to division A, page 465 of the conference report. There, section 1527 is, ironically titled, ''Independence of Inspectors General.'' Great title, something you would think you would like to support. If you keep reading, it states that ''nothing in this subtitle shall affect the independent authority of an inspector general to determine whether to conduct an audit or investigation of covered funds.'' Again, a nice statement that reinforces the fact that we want inspectors general to be independent, but, unfortunately, the provision doesn't stop there.

If you read a little further you will find that the bill gives a new entity, the ''Recovery Accountability and Transparency Board'' the authority to, request ''that an inspector general conduct or refrain from conducting an audit or investigation.'' It goes on further to say that if an IG objects to being told what to do and acts independently—as we expect them to—he or she must submit a report to that board, the agency they oversee, and to Congress within 30 days.

Now, I don't know about everyone else around here, but that sounds to me like a lot of redtape for an independent watchdog to go about doing their job. In fact, it is fitting that the acronym for this board is RAT, because that is what I smell here.

But, most importantly, this provision strikes right at the heart of any inspectors' general independence. It appears to me that the majority that crafted this bill, isn't all that interested in transparency and accountability. Let me say it loud and clear: I don't like this one bit and from the chatter I hear, the IGs don't like it either—especially if it involves a criminal investigation.

Now, some of my colleagues will say this isn't too burdensome and that it will help coordinate the work of inspectors general. Others say that the new board will contain IGs who will have input so it won't stifle investigations. Both of these arguments lack merit when you peel the onion back.

Any new limitation on the independence of inspectors general is dangerous. Here, even though an inspector general is allowed to buck the new board and continue an investigation they are told not to do, he or she must then put together a report for that board, the agency that is being investigated, and Congress, all within 30 days. This will take resources away from investigating and auditing fraud, and turn a truly independent IG into a report writer.

As to the argument about the make-up of the new board, it is true that inspectors general will make up the bulk of the board. However, it will be chaired by either: the Deputy Director of the Office of Management and Budget, a Presidential appointee confirmed by the Senate, or any other individual subject to Senate confirmation. So, based upon this model, you could have a situation where the President appoints a sitting Cabinet Secretary to oversee the board that oversees the inspectors general that oversee the agency run by the Secretary in charge of

the board. I don't want to even try to imagine the scenario where the head of the board is a private sector corporate figurehead of a company that has a financial conflict stemming from the fact that the company receives stimulus money. The system this bill creates is not only unworkable; it is loaded with potential for conflicts of interest that are simply mind blowing.

I also question the need for yet another board full of Government officials. Why do we need yet another Government entity? The inspectors general have worked cooperatively for years via the President's Council for Integrity and Efficiency, PCIE, and the Executive Councils for Integrity and Efficiency, ECIE, which are made up of inspectors general. These entities were recently rolled into the Council of the Inspectors General on Integrity and Efficiency, CIGIE, by the Inspector General Reform Act of 2008. This new board created by the stimulus bill will simply duplicate already existing efforts in addition to hindering the independence of inspectors general.

We have repeatedly recognized the need for independent IGs and we unanimously passed the Inspector General Reform Act of 2008 that was signed into law by President Bush last October. That law was passed because Congress and the IGs recognized that changes were needed to strengthen the independence of inspectors general. It included simple, straightforward reforms such as ensuring each inspector general had access to independent legal advice free and clear of agency influence. It seems to me we all agreed independence was needed for IGs so long as it occurred when there was a Republican President. I hate to think that there is some conspiracy here, but when we have all backed the independence of IGs in the past, you have to question the change of direction buried deep within this bill.

This is a dangerous provision that will hamper oversight, restrict transparency, and damage the independence of inspectors general. It works against the pledge of transparency and accountability that President Obama has advocated for and puts another layer of bureaucracy between taxpayers and the truth about how the hundreds of billions of dollars are spent.

Mr. President, I would like to talk about an immigration provision that was included in the final conference report, as well as a couple that were not.

First, the good news. I was pleased to hear that the conference report retained the Sanders-Grassley amendment to ensure businesses that receive TARP funds go through a very rigorous hiring process before employing new H–1B visa holders. Hiring American workers for limited available jobs should be a top priority for businesses taking taxpayer money through the TARP program. With the unemployment rate at 7.2 percent, there is no need for companies to hire foreign workers through the H–1B program—particularly in the banking industry. According to an AP article, the banking industry requested more than 21,800 visas for foreign guest workers over the last 6 years. At least 100,000 workers were laid off in the banking industry in the past few months. Now that many qualified American bank employees are unemployed, banks who want to hire workers shouldn't have a hard time finding what they need from an American workforce.

The Sanders-Grassley language requires that a company receiving TARP funds and applying for workers under the H–1B process must operate as an ''H–1B dependent company.'' This means they will still be able to hire H–1B visa holders, but must comply with the H–1B dependent employer rules which include attesting to actively recruiting American workers; not displacing American workers with H–1B visa holders; and not replacing laid off American workers with foreign workers. This restriction would last for 2 years.

So this amendment would ensure that TARP recipients comply with strict hiring standards in order not to displace qualified American workers. The bottom line is that if banks are going to be getting TARP money—American taxpayer money then they need to be hiring American workers. While I support the H–1B program, it needs to be used in the way it was intended and not to replace qualified American workers. This amendment helps to ensure that taxpayer money going to assist companies get back on their feet also helps American workers keep and/or get jobs.

Now, the bad news. I am extremely disappointed that the final bill doesn't include some very important E-verify provisions. The House passed stimulus bill included language to extend the E-verify program, a program that allows employers to verify the social security numbers and legal status of newly hired employees. The E-verify process has been an extremely successful program for employers. In addition, the House passed stimulus bill included language that would have made it mandatory for companies receiving TARP funds to use the E-verify system when hiring new employees. These two provisions passed the House with broad bipartisan support.

Here on the Senate side, my friend Senator SESSIONS filed several amendments to extend E-verify and require TARP recipients to use E-verify. I fully supported those amendments. Unfortunately, the good Senator from Alabama was blocked from offering his amendments to the Senate bill—even though, if given the chance, I am sure that his amendments would have passed with the same overwhelming vote as the House amendments.

I was ready to support the House E-verify provisions in conference. As we all know, Republican conferees were shut out from any negotiation of this conference report. But we were extremely hopeful that the provisions were going to be retained, because of strong bipartisan support on both sides of Capitol Hill.

So I was really surprised to hear that House leadership stripped E-verify completely from the conference report. Many people supported these provisions and understood their importance. These E-verify provisions would have helped stimulate the economy by preserving jobs for a legal workforce, so it is outrageous that they were not included in the final conference agreement. The American taxpayer is spending nearly a trillion dollars to spur the economy. It's not much to ask that the companies receiving hard earned taxpayer dollars actually make sure they are employing legal workers. The exclusion of both the E-verify reauthorization and the requirement that companies getting TARP money have to use the E-verify program is truly a colossal failure on the part of our congressional leadership to stimulate the economy and ensure that jobs go to legal workers.

The fight is not over. I am a strong believer in the E-verify program. I will continue to work with my colleagues to make sure that this important program is reauthorized and utilized by as many employers as possible.

Mr. BINGAMAN. Mr. President, section 405 of division A of this conference report involves an amendment to section 1304 of the Energy Independence and Security Act of 2007, which is under the jurisdiction of the Committee on Energy and Natural Resources, of which I am the chair. It is a provision that deals with the standards and protocols that will be used in Smart Grid demonstration projects. With respect to these demonstration projects, the conference report states that the Secretary of Energy ''shall require as a condition of receiving funding under this subsection that demonstration projects utilize open protocols and standards (including Internet-based protocols and standards) if available and appropriate.'' This is a clarification of language originally passed by the House of Representatives on the subject. It makes clear that all protocols and standards used by Smart Grid demonstration projects must be open. Some of those open protocols and standards may involve sending information over the Internet. Others may use other means of data transfer. The parenthetical inclusion of Internet-based protocols and standards under the requirement for open standards means nothing more than that to the extent that an open standard uses the Internet, it is still an open standard, but (1) the universe of open standards and protocols is not considered to be limited to only those which use the Internet, and (2) the mere use of the Internet would not cause a standard to meet the criterion of being open if it were not otherwise an open standard. There is no intent in this language to discriminate for or against any given

open protocol or standard, or to promote any one technology solution over another, so long as they are available and considered to be appropriate by the Secretary of Energy. The Senate expects the Secretary to conduct the process of making awards under this authority in a way that ensures there is no discrimination for or against any open protocol and standard that is otherwise available and appropriate.

Ms. CANTWELL. Mr. President, the Senate tonight will send to the President the American Recovery and Reinvestment Act. I think this legislation is a first step not only in turning the economy around in the short term, but also in laying the groundwork for rebuilding and growing it over the near and longterm. But we need to do much more.

I think it is important to lay down a marker right now that our job on rebuilding this economy is not finished. We must continue to focus on making the right kind of investments, ones that help us realize our maximum economic potential and ones that update our economic engines for the 21st century and beyond. To do this, we must make a commitment to invest in our capacity to innovate and in our capability to commercialize new technologies and discoveries.

I have worked with many of my colleagues, especially Chairman BAUCUS and Senator HATCH, on bolstering the incentives that support our country's research capabilities.

For example, I have long been a supporter of making the R&D tax credit permanent. I continue to believe that we have done ourselves a tragic disservice by failing to provide long-term predictability to the very businesses that are driving economic growth and are at the frontline of every innovation and discovery that moves us forward as a society.

We all know that if the high-wage jobs of the future are going to be created in the United States we have to make the necessary investments in intellectual infrastructure to keep American business competitive in the global economy.

Investing in America's intellectual infrastructure is key to economic growth and instrumental in spurring entrepreneurial innovation and job creation. It is just as important as our commitment to physical infrastructure.

Yet, thousands of companies employing U.S. workers in cutting-edge, research-oriented industries such as biotechnology, high technology, and clean technology are suffering from the same fate that has affected our U.S. manufacturing companies. Without credit markets properly functioning and with little to no investment from the equity markets or venture capital, this next generation of job creators will shrink and become less competitive in the global economy if we do not take action.

Economic analysis tells us that because R&D doesn't produce fast cash it is often a target when times are rough and companies need to reduce costs. It is in our collective interest as a country to help companies take a different path during this economic downturn and find ways to help innovative companies sustain and increase their R&D spending now so they are better positioned to succeed when economic conditions turn around.

I will ask to have printed in the RECORD a letter from 11 technology-oriented, R&D-dependent trade associations such as the Biotechnology Industry Organization, BIO, the Advanced Medical Technology Association, AdvaMed, and others—that represent companies employing hundreds of thousands of U.S. workers reliant on our commitment to intellectual infrastructure.

This letter was recently sent to all members of the Senate Finance Committee and outlines an approach that would allow small businesses to accelerate their use of accumulated net operating losses, NOLs, if they invest in U.S.-based research and development.

Expanding incentives to encourage more R&D activity in the United States will be essential to the American innovators who are developing the technologies of the future.

We must commit to considering new and thoughtful legislative approaches like this one that can truly move us forward in creating the high-quality, high-paying jobs of this century, and I look forward to working with my colleagues on these issues.

Mr. President, I ask unanimous consent that the letter to which I referred be printed in the RECORD.

There being no objection, the material was ordered to be printed in the Record, as follows:

JANUARY 15, 2009.

Hon. MAX BAUCUS,
Chairman, Senate Finance Committee, Washington, DC.
Hon. CHARLES B. RANGEL,
Chairman, House Ways and Means Committee, Washington, DC.
Hon. CHARLES E. GRASSLEY,
Ranking Member, Senate Finance Committee, Washington, DC.
Hon. DAVE CAMP,
Ranking Member, House Ways and Means Committee Washington, DC.

DEAR CHAIRMAN BAUCUS, RANKING MEMBER GRASSLEY, CHAIRMAN RANGEL, AND RANKING MEMBER CAMP: The thousands of companies represented by our organizations, and the U.S. workers they employ, are key drivers of the innovation that enables America to compete in today's global marketplace. As such, we respectfully request Congress take action in the upcoming economic recovery package to invest in America's intellectual infrastructure to support and create the high-quality, high-paying jobs of the 21st century.

Specifically, we ask that you support efforts to spur U.S.-based research and development (R&D) during the economic downturn by allowing small businesses to elect a one-time accelerated use, at a discount, of a portion of their accumulated net operating losses (NOLs) in exchange for giving up the future tax benefits associated with those losses. This proposal, if enacted, will help America's cutting-edge companies weather a difficult storm at a time when the U.S. capital markets are largely frozen to many of our nation's most innovative businesses. Further, this proposal will help to ensure that U.S.-based R&D by smaller firms does not drastically decline or disappear as America's capital markets recover from the current financial crisis. Failure by Congress to move quickly to enact this temporary proposal could result in a sharp decline in R&D on cutting-edge technologies (many of which are in fields where the U.S. is currently the global leader) and additional job losses.

Investing in America's intellectual infrastructure is key to economic growth and instrumental in spurring entrepreneurial innovation and job creation. Innovative, research-intensive industries enhance America's living standards while creating high-quality, high-paying jobs. American innovation is increasingly challenged by more rigorous global competition and the future of the American economy depends on critical investments today to lay the groundwork for the breakthroughs of tomorrow. Without investment in these fields, the U.S. will find it more difficult to compete in a 21st century global economy.

We respectfully urge you to invest in America's intellectual infrastructure by including a proposal to accelerate the utilization of NOLs in the upcoming economic recovery and reinvestment legislation. We thank you for your consideration of this request and we look forward to working with you to get our economy moving again in a way that protects and creates the high-paying jobs associated with America's innovation economy.

Sincerely,

James C. Greenwood, President and CEO. Biotechnology Industry Organization; Stephen J. Ubl, President and CEO, Advanced Medical Technology Association; Mark G. Heesen, President, National Venture Capital Association; Mark B. Leahey, President and CEO, Medical Device Manufacturers Association; Jonathan Zuck, President, Association for Competitive Technology.

Marianne Hudson, Executive Director, Angel Capital Association; Patricia Glaza, Executive Director and CEO, Clean Technology and Sustainable Industries Organization; Sean Murdock, Executive Director, NanoBusiness Alliance; Zack Lynch, Executive Director, Neurotechnology Industry Organization; Bretton Alexander, President, Personal Spaceflight Federation; F. Mark Modzelewski, Founder and President, Water Innovations Alliance.

Mr. LEAHY. Mr. President, today, the Congress considers critical legislation to renew America's promise of prosperity and security for all of its citizens. I am pleased that the greatly needed relief provided in the American Recovery And Reinvestment Act includes an investment in health information technology that takes meaningful steps to protect the privacy of all Americans.

I have long held the view that American innovation can—and should—play a vital role in revitalizing our economy and in improving our Nation's health care system. That is why I have worked so hard with the lead sponsors of this bill to makes sure that privacy was addressed at the outset, as our Nation moves towards a national health information technology system.

I commend the lead sponsors of this legislation in the House and Senate, Majority Leader REID, and Speaker

PELOSI for making sure that the economic recovery package includes meaningful privacy safeguards for electronic health records. I also commend the many stakeholders, including, the Center for Democracy & Technology, the Vermont Information Technology Leaders, Inc., Consumers Union, the American Civil Liberties Union and Microsoft, that have advocated tirelessly for meaningful health IT privacy protections in this legislation.

The privacy protections in this legislation are essential to a successful national health IT system. Without adequate safeguards to protect health privacy, many Americans would simply not seek the medical treatment that they need for fear that their sensitive health information will be disclosed without their consent. Likewise, health care providers who perceive the privacy risks associated with health IT systems as inconsistent with their professional obligations would avoid participating in a national health IT system.

The economic recovery package includes several of my recommendations to better protect Americans' health information privacy. First, the provisions give each and every American the right to access his or her own electronic health records, and the right to timely notice of data breaches involving their health information. The recovery package also imposes critical restrictions on the sale of sensitive health data and on the use of Americans' health data for marketing purposes. Lastly, the legislation makes sure that the Secretary of the Department of Health and Human Services receives input from individuals with specific expertise in health information privacy and security, as the Secretary develops a national health information technology system.

These and many other privacy safeguards in the bill will help tackle the difficult, but essential task of ensuring meaningful health information privacy for all Americans. But, we can—and should—do more. There is much more to be done to ensure that Americans have greater control over their own electronic health records. Another critical issue is the use of new technologies to better secure sensitive health records, so that data breaches involving health and other sensitive personal data do not occur in the first place.

Yesterday, we celebrated the bicentennial of the birth of our Nation's 16th President—Abraham Lincoln—who once remarked that ''you cannot escape the responsibility for tomorrow by evading it today.'' We all have a responsibility to ensure quality health care that is both efficient and respectful of all Americans' privacy rights. I am pleased that the Congress acted to address the issue of health information privacy at the outset of the ambitious effort to fully digitize America's health records during the next 5 years. During the months and years ahead, Congress must build upon this early privacy success with more work on health information privacy on behalf of all Americans.

Mr. LEVIN. Mr. President, the American people are counting on us to act to stabilize and revitalize the economy, and passage of the American Recovery and Reinvestment Act is an essential part of that effort. I am encouraged by how promptly the Senate and House have been able to reach a compromise on this critical legislation. I support final passage because it will create jobs and make investments to bolster our economy in both the short and long-term.

The Nation is in a deep recession and the situation is particularly dire in Michigan where the unemployment rate is the highest in the country. The Bush policy, still supported apparently by all but three Republicans, was a failure. It provided repeated tax cuts to the wealthy with the hope that some of it would trickle down to help those who really need it.

The legislation before us will provide tax breaks to our working families. It will provide a tax cut to 3.9 million Michigan workers, and allow over 120,000 Michigan families to benefit from a tax credit to make college more affordable. This legislation will also create or save 3.5 million jobs over the next 2 years, including jobs in health care, clean energy and construction. It will also strengthen the social safety net by increasing unemployment insurance benefits by $100 a month for over 1 million Michigan workers.

That is why it is so important that we take aggressive action now.

Job creation must be our No. 1 priority as we work to turn the economy around, and jobs are the focus of this conference report. Shovel-ready infrastructure projects are the most immediate way to create jobs and get the economy moving quickly. The recovery plan includes $48 billion in funding for ready-to-go road, bridge, rail and other projects to immediately and directly create jobs. This legislation is expected to provide Michigan with approximately $1 billion dollars in highway and transit formula funds, allowing for significant repairs to roads and bridges and purchases of buses for our public transit authorities. There is additional funding which will hopefully result in investments in the Midwest High-Speed Rail corridor, and improvements to Amtrak that can help bring commuter rail to Michigan.

I am hopeful the Army Corps will direct a significant portion of the $4 billion toward the Great Lakes to address the backlog of ready-to-go projects and maintain this vital maritime highway of the Midwest.

I am also hopeful that the EPA will direct a portion of its funds for cleaning up contaminated sediment under the Great Lakes Legacy Program. One report concluded that there is a 2½ to 1 ratio of return on a Federal investment on restoring the Great Lakes.

The recovery package also contains $6 billion in funding for water infrastructure. These projects immediately create jobs and play a critical role in protecting public health, improving the environment, and creating a sustainable and strong economic climate in which commerce can thrive. Specifically, Michigan is slated to receive more than $150 million to address wastewater projects, and $70 million to upgrade water mains, leaking pipes, and water treatment plants. These job-creating water infrastructure projects will address current needs in Michigan, while investing in upgrades that will prepare us for years to come. In addition, this legislation contains $200 million for environmental infrastructure that the Army Corps would manage. In Michigan, this funding could be used to address combined sewer overflows, which dump harmful pollutants into the Great Lakes.

Additionally, the conference committee legislation contains $750 million for the National Park Service, NPS. The NPS has a significant backlog of deferred maintenance projects that can be started within the next 18 months which will create jobs and help restore and enhance our national treasures. Michigan's four National Park units and the North Country National Scenic Trail have significant funding needs, and a number of projects have been delayed for years. I am hopeful that the NPS will direct a sizable portion of the $750 million included in the package to address the significant needs of Michigan's parks and trails.

I am pleased that the $100 million for brownfields competitive grants can be awarded for both cleanup and site assessment projects. I asked the conferees to expand the flexibility for these grants so that more Michigan communities could benefit from this funding, and I am pleased that the final bill contains this broader language.

The funding in the conference report will create jobs by making smart investments in technology and modernization efforts that will continue to pay dividends by helping us compete in the global economy. I am especially pleased the bill includes $2 billion in grants to encourage companies to invest in the development and production of advanced batteries and battery systems, which will fuel the energy-efficient vehicles of the future and make it more likely they will be produced in U.S. factories. In so doing, the conferees have adopted the Senate approach of focusing exclusively on grant funding rather than loan guarantees, which I believe will go much further in providing American manufacturers the resources and support they need to manufacture these batteries in U.S. facilities. This funding is critical because battery manufacturers and other manufacturers are deciding now where to locate their production facilities, and we cannot afford to lose those facilities and the associated jobs to other countries that are willing to offer greater financial incentives than we are.

I am also pleased that the conference report includes significant measures to

expand the American market for advanced technology vehicles. It will make these vehicles more affordable for consumers by increasing the availability of consumer tax credits for plug-in hybrid vehicles. Instead of making the tax credit available only for a total of 250,000 vehicles as is in current law, the conference report will make these tax credits available to consumers who purchase the first 200,000 plug-in hybrid vehicles sold by each manufacturer. Taking this important step will help America get to the goal set forth by President Obama of putting 1 million plug-in hybrid vehicles on the road by 2015. I am pleased that the conference report also includes some funding for Federal agencies to aggressively lease alternative energy vehicles—such as hybrid vehicles—to support a wide variety of agency missions. Government leasing of these vehicles will help stimulate production of these vehicles. We cannot just preach about the need to produce these vehicles. We must lead the way in purchasing them, even though their up-front cost is greater.

The conference report also makes a clarification in the Tax Code to prevent an unintended tax consequence that would have hurt auto companies and others receiving TARP funds. This clarification will limit section 382 of the Tax Code in instances where a change in corporate control is the result of restructuring required by the Government pursuant to a TARP agreement. This maintains the clear intent of 382 while preventing unintended results that would have hurt these companies at the very time the Government is stepping in to help.

This legislation also helps those who have lost their jobs by including important measures that will help States modernize their current unemployment insurance programs and includes administrative dollars and funds to incentivize States to do this. For my home State of Michigan this means they will receive more than $90 million straight away. This plan will also provide a further extension of unemployment benefits which will help the more than 400,000 unemployed workers in Michigan who are unable to find a job in these hard economic times and the, on average, 13,000 individuals whose unemployment benefit will expire this month alone. Additionally, it will provide an additional $100 per month in unemployment benefits, pumping money directly into depressed economic areas and exempts the first $2,400 unemployment benefits from income tax, meaning more of these funds can go to recipients and help grow the economy.

The bill provides funding for important job training in new and expanding fields, as well as funding to enhance and expand education initiatives aimed at ensuring that our next generation of Americans is able to meet the challenges of a global economy. Specifically, it includes $53.6 billion for the State Fiscal Stabilization Fund, including $40.6 billion to local school districts using existing funding formulas, which can be used for preventing cutbacks, teacher layoffs, or other purposes; $5 billion to States as bonus grants for meeting key performance measures in education; and $8.8 billion to States for high-priority needs such as public safety and other critical services, which may include modernization, renovation and repairs of public school facilities and institutions of higher education facilities.

The bill includes $3.95 billion for job training including State formula grants for adult, dislocated worker, and youth programs, including $1.2 billion to create up to 1 million summer jobs for youth. The training and employment needs of workers will also be met through dislocated worker national emergency grants, new competitive grants for worker training in high growth and emergency industry sectors, with priority consideration to training for ''green'' jobs, including preparing workers for activities supported by other economic recovery funds, such as retrofitting of buildings, green construction, and the production of renewable electric power.

It includes $13 billion for title 1 to help close the achievement gap and enable disadvantaged students to reach their potential; $12.2 billion for special education/IDEA to improve educational outcomes for disabled children. This level of funding will increase the Federal share of special education services to its highest level since the inception of the program. Finally, the bill provides $15.6 billion to increase the maximum Pell grant by $500, which will help 7 million students pursue postsecondary education. Further, the bill includes $2.1 billion for the Head Start and Early Head Start to allow additional children to participate in this proven program, which provides development, educational, health, nutritional, social and other activities that prepare children to succeed in school.

The tax provisions in this legislation will create a refundable tax credit of $400 for working individuals and $800 for working families, covering 95 percent of working families. Taxpayers can receive this benefit through a reduction in the amount of tax that is withheld from their paychecks, or through claiming the credit on their tax returns. This will mean direct and immediate relief for nearly 4 million Michigan workers and their families. The legislation also expands the child tax credit and the earned-income tax credit to ensure that more low-income families get the full benefit. There is also a new, partially refundable $2,500 tax credit that will help make 4 years of college more affordable for an estimated 121,000 families in Michigan. For many struggling families, these targeted tax cuts will help them make ends meet in these tough times. Putting extra money in families' pockets will offer an immediate boost to the economy.

Together, the provisions in this bill offer significant hope for our Nation's economic future. Still, a comprehensive economic recovery effort is balanced on a three-legged stool consisting of creating jobs, unfreezing credit markets, and addressing the housing crisis, including reduction in the flood of foreclosures.

As the housing crisis worsens, I will continue to urge Treasury to move quickly to implement a loan modification program to help prevent avoidable foreclosures. While much still remains to be done with respect to ending the crisis in our financial sector, the financial stability outline put forth by Treasury Secretary Tim Geithner this week outlined some new approaches so that recipients of the so-called TARP funds will cooperate with mortgage foreclosure mitigation programs and provide reports of how the Federal loans are used and will expand their lending. This is a positive step in the right direction toward resuming the flow of credit, but Congress must continue to exercise stringent oversight of the TARP program and we must work to reform our financial system to restore commonsense regulation of this industry.

This legislation represents a significant and essential step in stabilizing our economy. The infrastructure projects will create Michigan jobs, the tax provisions will help Michigan families and the investments in technology and modernization will pay dividends for years to come. While there are major challenges before us that we must address in order to end this recession, passage of the Economic Recovery and Reinvestment Act will give us some urgently needed momentum.

Mr. AKAKA. Mr. President, I support the conference report for H.R. 1, the American Recovery and Reinvestment Act. This vital legislation will create jobs, ensure that States can continue to provide essential health and social services, improve education, and assist veterans.

This legislation will create jobs by encouraging innovation for the development of clean energy and strengthening our Nation's infrastructure. Additionally, the legislation includes funding for the Economic Development Administration to create additional economic opportunities.

Our States are confronted with declining revenue while citizens have increasing health care and social service needs. This bill will provide funding to States so that they can continue to provide health care coverage and essential social services that will help our constituents in this great time of need. States must be good stewards of these resources and utilize them for their intended purposes. This recovery bill will also provide relief to workers and families hardest hit by the economic recession.

In order to ensure that we have a well-educated workforce both now and in the future, I am pleased to support

the provisions included in the American Recovery and Reinvestment Act designed to increase and support educational opportunities for our country's children as well as provide much needed resources and infrastructure improvements for educators nationwide. The establishment of a State Fiscal Stabilization Fund will help schools suffering during this difficult economic time to retain teachers and continue programs vital to helping students achieve their academic potential. I also applaud the inclusion of $100 million for impact aid. Due to the significant military presence in Hawaii, these funds are vitally important to Hawaii's public schools.

I have been working, along with other members of the Veterans' Affairs Committee, to advocate for the needs of veterans in the context of this recovery and reinvestment bill and am pleased that the conference report includes funding that will benefit VA and the veterans it serves.

Although I wanted the final agreement to include more of the Senate's shovel-ready projects to improve health care and other services veterans receive from VA, I am grateful the conference report includes more than a billion dollars in immediate funding that will create jobs while improving services for veterans.

The conference report also includes $50 million to make key improvements to Veterans Benefit Administration IT systems and $150 million to provide a temporary increase in claims processing staff.

In addition, there is $50 million included in the conference report that is intended for VA's National Cemetery Administration. This funding will be used to provide much needed cemetery infrastructure support and repair and investment in VA's National Shrine Initiative. I believe the funding will help meet our obligation to provide final resting places for veterans and honor their service.

As helpful as this infusion of funding will be, more resources are needed. I remind all of my colleagues that these funds only begin to address existing, unmet needs. When it is time to begin work on the new budget, we must provide a robust VA appropriation to meet the new fiscal year's costs.

I am glad that the conference report retains a provision to make sure that certain veterans facing financial hardship in this time of uncertainty receive an economic recovery payment. I will continue to work with my colleagues to secure additional resources for VA.

I commend my colleague, Senator INOUYE, for his ongoing advocacy on behalf of the Filipino veterans of World War II. This conference report contains an authorization for a lump sum payment for funds that were appropriated last session for these veterans.

I look forward to having the conference report signed into law quickly so that we can begin our economic recovery and assist our citizens in need.

Mrs. FEINSTEIN. Mr. President, I rise today to offer my support for the American Recovery and Reinvestment Act of 2009.

Our economy is in dire straits. And urgent action is required to get the economy moving and reverse the alarming trend of job loss that is currently plaguing our cities.

This Nation is in the grip of the most serious recession in more than seven decades. American families are increasingly facing tough choices as economic indicators tumble across the board.

Bad news has fallen like a row of dominoes. Our current economic situation is a result of many different problems, all developing at the same time. The major factors: The collapse of the subprime housing market sent shockwaves through the financial sector of the American economy. This was the direct result of a scheme in which poorly underwritten loans promoted by unregulated mortgage brokers and lenders were sliced, diced, securitized and spread all over, with severe consequences that are global in scope. Unregulated markets schemes like this were a fertile breeding ground for greed and fraud. The Enron scandal of the late 1990s was a smaller-scale precursor, costing taxpayers billions of dollars and ending in the collapse of the energy giant, as well as the loss of hundreds of millions of dollars in Enron investments held by more than 50 mutual funds and insurance companies.

Enormous State deficits have deepened with the combined effects of rampant foreclosures and plummeting property values which have significantly cut into revenues. And local governments, trying to maximize returns for taxpayers with investments in firms like Lehman Brothers, have lost their money. They are looking to the State for help, and the State is looking to the Federal Government for help.

The financial sector is currently held aloft by a lifeline from the federal government. Main Street is also looking to Washington to provide an injection of financial stability.

There are many different vectors of this economic crisis. But there is only one sure solution. And that is the infusion of large amounts of capital into the marketplace from the only place with the capacity to do so, which is the Federal Government.

It is time to give the American people some good news for a change. It is estimated that the bill could help sustain and create up to 3.5 million jobs over the next 2 years—with 396,000 in California alone.

The bill before us is far from perfect. But we need to give the President the flexibility and resources he needs to create jobs and revive our ailing economy.

This bill will not meet every need, and some difficult choices have been made in order to move it forward with the 60 votes it needed to secure passage in the Senate.

But faced with a choice of taking action to confront this crisis, or simply dithering away as families lose their jobs, their homes and their hope, I think the choice is clear: We must support this economic recovery package.

President Obama inherited an unprecedented fiscal mess when he took office last month: National debt: $10.7 trillion; this year's budget deficit: $1.2 trillion, projected; GDP: Fell by 3.8 percent last quarter 4th quarter 2008, the worst showing in 26 years; unemployment is skyrocketing: 7.6 percent nationwide. Since the recession started in December 2007, 3.6 million jobs have been lost. More than 598,000 jobs were lost in January. Economists say 3 million more could be lost by the end of this year.

In California we have a 9.3 percent unemployment rate, Dec. 2008. There are at least 1.7 million unemployed workers in California. We have the fourth highest foreclosure rate in the Nation. There were 837,665 foreclosures filed in 2008 up 110 percent from 2007. State budget deficit has reached $42 billion. This has real and serious implications.

The Governor has had to halt public infrastructure projects. Public employees are being furloughed and local governments are planning to slash the critical services upon which taxpayers depend.

The bill before us will not solve every problem, but it will provide funding for critical investments that will create jobs and get our economy moving again.

First, transportation: $29 billion for highways and bridges. California's share by formula will be at least $2.6 billion; $8.4 billion for public transit—i.e., subway, bus, and light rail projects. California's share by formula will be $1 billion; $1.3 billion for Airport capital improvements, funding allocated by competition; and $9.3 billion for intercity passenger rail, including $8 billion targeted at building high speed rail funding allocated by competition.

In total, the bill provides roughly $50 billion for transportation. These projects will not only modernize the corridors used to transport passengers and goods that move across America, they are also a critical part of the jobs creation goal of this package.

Experts estimate that between 27,000 to 37,000 jobs are created for every $1 billion invested in transportation projects. So an estimated 1.5 million jobs could be generated by transportation projects funded in this bill.

Second, water. We have a huge water infrastructure problem in this country. The Government Accountability Office and EPA report that the nation faces a $300–500 billion water and wastewater funding gap over the next 20 years. That is why it is so important that this bill includes a substantial investment in water infrastructure:

Army Corps of Engineers: $4.6 billion for construction, maintenance, etc.,

that will create 37,000 direct jobs and 102,000 indirect jobs; clean water and drinking water state revolving Funds: $6 billion. California would receive $444 million; Bureau of Reclamation: $1 billion, including $126 million for title XVI Water Recycling and Reuse Projects.

The U.S. Department of Commerce Bureau of Economic Analysis estimates that for each additional job created in the water and sewer industries, 3.68 jobs are created in all industries.

So, investing in these projects will help create millions of jobs here at home, and better protect human health and the environment. This is a vital investment.

Third, housing.

It is widely recognized that the roots of this economic recession were in the bursting of the housing bubble. Last year, there were more than 830,000 foreclosures filed in California alone, an increase of more than 100 percent over 2007.

So it is important that the bill makes a major commitment to stabilizing the housing market—and to helping hardworking Americans avoid the devastating loss of their homes through foreclosure.

The bill provides a public housing capital fund of $4 billion to help local public housing agencies address a $32 billion backlog in capital needs. California's share by formula will be $118.5 million; home investment: $2.25 billion for State and local governments to acquire, construct, and rehab affordable housing.

It is critical that Congress do whatever we can to help restore and foster the American dream of home ownership—and this bill is part of that effort.

Fourth, the bill also boosts funding for our Nation's health care and education systems and provides increases for other safety nets, including:

$87 billion for Medicaid. California will receive an estimated $10 billion; $13 billion for title I education; $12.2 billion for special education; $2.1 billion for Head Start and Early Head Start; $20 billion for additional food stamps benefits; and an additional $100 per month in unemployment insurance benefits.

Finally, Energy.

This legislation makes a serious down payment towards our permanent shift away from fossil fuels and towards a more sustainable energy system.

The bill invests in efficiency, providing $5 billion to weatherize the homes of low income individuals through the Weatherization Assistance Program.

It also establishes a tax credit for 30 percent of the cost to homeowners that weatherize their own homes, and provides cities with $3.2 billion in block grants to assist them with building codes, efficiency improvements to their own facilities, and renewable energy projects.

These efforts will help us realize the goal of weatherizing millions of homes.

It invests in a ''smart grid,'' putting $4.5 billion into an effort to improve electricity delivery through technology.

The legislation will allow WAPA to build new powerlines, to deliver renewable electricity to California consumers who would otherwise continue to depend on coal power.

And finally, this legislation establishes a grant program at DOE and expands a loan guarantee program.

These two steps will help capital intensive wind, solar, geothermal, and cellulosic biofuels projects move forward even at a time when financing capital projects has become all but impossible.

Bottom line: these are all investments that will either provide an immediate benefit to local economies by adding jobs or will help shore up the safety net for Americans who have been hit by the crisis.

This is a very welcome sum of investment in States that are facing grim scenarios today.

One headline in the Monterey Herald recently asked whether the ''Golden State is rusting.''

But the truth is, California is not alone in suffering these consequences. Every State in the Union is feeling the painful effects of this downturn, and every State needs this injection of investment at this critical time.

President Obama has stated clearly that this economic recovery package is the tool he needs to get our economy back on track and move this country forward.

The millions of people who are losing their jobs and their homes have no use for partisan bickering. Re-enacting Washington's usual ideological battles won't stop any companies from downsizing, free up any credit for businesses in need, or put food on the table of a family in need.

Candidly, I would have written a very different bill than the one before us. And there are some aspects of this bill that I would still like to change—I would have liked to see more job-creating infrastructure projects and fewer costly tax cuts.

But despite the imperfections in this bill, I believe we must recognize the enormous task at hand by providing the president with the resources he needs to get the job done.

This bill is a major part of that effort, and it should be approved.

Ms. SNOWE. Mr. President, I rise on this occasion to speak on the economic stimulus conference report that is before this chamber—at a time when we face the longest and deepest recession since World War II, and a moment of economic peril not seen since the days of the Great Depression almost 80 years ago.

There has been a great deal of healthy and vigorous debate about this stimulus package—here in the Congress and certainly throughout America—and rightfully so, given the magnitude of the legislation we have deliberated upon over the past few weeks. And let me say, I well recognize this process got off to a less than stellar start.

And yet, especially given that people look to the Senate to temper the passions of politics—to provide an institutional check that ensures all voices are heard and considered—should we have allowed that inauspicious beginning to establish a permanent detour from ultimately passing an economic stimulus package that economists from across the political spectrum have said is urgently required?

I believe the answer to that question is no. And in that light, I extend my gratitude to Majority Leader REID for bringing us together in forging the much improved package we consider today. I thank Chairman BAUCUS and Ranking Member GRASSLEY of the Senate Committee on Finance, Chairman INOUYE and Ranking Member COCHRAN of the Senate Committee on Appropriations, as well as Senators COLLINS, SPECTER, NELSON, and LIEBERMAN for their yeoman leadership in yielding this consensus-based solution. I also thank those who argued against this package—because, frankly, I agreed with a number of their arguments, and ultimately the concerns expressed have helped to improve this final product.

Indeed, we lost 3.6 million jobs since the onset of the recession, the most since 1945. The Department of Labor has reported the number of people receiving unemployment benefits has reached 4.8 million, an all-time high since record keeping began in 1967—and that doesn't include the nearly 1.7 million getting benefits through an extension last summer. At the end of January, we learned that the economy shrank at its fastest pace in nearly 27 years in the fourth quarter of 2008. Our gross national product dropped at a 3.8 percent annual rate, worst since 1982.

And with more than 11 million jobless Americans today, inaction has, frankly, never been a viable option. In fact, economist Mark Zandi of Moody's Economy.com—who advised both Presidential candidates McCain and Obama, I might add—projects an even higher unemployment rate of a remarkable 11.1 percent—should we fail to pass a vigorous economic stimulus package. That is 11.1 percent—and that is unacceptable. We cannot stand on the sidelines.

That is why I have said from the outset—as I stated on the Senate floor at the beginning of last week—that I wanted to support a stimulus package. But at the same time as I also said, I could not support just any package. The fact is, we are confronting a multidimensional crisis that requires a multidimensional approach, and we can ill afford to get it wrong.

Our approach must be successful, as it must also go hand-in-hand with monetary policy to ensure that vital credit—that is the lifeblood of our economy—is flowing to American individuals and businesses.

Already Congress passed a rescue plan for financial institutions, but the lending expected to free up our credit markets has yet to take effect. Already, the Treasury Department has issued a second component to the rescue plan, which I might add is regrettably long on aspirations and short on details. And already the Federal Reserve has essentially exhausted its options to improve the economy through monetary policy, having reduced interest rates to zero—something else that hasn't happened since the 1930s—and lent more than $1 trillion to stabilize the financial and credit markets. So, as I said during the mark-up in the Senate Finance Committee, we ought to remember that for us, in crafting fiscal policy to meet this historic challenge, there are no ''do-overs.''

That is why I have said repeatedly that this isn't about how much we label as ''tax relief' and how much we label as ''spending.'' Rather, in the final analysis, it's been about the merits of the individual measures in this legislation, and whether the totality of a package can deliver job creation and assistance to those who have been displaced—because both elements are essential to turning the economic tide and aligning our nation for a more prosperous future. In short, the challenge has been to fashion a measure that meets the ''what works'' test.

Critical to that test is whether a stimulus measure is timely, targeted, temporary, and achieves the critical equilibrium of creating jobs and assisting those displaced by this economic crisis through no fault of their own. There has been widespread agreement, even from the harshest critics of this bill, that economic stimulus must meet this standard. That is exactly what a Washington Post editorial called for when it advocated a focused stimulus as the most viable approach. And after a week of intense, bicameral negotiations and compromises, this economic stimulus package—while not what everyone may have wanted—while not everything I would have wanted—meets that threshold.

It has not been easy arriving at this point. At the beginning of deliberations on the floor and throughout the amendment process, I was deeply concerned this bill more closely resembled omnibus legislation rather than emergency stimulus legislation. Indeed, as the Senate considered and adopted amendments on the floor, this package had actually ballooned to $920 billion. Let me repeat that—$920 billion.

Let's look at the House-passed bill. The House bill was voted out at $819 billion. And then the Senate bill ultimately passed at $838 billion. But now, with our efforts over the past week, this package has emerged as a $787.2 billion conference report that is not only more narrowly tailored toward stimulus, but actually has a lower overall cost than either the House-passed bill at $819 billion or the Senate-passed bill at $838 billion. And that is no insignificant achievement.

At the same time, the package isn't only right—it is right sized. As the President has stated, we will lose $2 trillion in consumer demand this year and next—demand, I might add, that must be ''backfilled'' in our economy with a substantial investment in both tax relief and targeted, effective expenditures that will create jobs. The fact is, given the monumental level of this recession, we can't just be throwing pebbles in the pond. Rather, we require the ripple effect of a boulder—while at the same time ensuring that this is not an open-ended passport to spending in perpetuity.

I know that there are those who criticize the top-line number on this package. And given this legislation is deficit-financed, the cost and the stimulative affect of each of the elements of this bill should be of concern to all of us. I said on the floor at the beginning of this process that we cannot overload this bill with items that are not within the strictures of stimulus. We must ensure that programs that may well be worthwhile policy but not economic stimulus are not considered in this package, and instead are vetted through the budget and regular legislative process. We cannot, under the auspices of stimulus legislation—open the door to permanent spending that exceeds the life and purpose of what is before us today.

But in terms of the actual size of the package, let's consider for a moment the economic stimulus packages passed in 2001 and in 2003—and compare the cost of those measures with the cost of this package, and the economic conditions at those times, with the far worse economic conditions of now.

In June 2001, when the economy was in recession as well, we responded with a $1.35 trillion package. In the quarter when that bill passed, the economy grew by 1.2 percent, and unemployment was at 4.5 percent. In 2003, we passed a bill that was essentially a trillion dollar package masquerading as a $350 billion bill. During the spring of 2003, when that bill passed, the economy grew by 3.5 percent and unemployment was at 6.1 percent.

Fast forward to today with this $787 billion package on the floor. The economy shrank at an annual rate of 0.5 percent in the third quarter of 2008, and 3.8 percent in the fourth quarter of 2008. The unemployment rate is currently at 7.6 percent. Furthermore, over the past 13 months alone, as I mentioned earlier, the economy has lost 3.6 million jobs. By comparison, we lost a total of 2.7 million total jobs in the 2001 recession. The bottom line is this package is not by any means outsized for the times—it is right-sized.

When we began our deliberations in the Senate, the spending in the Senate package reached $366 billion. Fortunately, through our bipartisan efforts, we were able to trim that spending by an additional $55 billion in nonstimulative items. Today, this package contains a total of $286.5 billion in tax provisions, $311 billion in discretionary spending appropriations, and $192.4 billion in nondiscretionary spending items more narrowly focused on job creation and assistance to those displaced.

On the spending side of the ledger, we demonstrated our commitment to job creation by investing in infrastructure. For example, the compromise accelerated the timeline for spending out 50 percent of the money for roads and bridges from 180 days to 120 days—with the remaining 50 percent required to be obligated within one year—to further frontload the stimulative effect. Right now, the U.S. Conference of Mayors has a list of nearly 19,000 shovel-ready projects nationally, totaling almost $150 billion. Moreover, the Federal Highway Administration projects that for every one billion dollars spent, 28,500 jobs are created, and with the 7.5 billion contained in this Conference Report for highways alone. That is 783,750 jobs just for roads and bridges.

We included $40 billion for enhancing unemployment insurance as CBO said last year that the cost-effectiveness of such a policy for stimulative effect is ''large''. . . the length of time for impact is ''short''. . . and recently, Moody's Economy.com estimated that every dollar spent on unemployment benefits generates $1.63 in near term GDP. I thank Chairman BAUCUS for including in this conference report my provision to exclude the first $2,400 of unemployment benefits from taxation, to further maximize the provision's stimulative impact. And as increasing food stamps is also among the most immediate and effective stimulative steps we can take—we provided $19.9 billion to do just that.

I am also particularly pleased, as ranking member of the Small Business Committee, that we included such critical job-creation funding as $730 million for the Small Business Administration's lending programs. This spending is targeted toward increasing access to capital and lowering the cost of capital for our Nation's small businesses that have created fully two-thirds of America's net new jobs, that created or retained 770,000 jobs in FY 2008 alone, and will unquestionably be at the forefront of leading us out of this crisis. The bill contains many of Chair LANDRIEU's and my priorities, such as ones to slash fees for SBA borrowers and reduce them for lenders; increase funding for the microloan program; and a new program targeted toward small businesses struggling to make loan payments.

Additionally, on the spending side we provided vital Medicaid assistance to the states—and I have heard the arguments against it. But does anyone seriously believe that with 45 states currently experiencing a shortfall and a projected, combined budgetary gap of $350 billion over the next 2 years won't have a profound impact on our national economy, as States grapple with raising taxes or slashing spending to balance their budgets?

We also included $28 billion for adoption of Heath Information Technology by health care providers. This would not only actually result in an eventual $10 billion in savings, but also improvements in care and costs, while creating an additional 40,000 jobs that will endure. As we grapple with the gravity of our economic circumstances, doesn't it make sense to simultaneously create transformational, well-paying jobs that, rather than looking to the past, will endure and ensure that America is competitive in the global economy of the 21st century?

As I mentioned earlier, this package also contains more than $286 billion in tax relief—with many provisions I was proud to ensure were included as a member of the Senate Finance Committee—that will directly result in job creation and retention, and bolster our economy.

The President's signature making work pay tax credit, which the President agreed to trim in this conference report, will provide additional money in every paycheck to more than 95 percent of working families in the United States, which Mark Zandi has said will be ''particularly effective, as the benefit will go to lower income households . . . that are much more likely to spend any tax benefit they receive.''

I am pleased to have helped retain in this legislation relief from the alternative minimum tax as it will not only boost the value of the making work pay credit but will also ensure that around 30 million Americans won't be ensnared by this onerous levy. We increase eligibility for the extraordinarily successful refundable portion of the child tax credit that I originally spearheaded to reach low-income families earning between $3,000 and $9,667 a year. I have heard the arguments before against refundability, but this program reaches people who may not earn enough to have federal tax liability but who work and contribute local taxes and payroll taxes and will, therefore, get additional money into the pockets of those most likely to spend it.

When it comes to tax relief and America's greatest job generators, our Nation's 27.2 million small businesses, this package contains provisions I authored to help them sustain operations and employees. This includes enhanced section 179 expensing for 2009, allowing small businesses throughout the Nation to invest up to $250,000 in plant and equipment that they can deduct immediately, instead of depreciate over a period of 5, 7, or more years.

The conference report also contains a provision to extend to 5 years the carryback period of net operating losses for small businesses with up to $15 million in gross receipts which will help small businesses sustain operations with a cash infusion during these trying times. This modification was the result of a last-minute negotiation, and I very much appreciate the personal efforts of Chairman BAUCUS.

This agreed-upon measure makes a welcomed, commonsense change to reduce to 90 percent the requirement that small business owners prepay 110 percent of their previous year's tax liability. The purpose of quarterly prepayments is to ensure that the Government gets every penny owed. Because of the recession and the credit crunch, the overpayment of quarterly income taxes by America's small business owners is unnecessary, because few businesses are experiencing 10 percent growth, and harmful because it drains vital cash flow away from an ongoing business.

The conference report also retains a provision I joined Senators LINCOLN and HATCH in spearheading to lessen the impact of the built-in gains tax on small businesses. This change is absolutely essential at a time in which our Nation's credit markets remain frozen and small businesses are struggling to meet their financing requirements. This provision will benefit up to 900 small businesses in my home state of Maine and hundreds of thousands across the country.

We must not neglect our Nation's distressed and rural communities. This conference report rightly recognizes that imperative by including an additional $1.5 billion in each 2008 and 2009 allocation authority for the new markets tax credit. And my understanding is that the Community Development Financial Institutions Fund, which administers the incentive, can allocate the augmented 2008 credit authority within 90 days, which will create 11,000 permanent jobs and 35,000 construction jobs.

This agreement also contains tax credits for renewable energy that I have long fought for that will create more than 89,000 jobs. Frankly, if we had not dithered last year and opted to pass the extension of the renewable tax credits at the beginning of 2008, we would have already been on the road to creating 100,000 new jobs. I know in my home State, there are a number of wind farm projects, for example, that could be ready to move forward right now.

I am also pleased that the stimulus bill contains a provision I helped to draft that will allow base communities across the Nation that have been significantly affected by a closure or realignment to qualify for vital recovery zone economic development bonds.

Finally, I am pleased this bill includes a provision I wrote to expand the definition of ''manufacturing'' as it pertains to the small-issue Industrial Development bond, or IDB, program to include the creation of ''intangible'' property. For example, this would allow the bonds to be used to benefit companies that manufacture software and biotechnology products by helping them get the financing necessary to assist their operations in innovating and create new jobs. Knowledge-based businesses have been at the forefront of this innovation that has bolstered the economy over the long-term. For example, science parks have helped lead the technological revolution and have created more than 300,000 high-paying science and technology jobs, along with another 450,000 indirect jobs for a total of 750,000 jobs.

There will be those who say the cost of this package is too much, and others will say it is too little. Some will say it should have higher levels of tax relief, others that we should focus almost entirely on spending. There are 535 Members between the House and the Senate who all have their own legitimately held beliefs about this legislation. There are millions of Americans with their own, differing views, questions, concerns, and expectations.

At the end of the day, I must return to my own evaluation—again, shared by so many across the political spectrum—that inaction is not an option and, frankly, time is of the essence. I also return to my standard for evaluating a stimulus: Is it sufficiently focused on creating jobs and assisting those who have been displaced. In that light, this package deserves to be passed now and signed into law. It is supported by organizations such as the National Association of Manufacturers, the U.S. Chamber of Commerce, the National Institute of Building Sciences, because they also believe it will create jobs. On balance, this is the right approach at the right time that offers us the best course for economic recovery and, therefore, I will be supporting this conference report.

SALES TAX

Mr. CARPER. Mr. President, I rise for the purpose of entering into a colloquy with the senior senator from Montana regarding the car purchase tax credit introduced by Sen. MIKULSKI and included in this conference report.

Mr. Chairman, my home State of Delaware does not have a State sales tax, which this provision addresses. However, a ''document fee'' of 3.75 percent is collected when a new vehicle is sold in Delaware. This fee is the equivalent of a State sales tax, although it is not called that term.

Alaska, Montana, Hawaii, Oregon and New Hampshire lack State sales taxes. Instead, these States levy fees and/or taxes or allow local governments to levy fees or taxes on new vehicles. For example, in your home State of Montana, there is a county option tax on vehicles. In New Hampshire, towns and cities can collect fees on motor vehicles. Hawaii levies a four-percent excise tax on goods, which includes automobiles. This tax is passed along to Hawaiian new car purchasers.

As the purpose of the Mikulski amendment is to encourage Americans to purchase new automobiles, is it the chairman's understanding that it is the intent of Congress that the document fee in Delaware is the functional equivalent of a State sales tax?

Mr. BAUCUS. The Senator is correct. In fact, IRS currently counts vehicle registration fees based on a vehicle's value as a personal property tax, which

is deductible. This is true even if the State calls the fee a ''registration fee'' or a ''vehicle use fee.'' In Montana, new passenger vehicles are subject to a $217 fee, as well as a county option tax-based on the value of the vehicle. The same standard should apply to Section 1008.

Mr. CARPER. I thank the Senator. Additionally, in lieu of paying States sales taxes or in the case of Delaware, a document fee, is it the intent of Congress that the motor vehicle registration fees on new vehicles collected by State or local governments in Alaska, New Hampshire, Oregon, Hawaii and Montana qualify for a deduction as defined under section 1008?

Mr. BAUCUS. Yes, that is correct.

Mr. CARPER. I thank the Senator and yield the floor.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, I wish to proceed on my leader time.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MCCONNELL. Mr. President, across the country Americans are struggling with a very bad economy. Every day we hear more heartbreaking stories about foreclosures and lost jobs. The situation is serious. It appears to be getting worse. It was in the midst of this scenario that our new President took office. As did all of us, the President wanted to do all he could to help the economy. So he asked Congress to put together a stimulus bill aimed at preventing as much future damage as possible.

From the very start, Republicans supported the idea of a stimulus. All of us, Democrat and Republican, thought it was important and necessary. The question was, what kind of stimulus? What would it look like? What would it cost? Who would it help? Where would it go? Most importantly, would it work?

These are important questions, particularly when the economists tell us that a bad stimulus is worse than no stimulus at all. As the President's top economist, Larry Summers has written:

> Poorly provided fiscal stimulus can have worse side effects than the disease that is to be cured.

These questions naturally lead to another: How do we measure whether a stimulus will work? Well, according to Summers, it is a fairly simple three-point test. First, in order to be effective, a fiscal stimulus must be timely; second, it must be targeted; and, third, it must be clearly and credibly temporary. So using the standard outlined by the President's own top economist, Republicans have asked: Is this bill timely? Is it targeted? Is it temporary?

The answer, I have regretfully concluded, is a resounding no. This bill fails on all three points. This means, in my view, that congressional Democrats have put together a stimulus that by Democrats' own standards is likely to fail. Yet, with interest, this bill is expected to cost taxpayers $1.1 trillion.

So the question now is, what can the taxpayers expect for their money? Well, at a time when millions are struggling to hold on to their homes and jobs, Democrats in the name of stimulus want taxpayers to cover the cost of golf carts, electric motorcycles, and ATVs; $300 million for new government cars; $1 billion for ACORN-eligible block grants; $50 million for out-of-work artists; $165 million to maintain and build fish hatcheries—$165 million for fish hatcheries; $1 billion for the Census. I defy anyone to explain to me how $1 billion for the Census will stimulate the U.S. economy.

So a stimulus bill that was supposed to be timely, targeted, and temporary is none of the above. This means Congress is about to approve a stimulus that is unlikely to have much stimulative effect.

That is why an analysis by the Congressional Budget Office actually predicted a potential sustained economic decline—decline—as a direct result of this bill. That is why I can't support it.

This is one of the most expensive pieces of legislation Congress has ever approved. Including interest, as I have said, it is expected to cost $1.1 trillion. To put that figure in perspective, consider this: If you spent $1 million a day every day since Jesus was born, you still wouldn't have spent $1 trillion. This is an extraordinary sum of money. It deserves an extraordinary level of scrutiny.

Yet even based on the ordinary standards of evaluation, it easily fails the test. Even if the bill were timely, targeted, and temporary, we would still have to look at the pricetag in the context of all the other spending we are all soon going to be asked to consider. The American people need to remember this stimulus is just one piece of the Democrats' overall spending plan.

Soon we will be asked to consider $50 billion for housing and unspecified hundreds of billions of dollars—possibly even another trillion—for troubled banks. We will also soon be voting on a $400 billion Omnibus appropriations bill that will bring the total discretionary spending for this fiscal year to $1 trillion for the first time in American history.

This isn't Monopoly money. It is real. It adds up. It has to be paid back by our children and their children, and the American people still don't have the facts about the total cost.

We need to tell the American people the whole story. If Americans can't be assured these programs they are paying for will work, they should at least be told what they are going to cost.

Even the Democrats admit this bill is a $1 trillion risk. Today—this very day—the Democratic majority leader of the House asked his members to pray: ''Pray that this bill works.'' Why? Because, as he said, he is not sure that it will. I can't take that big of a risk on this big of a commitment of the American people's money.

I know everyone believes their efforts will help strengthen the economy and create jobs. No one should doubt that. Everyone is trying to do the right thing. My concern is not the motivation behind these efforts but the wisdom—the wisdom—of these efforts.

This bill has been roundly criticized for being loaded with wasteful spending and hundreds of billions of dollars in permanent—permanent—Government expansion. Our plan would have reduced monthly mortgage payments and made it easier to buy a home. Workers would have been able to keep more of what they earn. It is also about half the cost of the Democratic plan.

Every Member of Congress, Republican and Democrat, wants the economy to recover. The question is, which plan would work? In my view, it is highly unlikely this one will. I can't take that big of a risk with other people's money. I will vote against it, and I urge my colleagues to do the same.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. INOUYE. Mr. President, the American Recovery and Reinvestment Act, I believe, is a good bill. It is not perfect. It may have imperfections, but I believe it deserves our support.

Many compromises were made, and the final compromises that we made in conference were very difficult. There is no doubt those of us on this side of the aisle had to make some very difficult decisions and some painful cuts to programs that I personally believe would have been of great benefit to the American people. But in the end, I remain convinced we have gained far more than we have lost, and this bill is essential in beginning the task of turning our economy around.

The American Recovery and Reinvestment Act will create more than 3.5 million jobs. This is nothing to sniff at. It will provide tax cuts for working families, aid to our States, and will allow us to invest in our future by rebuilding our roads, schools, and mass transit systems.

As chairman of the Appropriations Committee, I know that the $311 billion in appropriated funds that are contained in this bill will make a difference as we confront the economic crisis. For example, the funds will prevent layoffs of State employees, will allow for increased funding for education, health care initiatives, improved energy efficiency, and many other vital investments.

With this large influx of Federal funding now headed to our States, including my home State of Hawaii, it is essential that each State has a plan of action in place to ensure that these resources are invested quickly and responsibly, and in the right places. In Hawaii, for example, we have established working groups of State and local officials and community leaders to identify priorities that will have the most effective and timely economic impact in local communities throughout the State.

Before concluding my remarks, I want to take a moment to thank the

Members and staff of the Appropriations Committee for all of their dedication and hard work in taking this bill from conception to completed legislation in a matter of a few months. On our committee, we have 12 subcommittees, each of which was involved in this bill. It is the subcommittees, the chairmen and ranking members who, along with their subcommittee clerks and staff, are the people who have carried the load on this bill. I believe that the Senate owes them its gratitude.

At this time, I wish to inform the Senate that division A of the conference report on H.R. 1 does not contain any congressionally directed spending items as defined in rule XLIV of the Standing Rules of the Senate.

There is no quick fix or easy answer to this grave economic crisis, but I am confident this plan will begin to put America on the road to recovery.

I believe the American Recovery and Reinvestment Act of 2009 is the right medicine for what ails our economy. It will not fix our problems overnight, but it will begin the process. We face some tough times in the coming year, but this legislation will have an impact. It will help millions of Americans, directly and indirectly and, most importantly, it will give America confidence that we can overcome this crisis.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I ask unanimous consent to be recognized for 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I want to say something at the conclusion of the debate. I have spoken a number of times and have had my say, but this is not a normal bill. This is the largest expenditure in the history of this Republic, or of any nation in the history of the world. Some have said—and we heard this from the Administration—that they want to remake the economy. A press person asked me today: What do you think happened to bipartisanship?

I said, well, I don't know if I can hold hands and walk down the road to socialism. I don't want to walk down the road together to say our heritage of limited Government and lower taxes and individual freedom and responsibility ought to be altered.

What I am concerned about, at my deepest level, is that this step, as huge as it is, is only one of many that we are going to see. We had the Wall Street bailout of $700 billion. We hear there may be another $500 billion coming on housing and that kind of thing, because there's not much housing benefit in this.

This endangers our heritage. It is not a little bitty matter. I am proud of my colleagues who have said no. I believe it is the right vote and I hope and pray that yet it might fail.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Arizona is recognized.

Mr. MCCAIN. How much time remains on both sides?

The PRESIDING OFFICER. The proponents of the legislation have 3½ minutes, and the opponents have 8½ minutes.

Mr. MCCAIN. What is the disposition of the Senator from Illinois?

Mr. DURBIN. Mr. President, I believe we have 3 minutes and a few seconds and I will use that time.

Mr. MCCAIN. Would the Senator wish to go now or wait for me?

Mr. DURBIN. I defer to the Senator from Arizona.

Mr. MCCAIN. I thank the Senator.

Mr. President, we are, obviously, about to vote affirmatively on the legislation before us. I want to say that I think the debate has been good and respectful. I congratulate the Members on the other side of the aisle and the President for their success in achieving the timetable that they laid out for the passage of this legislation.

I point out that the allegation that this is a bipartisan piece of legislation is simply not accurate. A total of three Republican Members in the entire Congress will be voting for this bill—only three. That is not a bipartisan approach, by any measure.

I think there are some hard facts we should not ignore as we address and dispose of this issue and move on to others. I remind my colleagues that the current national debt is $10.7 trillion. The 2009 projected deficit is another $1.2 trillion. The cost of this legislation before us is $1.124 trillion; that is, $789 billion plus interest. The expected omnibus spending bill, which will be coming shortly, is roughly $400 billion. The expected supplemental request for Afghanistan and Iraq will be an additional $80 billion. We will be addressing appropriations bills for 2010 that will be over a trillion dollars. We are already spending $700 billion on TARP I and II. And estimates, according to the media, are that TARP III will be somewhere around $1.5 trillion.

We are on a spending spree of unprecedented and historic proportions. We are committing what some of us have called generational theft because we are laying this debt on our children and our grandchildren.

My colleagues—and the Senator from Illinois who has been here constantly and has argued his side effectively—will point out that Republicans did the same thing. I agree, and Republicans were punished in the last election for doing so.

What grieves me the most about this process we have been through is that it started out with a phrase by the Speaker of the House that ''we won, we wrote the bill.'' I think I understand the lesson. That is the process that it has been through, without Republican involvement and without Republican negotiations, which I think are necessary to achieve the consensus that is necessary when we are addressing an issue of this magnitude.

This has not been a bipartisan effort. The other side will emerge victorious in a few minutes, but we have to face additional challenges. I mentioned TARP III—$1.5 trillion—and the expected war supplemental request. There are all of these new challenges—not to mention national security challenges and policy challenges.

I think I understand the message from the 2008 election. I think I understand it very well. That message is that the American people don't want business as usual. They do want us to sit down together. We want to be in on the takeoff, so that we can be in on the landing. We want to work together with the other side.

This is not the example that I think the American people want us to exercise as we address the enormous challenges. We need a stimulus package, we need to address the war in Afghanistan, and we need to provide for the much-needed services to Americans as revenues decline with a bad economy.

I end my remarks and yield back the balance of my time by saying again: Congratulations to those who will succeed in passing this legislation. The next time—and it will be soon, because I understand there will be an omnibus appropriations bill, TARP III and others—let us sit down and negotiate and work together. When we come out with a solution and legislation, we can tell the American people that we learned the lesson but, most importantly, we will reflect their wishes that we have worked together to address some of the most difficult challenges of anyone's lifetime.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I have listened to the critics of this legislation. What would they have us do? They would have us do nothing. What they offer is one-half of this bill, in the hopes that that might do it. We tried that. I say to the critics of the bill that we tried their tax cuts last year under President Bush, and they didn't work. We tried their TARP under President Bush, and it didn't work as well as we had hoped.

Now we are asking for a chance. This President, President Obama, inherited the worst economic crisis in 75 years. He is showing leadership, and he came with a solution and offered it to the Republicans and said sit down with us, work with us together. Only three Republicans out of all those elected on Capitol Hill would do so. This President made direct overtures to bring in Republicans, to try to find a solution to these problems, and they refused to do so. Many of the same Republicans—not the Senator from Arizona—who have spoken earlier supported amendments to this, adding to the cost of this package $70 billion in the Finance

Committee, up to $30 billion on the floor; and after their amendments were adopted, they said, of course, we cannot vote for the bill because it costs too much—after they added some $100 billion in costs to the bill.

They cannot have it both ways. They cannot ask us, as Democrats, to stand with President Bush when he tried to solve it and then walk out the door when we face this crisis under President Obama. We have invited the Republicans to join us, and three stepped forward. I salute them for their courage in doing so. I hope more will do that in the future.

A lot of the arguments are about the impact on the next generation. Consider the impact on the next generation of Americans if their parents lose a job. Consider the impact on kids in the next generation if their home is foreclosed upon. Consider the impact on the next generation if they are forced out of college because their parents cannot pay the bills. In this bill, we address each of those issues, providing tax relief to working families, creating up to 4 million jobs, giving people a chance to stay in their homes and trying to help them pay for a college education. Yes, we have our eye on the next generation.

What we are doing in the bill is trying to give a lifeline to our economy for those who are suffering in Arizona, Illinois, Colorado, and all across this country. This is a serious effort to find a solution. We have tried to work together. It is a transparent approach with full accountability, and we will do our best to pass it and turn this economy around and give America the new day it deserves.

I yield the floor.

The PRESIDING OFFICER. (Mrs. HAGAN). All time has expired.

Mr. MCCAIN. Madam President, in keeping with the previous unanimous consent agreement, I believe this point of order and final passage are both combined in one vote.

The PRESIDING OFFICER. The Senator is correct.

Mr. MCCAIN. Madam President, pursuant to section 294(a) of the 2008 budget resolution, S. Con. Res. 21, of the 110th Congress, I raise a point of order against the emergency designation in section 5(a) of the conference report.

The PRESIDING OFFICER. Under the previous order, a motion to waive the applicable point of order is considered made.

The question is agreeing to the motion.

Mr. DURBIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) was absent.

The yeas and nays resulted—yeas 60, nays 38, as follows:

[Rollcall Vote Nos. 63, 64 Leg.]

YEAS—60

Akaka	Feinstein	Murray
Baucus	Gillibrand	Nelson (FL)
Bayh	Hagan	Nelson (NE)
Begich	Harkin	Pryor
Bennet	Inouye	Reed
Bingaman	Johnson	Reid
Boxer	Kaufman	Rockefeller
Brown	Kerry	Sanders
Burris	Klobuchar	Schumer
Byrd	Kohl	Shaheen
Cantwell	Landrieu	Snowe
Cardin	Lautenberg	Specter
Carper	Leahy	Stabenow
Casey	Levin	Tester
Collins	Lieberman	Udall (CO)
Conrad	Lincoln	Udall (NM)
Dodd	McCaskill	Warner
Dorgan	Menendez	Webb
Durbin	Merkley	Whitehouse
Feingold	Mikulski	Wyden

NAYS—38

Alexander	DeMint	Martinez
Barrasso	Ensign	McCain
Bennett	Enzi	McConnell
Bond	Graham	Murkowski
Brownback	Grassley	Risch
Bunning	Gregg	Roberts
Burr	Hatch	Sessions
Chambliss	Hutchison	Shelby
Coburn	Inhofe	Thune
Cochran	Isakson	Vitter
Corker	Johanns	Voinovich
Cornyn	Kyl	Wicker
Crapo	Lugar	

NOT VOTING—1

Kennedy

The PRESIDING OFFICER (Mr. DURBIN.) On this vote, the yeas are 60, the nays are 38. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion to waive section 204(a)(5)(A) of S. Con. Res. 21 regarding emergency legislation is agreed to. As a result, the point of order falls.

Pursuant to the previous order which imposed a 60-vote threshold for the adoption of this conference report, this vote also constitutes the vote on the adoption of the conference report.

Pursuant to that order, the conference report to accompany H.R. 1 is agreed to, and the motion to reconsider that vote is considered made and laid upon the table.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. 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. GRASSLEY, Mr. President, yesterday I spoke about how the trade adjustment assistance provisions in the conference report represent the one shining example of bipartisanship in this mammoth legislation. It's unfortunate that the overall conference report wasn't the product of a similarly bipartisan process, but that missed opportunity should not detract from the tremendous bipartisan effort that my colleagues and our staffs undertook to bring about this significant achievement in reforming and reauthorizing our trade adjustment assistance programs. I want to take a moment to note for the record my appreciation to those who have worked so hard to produce this good compromise legislation on trade adjustment assistance.

I will begin by thanking my colleagues on the House Ways and Means Committee, Chairman RANGEL and Ranking Member CAMP. Our bicameral negotiations over the last 6 weeks have been intensive, and at times difficult but always professional and constructive. Chairman RANGEL was ably advised by Tim Reif and Viji Rangaswami, his respective staff director and deputy staff director on the trade subcommittee, as well as Alex Perkins, international trade counsel to the chairman, and Indivar Dutta-Gupta, adviser to the chairman on the professional staff of the subcommittee on income security and family support. Congressman CAMP was ably advised by his chief trade counsel, Angela Ellard, as well as David Thomas, international trade counsel to the ranking member.

Of course I must thank my partner on the Finance Committee, Chairman BAUCUS, with whom I have been actively overseeing the operation of our trade adjustment assistance programs since the last time we implemented reforms in 2002. We have been negotiating over this legislation since April of last year, so this is the culmination of a lot of effort by our two staffs. My thanks begin with his staff director, Russ Sullivan, and extend to Demetrios Marantis, his chief international trade counsel, and the rest of his trade team, particularly Hun Quach, Ayesha Khanna, and Darci Vetter, as well as Amber Cottle, Chelsea Thomas, and Janis Lazda. I would also like to thank Liz Fowler and Neleen Eisinger from his health staff, and Anya Landau French, formerly of his trade staff.

On my staff I want to thank first my staff director on the Finance Committee, Kolan Davis, and my deputy staff director and chief tax counsel, Mark Prater, for their wise counsel in managing the legislative processes that have led to today's achievement. I also want to thank my chief international trade counsel, Stephen Schaefer, who has spearheaded my oversight of trade adjustment assistance since 2003 and led my negotiating effort these many months, as well as David Ross, my international trade counsel, who played an integral role in the negotiations that produced today's compromise. In addition, I want to thank David Johanson, my international trade counsel and agricultural trade specialist, for his role in negotiating a reform of the trade adjustment assistance for farmers program, and Claudia Bridgeford Poteet, my international trade policy advisor, for her advice and support. Additional members of my staff that merit special recognition include Mark Hayes, my chief health counsel, and Andrew McKechnie, also on my health staff, as well as Kristin Bass and Colette Desmarais, formerly of my health staff. I also want to thank Chris Condeluci, my tax and benefits

counsel, as well as Lacee Oliver, an intern on my Finance Committee staff, and John Kalitka, a former detail to my Finance Committee trade staff from the Department of Commerce, for their work on trade adjustment assistance.

Our work has been supported by the substantial efforts of dedicated professionals at the Department of Labor, and my appreciation there begins with Erin Fitzgerald in the Division of Trade Adjustment Assistance, as well as Mark Morin and Lois Zuckerman in the Office of the Solicitor, and Erica Cantor, the administrator of the Office of National Response. I also want to thank Mason Bishop, Blake Hanlon, and Geoffrey Burr, formerly of the Department of Labor, as well as Justin McCarthy and John Bailey, formerly on the White House staff of the previous administration.

I mentioned that Chairman BAUCUS and I have been engaged in joint oversight of the trade adjustment assistance programs since 2002, and our oversight has included requesting a series of reports from the Government Accountability Office to examine various aspects of the operation of these programs. Among current and former personnel at the Government Accountability Office who merit special recognition for their hard work are Sigurd Nilsen, Dianne Blank, Lorin Obler, and Wayne Sylvia.

Finally, I want to acknowledge the tremendous effort of our House and Senate legislative counsels to deliver timely drafts and constructive critiques of proposed legislative provisions. On the House side I want to thank Sandra Strokoff and Mark Synnes, and here in the Senate I want to thank our experts on customs and international trade law, Polly Craighill and Margaret Roth-Warren.

As you can see, today's achievement is the result of the dedication, hard work, and commitment of many individuals. It is the culmination of years of effort, and I am confident that the result will serve to benefit American workers in Iowa and across the United States for years to come.

Mr. COCHRAN. Mr. President, although I voted against the motion to waive the Congressional Budget Act on the conference report to accompany H.R. 1, the so-called stimulus bill, and on the adoption of the conference report to H.R. 1, I must acknowledge the courtesies and thoughtful leadership of the Appropriations Committee by the distinguished Senator from Hawaii, Mr. INOUYE.

He carried out his responsibilities as chairman of our committee in a fair minded way that reflected credit on the Senate.

This legislation was written by our committee, but in many respects it reflected the attitude and interests of the other body. The bill in my opinion creates too many new programs and policies that will have a major impact on the Federal budget for years to come.

Our Nation faces an economic emergency, but a health information program is not an emergency and should not have been included in this bill. Upgrading the elective grid is not an emergency and neither is improving our Nation's scientific capacity, but they should have been considered in the President's budget request and through a deliberative congressional process.

There are many things like this that should not have been included in this bill.

The process has been anything but deliberative.

MORNING BUSINESS

Mr. REID. Mr. President, I ask we now go to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING JOE BURKE

Mr. DURBIN. Mr. President, today I would like to recognize Mr. Joseph ''Joe'' Burke for his 33 years of service with the U.S. Capitol Police.

Joe was raised and educated in Pennsylvania and Virginia. He attended Moravia College in Pennsylvania and graduated with a degree in criminal justice. Joe's studies didn't occupy all his time while at Moravia; he was an extremely talented baseball player and tried out for the Pittsburgh Pirates.

After choosing a career in law enforcement, Joe joined the U.S. Capitol Police on December 8, 1975. He served in several positions within the department before finding his true calling—the Containment and Emergency Response Team, CERT, in 1981.

Joe was among the original members of CERT upon its inception in 1981. The tryouts for CERT were strenuous; held at the FBI Academy, they consisted of shooting drills, running an obstacle course and jumping into a pool with a rubber gun before swimming the length of the pool. The Unit started with three five-man teams that train twice a month. This modest beginning has grown into the CERT we see today—a highly trained, full-time tactical team.

Over the years, Joe has remained committed to serving the congressional community. He has served during several challenging periods for the Capitol Police including the tragic shooting at the Capitol, the attacks on September 11, 2001, and the anthrax mailings. Joe's experience was invaluable during big events, too—the state funerals of Presidents Reagan and Ford, demonstrations, eight Presidential Inaugurations and numerous State of the Union Addresses.

Joe Burke's experience and service have helped CERT become a SWAT team that ranks among the top teams in the country. He is responsible for many of the programs currently used by the Capitol Police to train CERT personnel.

Joe has been recognized for his leadership and efforts to develop an enhanced and professional tactical team and for his work with area teams to develop response and coverage capabilities across the region.

Mr. President, Joe Burke retired from the U.S. Capitol Police on January 3, 2009. I would like to thank him for his years of service to the congressional community and ask that my colleagues join me in wishing Joe well in his retirement.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP RULES OF PROCEDURE

Ms. LANDRIEU. Mr. President, Senate Standing Rule XXVI requires each committee to adopt rules to govern the procedures of the committee and to publish those rules in the CONGRESSIONAL RECORD not later than March 1 of the first year of each Congress. Today, February 12, 2009, the Committee on Small Business and Entrepreneurship held a business meeting during which the members of the committee unanimously adopted rules to govern the procedures of the committee. Consistent with Standing Rule XXVI, I am submitting for printing in the CONGRESSIONAL RECORD a copy of the rules of the Senate Committee on Small Business and Entrepreneurship for the 111th Congress.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES FOR THE COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP —111TH CONGRESS

GENERAL

All applicable provisions of the Standing Rules of the Senate, the Senate Resolutions, and the Legislative Reorganization Acts of 1946 and of 1970 (as amended), shall govern the Committee.

MEETINGS

(a) The regular meeting day of the Committee shall be the first Wednesday of each month unless otherwise directed by the Chair. All other meetings may be called by the Chair as he or she deems necessary, on 5 business days notice where practicable. If at least three Members of the Committee desire the Chair to call a special meeting, they may file in the office of the Committee a written request therefore, addressed to the Chair. Immediately thereafter, the Clerk of the Committee shall notify the Chair of such request. If, within 3 calendar days after the filing of such request, the Chair 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 Office of the Committee their written notice that a special Committee meeting will be held, specifying the date, hour and place thereof, and the Committee shall meet at that time and place. Immediately upon the filing of such notice, the Clerk of the Committee shall notify all Committee Members that such special meeting will be held and inform them of its date, hour and place. If the Chair is not present at any regular, additional or special meeting, such member of the Committee as the Chair shall designate shall preside.

(b) 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 thirty written copies of such amendment have been delivered to the Clerk of the Committee at least 2 business days prior to the meeting. This subsection may be waived by agreement of the Chair and Ranking Member or by a majority vote of the members of the Committee.

QUORUMS

(a) (1) A majority of the Members of the Committee shall constitute a quorum for reporting any legislative measure or nomination.

(2) One-third of the Members of the Committee shall constitute a quorum for the transaction of routine business, provided that one Minority Member is present. The term ''routine business'' includes, but is not limited to, the consideration of legislation pending before the Committee and any amendments thereto, and voting on such amendments, and steps in an investigation including, but not limited to, authorizing the issuance of a subpoena.

(3) In hearings, whether in public or closed session, a quorum for the asking of testimony, including sworn testimony, shall consist of one Member of the Committee.

(b) Proxies will be permitted in voting upon the business of the Committee. A Member who is unable to attend a business meeting may submit a proxy vote on any matter, in writing, or through oral or written personal instructions to a Member of the Committee or staff. Proxies shall in no case be counted for establishing a quorum.

NOMINATIONS

In considering a nomination, the Committee shall conduct an investigation or review of the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated. In any hearings on the nomination, the nominee shall be called to testify under oath on all matters relating to his or her nomination for office. To aid in such investigation or review, each nominee may be required to submit a sworn detailed statement including biographical, financial, policy, and other information which the Committee may request. The Committee may specify which items in such statement are to be received on a confidential basis.

HEARINGS, SUBPOENAS, & LEGAL COUNSEL

(a) (1) The Chair of the Committee may initiate a hearing of the Committee on his or her authority or upon his or her approval of a request by any Member of the Committee. If such request is by the Ranking Member, a decision shall be communicated to the Ranking Member within 7 business days. Written notice of all hearings, including the title, a description of the hearing, and a tentative witness list shall be given at least 5 business days in advance, where practicable, to all Members of the Committee.

(2) Hearings of the Committee shall not be scheduled outside the District of Columbia unless specifically authorized by the Chair and the Ranking Minority Member or by consent of a majority of the Committee. Such consent may be given informally, without a meeting, but must be in writing.

(b) (1) Any Member of the Committee shall be empowered to administer the oath to any witness testifying as to fact.

(2) The Chair and Ranking Member shall be empowered to call an equal number of witnesses to a Committee hearing. Such number shall exclude any Administration witness unless such witness would be the sole hearing witness, in which case the Ranking Member shall be entitled to invite one witness. The preceding two sentences shall not apply when a witness appears as the nominee. Interrogation of witnesses at hearings shall be conducted on behalf of the Committee by Members of the Committee or such Committee staff as is authorized by the Chair or Ranking Minority Member.

(3) Witnesses appearing before the Committee shall file with the Clerk of the Committee a written statement of the prepared testimony at least two business days in advance of the hearing at which the witness is to appear unless this requirement is waived by the Chair and the Ranking Minority Member.

(c) Any witness summoned to a public or closed hearing may be accompanied by counsel of his or her own choosing, who shall be permitted while the witness is testifying to advise the witness of his or her legal rights. Failure to obtain counsel will not excuse the witness from appearing and testifying.

(d) Subpoenas for the attendance of witnesses or the production of memoranda, documents, records, and other materials may be authorized by the Chair with the consent of the Ranking Minority Member or by the consent of a majority of the Members of the Committee. Such consent may be given informally, without a meeting, but must be in writing. The Chair may subpoena attendance or production without the consent of the Ranking Minority Member when the Chair has not received notification from the Ranking Minority Member of disapproval of the subpoena within 72 hours of being notified of the intended subpoena, excluding Saturdays, Sundays, and holidays. Subpoenas shall be issued by the Chair or by the Member of the Committee designated by him or her. A subpoena for the attendance of a witness shall state briefly the purpose of the hearing and the matter or matters to which the witness is expected to testify. A subpoena for the production of memoranda, documents, records, and other materials shall identify the papers or materials required to be produced with as much particularity as is practicable.

(e) The Chair shall rule on any objections or assertions of privilege as to testimony or evidence in response to subpoenas or questions of Committee Members and staff in hearings.

CONFIDENTIAL INFORMATION

(a) No confidential testimony taken by, or confidential material presented to, the Committee in executive session, or any report of the proceedings of a closed hearing, or confidential testimony or material submitted pursuant to a subpoena, shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the Members. Other confidential material or testimony submitted to the Committee may be disclosed if authorized by the Chair with the consent of the Ranking Member.

(b) Persons asserting confidentiality of documents or materials submitted to the Committee offices shall clearly designate them as such on their face. Designation of submissions as confidential does not prevent their use in furtherance of Committee business.

MEDIA & BROADCASTING

(a) At the discretion of the Chair, public meetings of the Committee may be televised, broadcasted, or recorded in whole or in part by a member of the Senate Press Gallery or an employee of the Senate. Any such person wishing to televise, broadcast, or record a Committee meeting must request approval of the Chair by submitting a written request to the Committee Office by 5 p.m. the day before the meeting. Notice of televised or broadcasted hearings shall be provided to the Ranking Minority Member as soon as practicable.

(b) During public meetings of the Committee, any person using a camera, microphone, or other electronic equipment may not position or use the equipment in a way that interferes with the seating, vision, or hearing of Committee members or staff on the dais, or with the orderly process of the meeting.

SUBCOMMITTEES

The Committee shall not have standing subcommittees.

AMENDMENT OF RULES

The foregoing rules may be added to, modified or amended; provided, however, that not less than a majority of the entire Membership so determined at a regular meeting with due notice, or at a meeting specifically called for that purpose.

Mr. DODD. Mr. President, I rise today to honor and celebrate the 100th anniversary of the National Association of the Advancement of Colored People—the NAACP—and thank my colleagues for unanimously adopting H. Con. Res. 35, introduced by my friend, Congressman AL GREEN, of Texas. I was honored to introduce companion legislation in the Senate.

Yesterday we were reminded once again of the historic nature of the work the NAACP has done over the last century as our Nation's first African-American President came to the United States Capitol to pay tribute to President Abraham Lincoln on his 200th birthday.

When we reflect on how far we have come in this country, we must acknowledge the crucial role the NAACP has played in making so many of those steps possible.

Founded on February 12, 1909, in New York City by a small multiracial group of activists that included Ida Wells-Barnett and W. E. B. Dubois, the NAACP spent decades working to eliminate discrimination in schools and throughout our society at the grassroots. Nearly a half century later, it would make itself known to the world with one of our Nation's greatest legal victories, the Supreme Court case Brown v. Board of Education.

In 1955, the Secretary of the NAACP's Montgomery, AL, branch suffered humiliation and unwarranted arrest for refusing to give up her front seat on a segregated bus in Montgomery, AL. Rosa Parks' simple yet powerful action would ignite the largest civil rights grassroots movement in the history of this country, reminding us once again of the difference that even one American can make to change the course of history.

The NAACP also played an essential role in ensuring the passage of the Civil Rights Acts of 1957, 1960, and 1964.

Though the right to vote was declared to be a basic human right under the U.S. Constitution, persons of color, especially African Americans, were historically—and shamefully—denied this fundamental right. The NAACP played a substantial role pushing for the passage of the Voting Rights Act of 1965, partnering with the likes of Cesar Chavez.

While the NAACP's political work is extraordinary, its community service efforts deserve recognition as well. In

2005, it created the Disaster Relief Fund to provide assistance for Hurricane Katrina victims in Louisiana, Texas, Mississippi, Florida, and Alabama at a time when they needed it most.

As President Obama said, ''A nation cannot prosper long when it favors only the prosperous.'' The NAACP has reminded us of those words for a century.

For all this achievement symbolizes to Americans and the world, the NAACP still recognizes the importance of remaining vigilant in our fight for equality, never allowing the past to be forgotten. I am honored that it has supported the passage of the Emmett Till Unsolved Civil Rights Crime Act that I introduced last Congress, in commemoration of the unspeakably brutal and unjustified murder of an African-American youth, ensuring that criminals of the unsolved hate crimes of the civil rights struggle are brought to justice and that its victims can finally find peace. And I am pleased that this legislation has become law.

Much progress has been made in the lives of persons of color because of the NAACP and its tireless, life-risking, and never-ending work.

As Thurgood Marshall, who a dozen years after arguing Brown v. the Board of Education before the Supreme Court would become the first African American to serve on our nation's highest court, said:

In recognizing the humanity of our fellow beings, we pay ourselves the highest tribute.

Today, the U.S. Senate and House of Representatives return that tribute to the NAACP and everyone who has been associated with its achievements and advocacy for this last century.

May its work to ensure equality for all American citizens continue as each of us in this institution and across our country commit to diminishing its necessity.

FINANCIAL FRAUD HEARING

Mr. KAUFMAN. Mr. President, I want to bring my colleagues' attention to an important hearing held this past Wednesday by the Judiciary Committee. We have been focused on the economy over the past few weeks, and particularly on the recovery bill that will soon start saving and creating jobs.

But there are more steps we need to take to restart our economy. One step is to renew confidence in our markets, by cracking down on the kind of criminal behavior that has contributed to our current crisis. I am talking about fraud in our financial markets.

On Wednesday, Chairman LEAHY convened a Judiciary Committee hearing on financial fraud. We heard testimony from John Pistole, Deputy Director of the FBI; Rita Glavin, Acting Assistant Attorney General for the Criminal Division; and Neil Barofsky, Special Inspector General for the Trouble Assets Relief Program.

I will ask to include in the RECORD, following my remarks, three articles reporting on the hearing.

Two things became clear at the hearing: First, that the Justice Department's Criminal Division, the FBI and the Special Inspector General are deadly serious about finding and prosecuting financial fraud.

FBI Deputy Director Pistole told the committee that the agency is investigating 530 open corporate fraud investigations, including 38 directly related to the current financial crisis. He said the total number of fraud investigations has nearly doubled, from 881 in fiscal year 2006 to 1,600 in fiscal year 2008.

Second, we learned that Federal law enforcement needs additional resources to do so effectively.

According to Deputy Director Pistole ''The increasing mortgage, corporate fraud and financial institution failure case inventory is straining the FBI's limited white collar crime resources.''

The FBI's very necessary shift of resources to counterterrorism efforts has had a significant impact on its ability to investigate sophisticated financial crime.

Currently, the FBI has only 240 agents investigating complex financial fraud.

During the savings and loan crisis in the 1980s, the FBI had more than 1,000 agents investigating financial fraud connected to that scandal.

Mr. President, it is clear we need to scale up dramatically the number and training of FBI agents investigating financial fraud, because the financial meltdown of 2008 is much bigger than the savings and loan crisis.

That is why I was proud to join with Chairman LEAHY and Senator GRASSLEY to introduce S.386, the Fraud Enforcement and Recovery Act of 2009.

Mr. President, I look forward to working with Chairman LEAHY and Senator GRASSLEY to pass this important legislation, and I applaud them for their leadership.

Mr. President, I ask unanimous consent to have the three articles to which I referred printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From CQ Today, Feb. 11, 2009]

SPIKE IN FRAUD INVESTIGATIONS TAXING LAW ENFORCEMENT RESOURCES, OFFICIALS TESTIFY

(By Seth Stern)

More resources are needed to combat financial fraud, which has soared amid the meltdown of financial markets, officials told lawmakers Wednesday.

FBI Deputy Director John Pistole told the Senate Judiciary Committee that the agency is investigating 530 open corporate fraud investigations, including 38 directly related to the current financial crisis. He said the total number of fraud investigations has nearly doubled, from 881 in fiscal 2006 to 1,600 in fiscal 2008.

''The increasing mortgage, corporate fraud and financial institution failure case inventory is straining the FBI's limited white-collar crime resources,'' Pistole said in his written testimony to the committee.

Others noted that the problem was likely to worsen as criminals target funds from the financial bailout (PL 110–343) and the economic stimulus measure being considered by a House-Senate conference (HR 1).

''We stand on the precipice of the largest infusion of government funds over the shortest period of time in our nation's history,'' testified Neil M. Barofsky, the special inspector general for the Troubled Assets Relief Program. ''Unfortunately, our history teaches us that spending so much money in such a short period of time will inevitably draw those seeking to profit criminally.''

Patrick J. Leahy, D-Vt., the Judiciary Committee chairman, and Charles E. Grassley, R-Iowa, have introduced legislation (S 386) to extend federal fraud laws to cover more mortgage lenders and funds expended under the financial bailout and authorize the hiring of additional federal prosecutors and FBI agents.

''If we don't address this head-on, we'll have a hard time chasing taxpayer money,'' Grassley said.

Pistole said the scale of the potential fraud dwarfs the savings and loan crisis of the 1980s. He said 240 FBI agents are currently involved in investigating mortgage fraud, as opposed to the 1,000 agents and forensic experts who investigated the savings and loan crisis.

''More must be done to protect our country and our economy from those who attempt to enrich themselves,'' Pistole said.

''We're going to see demands on law enforcement really increase'' with the stimulus package and financial bailout, Rita M. Glavin, the acting assistant attorney general of the Justice Department's Criminal Division, told the panel.

[From Newsday, Feb. 12, 2009]

RISE IN FRAUD CASES IS ''STRAINING'' FBI

The economic crisis has sparked an increase in criminal fraud, including an ''exponential rise'' in mortgage scams that is straining the FBI's resources, a leader of the agency said.

The Federal Bureau of Investigation has more than 1,800 open investigations into mortgage fraud, more than double the number in fiscal 2006, Deputy FBI Director John Pistole told a U.S. Senate hearing yesterday in Washington.

The FBI also has more than 530 open corporate fraud investigations, including 38 linked to the financial crisis, he said.

''The increasing mortgage, corporate fraud and financial institution failure case inventory is straining the FBI's limited white-collar crime resources,'' Pistole said in prepared testimony.

Yesterday's Senate Judiciary Committee hearing focused on whether there should be beefed-up enforcement to cope with the economic decline. The panel's chairman, Sen. Patrick Leahy (D–Vt.), is pushing legislation to authorize funds to hire fraud prosecutors and investigators. The bill, backed by the Justice Department, also would strengthen financial crime laws.

The 38 corporate cases linked to the financial crisis have the potential to be as complex as that of Enron Corp., which collapsed in 2001. The cases involve companies that ''everybody knows about,'' Pistole said without naming them, and include possible manipulation of financial statements, accounting fraud and insider trading, he said.

The FBI has reassigned some agents from terrorism cases to financial crimes.

The government's $700-billion Troubled Asset Relief Program and the proposed economic stimulus legislation likely will result in increased criminal activity, Neil Barofsky, special inspector general of the TARP program, said in prepared testimony.

FBI PROBES 530 CORPORATE FRAUD CASES

(By Devlin Barrett)

(WASHINGTON)—The FBI is conducting more than 500 investigations of corporate fraud amid the financial meltdown, FBI Deputy Director John Pistole told the Senate Judiciary Committee on Wednesday.

Investigators are tackling an even bigger mountain of mortgage fraud cases in which hundreds of millions of dollars may have been swindled from the system, he told lawmakers.

Pistole says there are 530 active corporate fraud investigations, and 38 of them involve some of the biggest names in corporate finance in cases directly related to the current economic crisis. Additionally, the FBI has more than 1,800 mortgage fraud investigations, more than double the number of such cases just two years ago.

There are so many mortgage fraud cases to investigate, he said, that the bureau is not focusing on individual purchasers, but industry professionals generating fraud schemes that could total as much as hundreds of millions of dollars. ''It is a matter of lawyers, brokers or real estate professionals that are systematically trying to defraud the system,'' Pistole said.

Agents have even seen some instances of organized crime getting involved in mortgage fraud, he said.

Also appearing before the committee was Neil Barofsky, the watchdog of the government's $700 billion Wall Street rescue package passed last year.

Senate Democrats are urging more spending to expand the ranks of the FBI's financial fraud investigators.

After the 2001 terror attacks, about 2,000 FBI agents were moved to counterterrorism work, and Pistole said they are considering moving some of them back to buttress antifraud efforts.

Senate Judiciary Committee Chairman Patrick Leahy, D-Vt., urged the FBI and the Justice Department to put people who have committed mortgage fraud behind bars. ''Most people are honest,'' Leahy said. ''The ones who are not honest in this field are creating economic havoc and I want to make sure that we're able to go after them. ''I want to see people prosecuted . . . Frankly, I want to see them go to jail,'' he said.

Barofsky, who was appointed the inspector general of the ongoing financial bailout plan, suggested the best way to clean up mortgage fraud is to pursue licensed professionals in the industry, and make examples of them. ''They have the most to lose, they're the most likely to flip, and they make the best examples,'' said Barofsky, a former federal prosecutor in New York.

HEART FOR WOMEN ACT

Ms. MURKOWSKI. Mr. President, I rise today to share my thoughts as the lead cosponsor on the Heart for Women Act, introduced by Senator STABENOW and myself along with 21 original cosponsors. Heart disease, stroke, and other cardiovascular diseases are critically important health issues that combined, are the No. 1 cause of death in all American women, taking the life of one female nearly every minute. The Heart for Women Act will decrease the burden of heart disease in women, which coupled with stroke will claim the lives of nearly half a million women in America in 2008; this is more than all deaths from breast, cervical, and lung cancers combined.

A new study shows that while in young men under age 45, the heart disease death rate is declining, the rate in young women has actually increased and is now at its highest level since 1987. We cannot idly sit back and allow more of us to become part of these statistics, so to address heart disease mortality and these significant disparities between men and women, Senator STABENOW and I have introduced The HEART for Women Act.

Our legislation, the HEART for Women Act, does three things: First, it provides the public with better information about safe and effective treatments for women by requiring drug safety information to be stratified by sex, race, and ethnicity. This information will help doctors, researchers, and patients better understand why certain treatments work better in men than in women. Second, this legislation expands the WISEWOMAN Program that provides free heart disease and stroke prevention screening to low-income, uninsured women. This program has been incredibly successful throughout the U.S. three out of four women screened by this program had at least one risk factor for heart disease and stroke. The HEART for Women Act also raises awareness among health care providers about the risk for heart disease and stroke. A 2004 survey found that less than 20 percent of physicians were aware that more women than men die each year from cardiovascular diseases.

After all this, there is some good news—a USA Today article from January 2008 points out that heart disease deaths rates fell among women by almost 27 percent between 1999 and 2005; however, researchers estimate that epidemics of diabetes and obesity could threaten these gains.

I encourage my colleagues to join us and support women's heart health. Passage of this legislation will ensure that providers have greater access to lifesaving drugs and screening services to prevent the rise of cardiovascular disease in women.

PANETTA CONFIRMATION

Mr. FEINGOLD. Mr. President, I support the confirmation of Leon Panetta to be Director of the CIA. His integrity and independence, his managerial skills, his broad experience in both the executive and legislative branches, and his testimony during his confirmation hearing suggest he is exactly the kind of CIA Director our country needs right now.

First, his statements, in his meeting with me and at his confirmation hearing, provide assurances that he will put CIA activities squarely within the law and refocus the brave and dedicated professionals of the Agency on what they do best, and on what we need them for the most. Not only did he express his commitment to ending an illegal and ineffective interrogation and detention program, but he clearly indicated that the CIA would not conduct extraordinary renditions to secret detentions. Congressman Panetta also committed to ending the Bush administration's practice of using ''Gang of Eight'' briefings to evade its legal responsibility to brief the full congressional intelligence committees, thereby thwarting oversight. And he assured me that the CIA would cooperate with the Department of Justice as the Department reviews interrogation, detention, rendition and other matters that raise legal questions. These statements, along with his previous condemnations of torture and of warrantless surveillance of Americans, suggest a personal commitment to the law and to our Constitution that will be needed as the CIA faces the challenges ahead.

I have long been concerned that intelligence resources have not been sufficiently allocated toward long-term and emerging threats in places like Africa, and was pleased that Congressman Panetta testified that he shares these concerns. More importantly, he has committed to conducting a review of CIA operations and resources in light of these concerns and to working closely with the committee in the course of that review. Finally, he testified that he agrees with the goal of developing strategies that integrate clandestine collection with the information obtained openly by our government, particularly through diplomatic collection. Last year, the Senate Intelligence Committee passed legislation creating an independent Commission to make recommendations on how to achieve this integration and Congressman Panetta has committed to working with me on that legislation. These commitments give me confidence that Congressman Panetta will work to refocus the CIA on its central mission of protecting our national security.

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:

I am a working class American male, fighting to maintain a standard of living which will enable me to provide for myself and my family. I find it difficult to imagine why we would continue as a country to be held host to foreign oil.

I find that prices of everything are rising because of the cost of shipping, and some members of Congress I hear think this is a good thing? Sir, I am pleased that you would want to hear from us, but realistically I am less than convinced that much will be done by a body of people who seem so unwilling and unable to work together as the current Congress appears.

I used to be optimistic that one voice could make a difference and now have resigned myself to believe that by and large those who sit in the ''hallowed halls of Congress'' care only for their power and position and nothing for us as citizens. The price of groceries continues to rise, the price of fuel driving everything higher, shippers cannot afford to transport goods, and I find the future bleak. How long before the trucking industry, the shipping industry, railways and airlines stop because no one can afford to pay the cost?

Foodstuffs such as corn are now being grown for fuel, driving those prices higher and yet no relief is felt at the pump. It seems clear to me that two things must happen; first we must become energy independent, drilling within our own borders, and second finding alternative forms of energy to prevent this from happening. Please use whatever powers of persuasion you possess to convince your fellow Senators to listen and feel the crunch that is crippling our nation!

ALBERT.

My wife and I were born in Idaho (I in Kellogg and my wife in Pocatello) and I work at the INL although I am currently on assignment at the Yucca Mountain Project.

How Do Gas Prices Impact Us and the Nation

I am 67 and my wife is 63 and, with the high cost of gas, we are afraid to retire. These were supposed to be the ''golden years'' and they are far from that. It is driving up the cost of food and other items that must be shipped by truck and is killing the auto industry. Because of all of these cost increases and the uncertainties it is creating in our economy, the stock market is also dropping and pulling down what retirement investments that we have. Although health care and other issues are also on our mind, I fear that high gas prices are dragging our country to its knees and it is spreading in all directions. They use to say that if we lost Vietnam, it would have the domino effect and we would lose all of that part of Asia.

Well, high gas prices are definitely causing a domino effect, and as people travel less it impacts everyone who support the travel industry. Look what it is doing to the airline industry. The impact of high gas prices is spreading everywhere. I wonder how long it will take to get beyond this mess. Should I plan to retire at 70 or maybe I should think about 75?

WHAT TO DO ABOUT GAS PRICES

The country is now looking toward nuclear power and that is great. Wind and solar power might help a little, but they cannot produce enough. And drilling for more oil in new locations could also help. But these are all long-term solutions that cannot help today. I think what makes us frustrated is that the oil companies are making record profits and they aren't doing anything to help the country. It is sort of like their attitude is to take the money and run. So if you want to do something in the short term, you need to deal with them now. Congress needs to look into how much they pay their CEOs and put a cap on that amount. When a CEO makes 100 or 1,000 times more than the President or you, Mike as a Senator, something is wrong. Congress also needs to look into what they are doing with these record profits. They claim that they are doing more exploration but we as the public cannot see this. They should be forced to make public what they are doing with the profits. I do not see them building any new refineries. They should be forced to do that. But you see, why would they want to build new refineries when they have created a shortage that makes money for them. We are asking the Saudis to pump more oil but we do not ask our own oil companies to build more refineries. Congress needs to ''get into their rice bowl'' as they. And if the oil companies do not want to be part of this, Congress should tax their profits beyond a certain point and use the money to supplement gas prices. In the past during times of war, Congress has created excess profit taxes to take the profit out of war and they should do that now. We are in a domestic war and it is killing our country. Or Congress should look at their profits and set gas prices for them. Set regular gas, for example, at $3.00 per gallon and the next year if their profits are still beyond reason, drop it down to $2.50 per gallon.

Thanks for working on this issue Mike. My wife and I are worried for our country. We do not know where all of this is going, but it does not look good.

JIM.

We, as a Nation, have been irresponsible in allowing ourselves to be dependent upon foreign sources for our energy needs. And now, we are all paying the painful price. It is ignorant to believe that we can just purchase all our energy from other countries and in doing so, save the environment. We have some of the strictest standards in place in the United States to prevent damage to the environment, and yet we allow other countries without those standards to pollute the environment in the production of our energy. This is burying our heads in the sand.

We have vastly improved our technologies since the early 1980s when the bans on offshore drilling were put into effect. We would not expect to see the same problems we had in the past if we were to resume that drilling today. We also need to address the fact that we have not built any new refineries in this country, and that is a necessary piece to our energy needs puzzle. We have vast resources of oil reserves that are untouched, mostly due to the cries of the environmentalists, who are using their hearts instead of their minds to raise their objections.

I have a dear friend who is an independent trucker out of Pennsylvania, who has been doing a long-haul run from there to the Northwest for over 10 years now. He has been watching his profits be reduced by thousands of dollars per run, a reduction that he is not able to simply pass along. After almost 25 years of trucking, he is now contemplating something else for the future. What will we, as a nation, do if enough of our truckers quit due to the rising fuel costs? We do not have enough alternatives in place to move our goods, and without moving our goods, our economy will collapse. We, individually, understand the impact on our family budgets for energy increases, but we have not yet begun to feel the entire impact that will trickle down to our level.

We need to develop our own energy. We need to allow more drilling. We need to allow refineries to be built. We need to allow nuclear power plants to be built. We need to develop such things as wind energy and tap waste sources such as landfills for methane gas. We need permanent tax incentives for the installation and use of renewables such as solar and wind. We need to develop a usable hydrogen power. And that should just be the start.

Yes, the increase in fuel has cost me and is hampering my lifestyle. But I fear that, if the current prices become permanent, then the costs to me will be so much greater than they are today, and that is unacceptable.

Thank you for your time in reading this.

MONICA.

In September 2007 my husband changed jobs due to a long commute and high gas prices. He had been travelling from Weston, Idaho, to Promontory, Utah (132 miles round trip), and had done so for the last sixteen years. In September, he took a new job in Logan, Utah, which was half the commute. However, in the exchange, he also took a $4.50/hr cut in pay. We were okay because of the shorter commute and we were saving in gas. Now, with the higher, much higher fuel prices, we not only have lost the fuel savings but still have the cut in wages. It is getting very difficult to make ends meet. High fuel costs are affecting every aspect of our lives—food, utilities, etc. We are supportive of drilling America's own oil so we are not reliant on outside sources. Speed limits could also be reduced and enforced. We drive small fuel-efficient vehicles, unlike many who are driving large trucks and SUVs. Americans need to wake up. Farmers in our area are really struggling. Fuel prices are making it very difficult to plant and harvest crops. We just need some relief. We appreciate your asking our input and support your efforts in getting the people of Idaho and America some relief.

RICHARD AND CHRISTY, *Weston.*

We need to start drilling now.

I am an Idaho resident and, because of work, commute weekly from Idaho to Washington. The fuel costs are affecting me by not only personal use of my cars but also air fare and food for my farm animals and us.

There is so much oil out there in the US, i.e., shale oil, oil from coal, onshore and offshore oil. Until the new technology comes out for autos and electrical energy we need to use the fuel that we have instead of punishing the people of this country—by listening to the eco terror people, green peace and the others. They are the ones that created the problem plus the new socialist democrats. Who are taking our freedoms away? Oh, one more thing the man caused global warming is a fraud it is natural climate changes. Look at the past.

THOMAS.

I do not have much to say but this. I work as a restaurant manager and I see firsthand the domino effect of the energy/gas crisis. Restaurants are the first to view the troubled economy. Our sales are down, not saying how much. Food cost is rising. People are not coming out to eat. My Team Members are getting hours cut and not making enough money to even survive, let alone put gas in their tanks. My staff is the first hit by any economy issue and our sales have dropped drastically. My restaurant and its staff members who are in a crisis state. Someone needs to do something.

BRANDY, *Boise.*

To Whom It May Concern:

I ride my bike almost everywhere I go so my gas price is $0/gallon. Also, my pollution impact is minimal as is my road impact, and my health is excellent.

MIKE, *Boise.*

Thank you for the opportunity to provide input on this critical input. I am employed as an Environmental Engineer at the Idaho National Laboratory—Materials Fuels Complex—a nuclear fuels research facility.

Impacts—to name a few:

Greatly reduced discretionary travel and spending

Marked increase in cost of food and consumables

Recent need to reduce percentage of income saved for retirement and college tuition for our children.

Huge increase in cost associated with heating home (Rocky Mountain Power) and irrigate my property.

Enormous cost increase in corn feed and fertilizer

Inability to afford herbicides necessary to combat noxious weeds on property

Decreased property values of vacation home in Island Park Idaho—given drastically reduced numbers of vacation visitors to Fremont Co. since gas and diesel have gone sky high.

The high fuel costs have created an atmosphere in virtually all commodities that the producer can falsely claim that their higher prices charged are merely a result of higher energy costs.

Suggested Actions:

Build infrastructure in U.S.—new, strategically located refineries,—this is not just a crude oil problem, and our refineries are antiquated.

Provide incentives to oil and gas companies to expand exploration—lower their corporate tax.

Prohibit reinstatement of wind†fall profits taxes.

Eliminate overly burdensome environmental/permitting hurdles for petroleum exploration, siting and operation of oil refineries, extraction/processing of oil shale, oils sands, etc.

Target drastically higher dollars for University research of petroleum exploration, extraction, and refining technologies.

DEVELOP ANWR AND ALL OFFSHORE RESOURCES

Develop natural gas distribution infrastructure—to gain access to the huge natural gas reserves in North America.

Never sign up to the Law of the Sea Treaty.

Reject Cap and Trade.

Sign on to No global warming (hoax) treaties or initiatives.

Play economic hardball with China and India, whom subsidize their citizens' use of petroleum products.

Firmly commandeer Iraq's oil reserves as partial compensation for the loss of life and financial burden of the Iraq war.

Thank you for the opportunity. P.S.—the U.S. is not too dependent upon fossil fuels; we are not using what we have on U.S. and adjacent soil wisely, or at all.

PAUL, *Idaho Falls.*

I really appreciate your efforts to help out the public. I work as a receptionist at St Alphonsus. Many patients are canceling their appointments primarily because they cannot afford to drive, even if it is 5 miles away. The public is not happy because of the gas prices.

My fiancé and I just moved closer to where I work. If we did not I would not be able to afford the gas to come to work. The rising gas prices are making the gap bigger between the rich and the poor. Something does need to be done quickly. The greed needs to come to an end and the government is the only force here in the United States big enough to help out the public.

Thanks for understanding,

MEGAN, *Boise*

Years ago I was pleased to be able to wait on your wife as she drove thru the MPCU teller window in Idaho Falls. With her in the Suburban were a passel of kids. Now I also have a few children, and these days with energy costs skyrocketing beyond the means of many families I think it is important to speak up. I think twice every time I drive my van because of the costs. We normally visit my family in Idaho Falls four times per year and this year will only be able to reasonably afford two times, and a major component of that decision is the cost of fuel. My husband is an engineer and drives approximately 20 miles round trip to work every day. He and another co worker commute to save fuel. We have not had as much disposable income as heating, cooling and fuel prices have climbed at an astonishing pace. We have stopped eating as much meat because of the cost of it. I water down the milk to make it go further. We fortunately live far below our means, but many families are not as fortunate as we are. One of my dear friends works in 30 miles away, and drives there from Moscow every day. With a long daily commute, and with higher prices looming on the horizon who knows what this winter will bring. She said that if it goes up much more she will not make enough money to justify the driving.

I am not asking for the government to fix this. The American people are resilient, and the government's micromanagement of energy opportunities has only led us to higher prices. You can bet if the oil companies are penalized for their comparatively tiny per gallon profit, prices will continue to climb.

What I propose is for government to get out of the way. Pave the road to energy independence with reduced regulation and open opportunity for exploration of all energy sources. We should pursue coal to oil, nuclear, wind, methane, natural gas and every other type of fuel, with the goal of being energy independent. If the government will just be reasonable, we could do all these things. I appreciate your service, and your request for stories. Thank you for remembering that you are there in our place, remind the others that they are too.

EMILY, *Moscow.*

First I must say that I am a retired federal employee with 34 years of service. As you know living on a fixed income is not easy at best, but with the cost of gas going up that is affecting EVERYTHING. I have cut back on all non essential driving—even to travel 50 miles to see my elderly parents (80 & 78) once a week to help them out. I have cut back on how often I mow the lawn to once every 2 weeks. I do not own any recreation toys such as campers, 4-wheelers, boats or motorcycles so cannot cut any RV usages. There will be very limited vacation trips this summer. . . . Maybe to take my grandsons camping.

I can remember back prior to the 70's gas scare when the government had more controls on the oil companies and gas was much more reasonable and there was still exploration being done by the oil companies. Now without controls these companies are having record net profits (enough to lower the cost of gas close to $1.00 a gallon), why is this happening? Also the stock market futures on oil dictate price increases before the crude is even bought, but the drops in crude never seem to get passed on to consumers at the same rate as the increases . . . again why is this?

There was a march protesting the petroleum prices here in Lewiston a couple of weeks ago . . . what else can the people do to get thru to our government?

Thank you for the opportunity to voice my frustrations.

Sincerely,

BOB.

We must do all we can to mitigate the energy crisis gripping this nation. We can and must become energy independent on natural gas in America. We have the resources here to achieve this. Start drilling. Prices are on track to double by this winter. However, the brutal truth is that the neo-American Bolshevik socialist left in this country will tie this nation up in the courts for years to prevent this and force their agenda on this nation. They are arrogantly smug about their ability to control us now. And well they should be. They have been trained by some of the finest Marxist professors anywhere in the world today, right here in the USA. In the end, our epitaph will read that we destroyed ourselves with the very freedoms that made us the envy of the free world. May almighty God forgive us for what we have allowed to happen to this grand experiment in human freedom.

RANDY.

ADDITIONAL STATEMENTS

REMEMBERING WILLIAM H. ''MO'' MARUMOTO

● Mr. AKAKA. Mr. President, I wish to express my deepest condolences and warmest aloha to the family and friends of William H. ''Mo'' Marumoto, who passed away last November.

Mr. Marumoto was an inspiration to all of those who came in contact with him. Those who knew him well knew of his selflessness and commitment to the public good.

During World War II, Mr. Marumoto and his family spent 3 years in the Gila River internment camp in Arizona. This experience did little to deter Mr. Marumoto's pursuit of excellence and service to his country. He served as student body president of his high school, Santa Ana High School, and later graduated from Whittier College.

His remarkable career spanned over five decades. He arrived in Washington, DC, in 1969 to serve as assistant to the secretary of the Department of Health, Education and Welfare, responsible for recruiting senior executives for the Office of Education. A year later, Mr. Marumoto became the first Asian American to serve at the executive level in the White House as an aide to President Richard Nixon responsible for filling Cabinet and sub-Cabinet level positions.

In 1973, he founded The Interface Group Ltd., a Washington, DC-based executive search firm which specialized in placing women and minorities in senior executive positions. He is fondly remembered for his efforts to ensure diversity within the most senior levels of government.

He was a remarkable leader as president and CEO of the Asian Pacific American Institute for Congressional Studies and received numerous national professional awards for his work in higher education, fundraising, direct mail, events management, and publications.

My thoughts and prayers go out to Mo's loved ones. He will be deeply

missed and his generosity will forever be remembered. May he rest in peace.●

TRIBUTE TO C. EDWARD BROWN

● Mr. GRASSLEY. Mr. President, I wish to recognize a fellow Iowan, C. Edward ''Ed'' Brown, FACHE, on his election as the chair of the board of directors of the American Medical Group Association.

Mr. Brown has had a distinguished career in health care in Iowa where he has served for the last 15 years as chief executive officer of the Iowa Clinic, a multispecialty group practice in Des Moines. Ed has a long list of achievements in delivering cutting edge, quality focused health care to the benefit of Iowans, and his achievements include the Iowa Clinic's adoption of electronic medical records and information technology systems. He holds a master's degree in health administration from Washington University in St. Louis, and he is a fellow of the American College of Healthcare Executives with over 25 years of experience in executive and senior levels of health care management.

As the head of the American Medical Group Association, Ed's vision and management skills will be put to good use in leading an organization that represents some of the Nation's highest quality and most prestigious health care delivery systems. It is wonderful to see someone with such a distinguished health care record in Iowa recognized at the national level as a dedicated leader who is committed to improving health care at such an important time for our Nation's health care system.

Ed's voice will be a valuable contribution to the health care debate in 2009 in Washington, and I congratulate him on this new chairmanship.●

ZULUS 100TH BIRTHDAY

● Ms. LANDRIEU. Mr. President, this month America reflects on a series of notable birthdays and anniversaries, including President Abraham Lincoln turning 200, and the NAACP celebrating its centennial.

In Louisiana, we are honoring a special birthday that is unique to our State. The famous Zulu Social Aid & Pleasure Club will enjoy its 100th year.

The Zulus have a special place in Louisiana's history, which is as colorful as the signature Zulu decorative coconuts. For 100 years they have been an integral part of our Mardi Gras festivities and New Orleans culture. Dubbing themselves ''the everyman club,'' the Zulu Social Aid & Pleasure club is composed of African-American men from all walks of life.

While there are several stories about how the Zulus first came about, we know they made their first appearance in the Mardi Gras parade in 1909 when William Story led the Zulus as King.

That year the group wore raggedy pants and had a Jubilee-singing quartet in front of and behind King Story.

Just 6 years later, the Zulus used their first float. It was rather modestly decorated with palmetto leaves and moss. Of course, this first float gave rise to the more lavishly decorated Zulu floats that we are accustomed to seeing today.

Since 1916, the Zulus have given the first official Mardi Gras toast to King and Queen Zulu at the Geddes and Moss Funeral Home on Washington Avenue.

Since 1910, the Zulus have been famous for the Zulu Coconut, often called the ''Golden Nugget,'' which they throw from floats during Mardi Gras parades. The tradition developed, and they began scraping and painting the coconuts—now an indelible part of New Orleans Mardi Gras culture.

In January, I was honored to receive from Zulu president Charles Hamilton, Jr., a special Zulu coconut as gift for President Obama. Mr. Hamilton traveled to Washington by train to hand deliver the gift, which I hope to present to the President very soon. It was hand-painted by Gretna artist Keith Eccles and incorporates Mardi Gras colors and themes with the distinctive red, white and blue of Washington, DC. Mr. Hamilton has said that he wanted to give President Obama a piece of New Orleans and Zulu history. I can't think of a better representation.

In addition to the Zulu coconut, the Zulus' contribution to New Orleans is well-documented. The group proudly participates in the Adopt-A-School program and contributes to Southern University's scholarship fund. The Zulus also give Christmas baskets to needy families each holiday season.

Over the years, many famous Louisianians have taken part in the Zulu tradition. In 1949, Louis Armstrong was King Zulu. And in 1988, New Orleans native Desiree Rogers—now the White House social secretary for President Obama—served as Zulu Queen.

This year, that proud tradition will be carried on by Zulu King Tyrone Mathieu, Sr., and Zulu Queen Sheila Barnes Mathieu.

I congratulate the many generations of Zulus who have left their mark on Mardi Gras and our great city of New Orleans. I ask the Senate to join me in wishing the Zulus a happy 100th birthday—and all the best in the next 100 years.●

MESSAGES FROM THE HOUSE

At 10:08 a.m., a message from the House of Representatives, delivered by Mrs. Cole, 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. 35. Concurrent resolution honoring and praising the National Association for the Advancement of Colored People on the occasion of its 100th anniversary.

At 3:31 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses on 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.

At 5:52 p.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 bill, in which it requests the concurrence of the Senate:

H.R. 663. An act 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''.

The message also announced that pursuant to 22 U.S.C. 1928a, and the order of the House of January 6, 2009, the Speaker appoints the following Member of the House of Representatives to the United States Group of the NATO Parliamentary Assembly: Mr. TANNER of Tennessee, Chairman.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 663. An act 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''; to the Committee on Homeland Security and Governmental Affairs.

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–754. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''Credit Union Service Organizations'' (RIN3133-AD20) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–755. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Regulation AA, Regulation DD and Regulation Z'' ((Docket No. R-1314)(Docket No. R-1315)(Docket No. R-1286)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–756. A communication from the Chief, Policy and Rules Division, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Unlicensed Operation in the TV Broadcast Bands; Additional Spectrum for Unlicensed Devices Below 900 MHz and in the 3 GHz Band'' ((FCC 08-260)(ET Docket No. 04-186)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–757. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to Salt River (Va Shly'ay Akimel), Maricopa County, Arizona; to the Committee on Environment and Public Works.

EC–758. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to Island Creek, West Virginia; to the Committee on Environment and Public Works.

EC–759. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to Salt River (Rio Salado Oeste), Arizona; to the Committee on Environment and Public Works.

EC–760. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to Santa Cruz River, Arizona; to the Committee on Environment and Public Works.

EC–761. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to Tamiami Trail, Florida; to the Committee on Environment and Public Works.

EC–762. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to Liberty State Park, New Jersey; to the Committee on Environment and Public Works.

EC–763. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Aggregation'' (FRL-8773-2) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Environment and Public Works.

EC–764. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Aggregation'' (FRL-8773-3) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Environment and Public Works.

EC–765. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Regulation of Fuels and Fuel Additives: Gasoline and Diesel Fuel Test Methods'' (FRL-8771-6) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Environment and Public Works.

EC–766. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries'' (FRL-8768-2) received in the Office of the President of the Senate on January 29, 2009; to the Committee on Environment and Public Works.

EC–767. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Allocation of Section 36 First-Time Homebuyer Credit Between Taxpayers Who Are Not Married'' (Notice 2009-12) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Finance.

EC–768. A communication from the Director, Defense Security Cooperation Agency, transmitting, pursuant to law, a report relative to Section 25(a)(6) of the Arms Export Control Act; to the Committee on Foreign Relations.

EC–769. A communication from the Acting General Counsel, Peace Corps, transmitting, pursuant to law, the report of a vacancy and designation of acting officer in the position of Director of Peace Corps, received in the Office of the President of the Senate on January 29, 2009; to the Committee on Foreign Relations.

EC–770. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-709, ''Firearms Registration 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–771. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-709, ''14W and the YMCA Anthony Bowen Project Real Property Tax Exemption and Real Property Tax Relief Temporary Act of 2009'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–772. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-710, ''The Urban Institute Real Property Tax Abatement 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–773. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-711, ''Get DC Residents Training for Jobs Now 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–774. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-712, ''GPS Anti-Tampering 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–775. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-713, ''Equitable Parking Meter Rates Temporary Amendment 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–776. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-714, ''Taxi Zone Operating Hours Temporary Amendment 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–777. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-715, ''Reimbursable Details Clarification 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–778. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-716, ''Uniform Child Abduction Prevention 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–779. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-717, ''Local Rent Supplement Program Second Temporary Amendment 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–780. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-718, ''HPAP 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–781. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-719, ''Employment of Returning Veteran's Tax Credit 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–782. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-720, ''Public Service Commission Holdover Temporary Amendment 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–783. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-721, ''District Employee Protection 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–784. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-722, ''Lead-Hazard Prevention and 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–785. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-723, ''Paramedic and Emergency Medical Technician Transition 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–786. A communication from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, the report of a vacancy in the position of Principal Deputy Director of National Intelligence, received in the Office of the President of the Senate on January 29, 2009; to the Select Committee on Intelligence.

EC–787. A communication from the Acting General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Reorganization of Regulations on Control of Employment of Aliens'' (RIN1125-AA64) received in the Office of the President of the Senate on February 9, 2009; to the Committee on the Judiciary.

EC–788. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of (2) officers authorized to wear the insignia of the next higher grade in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–789. 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 ''Refinement of Income and Rent Determination Requirements in Public and Assisted Housing Programs; Final Rule'' (RIN2501-AD16) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–790. A communication from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Interactive Data for Mutual Fund Risk/Return Summary'' (RIN3235-AK13) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–791. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area and Safety Zone, Chicago Sanitary and Ship Canal, Romeoville, IL'' ((RIN1625-AA11)(Docket No. USCG-2008-1247)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–792. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Gasco Regulated Navigation Area, Willamette River, Portland, OR'' ((RIN1625-AA11)(Docket No. USCG-2008-0112)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–793. 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–794. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''McCormick & Baxter Regulated Navigation Area, Willamette River, Portland, OR'' ((RIN1625-AA11)(Docket No. USCG-2008-0121)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–795. A communication from the Project Counsel, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Consolidation of Merchant Mariner Qualification Credentials'' ((RIN1625-AB02)(Docket No. USCG-2006-24371)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–796. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2009-16) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Finance.

EC–797. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Leaking Underground Storage Tank Remediation Reimbursement Program'' (LMSB-4-1108-054) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Finance.

EC–798. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Application of Section 367 to a Section 351 Exchange Resulting from a Transaction Described in Section 304(a)(1); Treatment of Gain Recognized under Section 301(c)(3) for Purposes of Section 1248'' (RIN1545-BI42) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Finance.

EC–799. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Procedures for Administrative Review of a Determination That an Authorized Recipient Has Failed to Safeguard Tax Returns or Return Information'' (RIN1545-BF21) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Finance.

EC–800. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Gain Recognition Agreements with Respect to Certain Transfers of Stock or Securities by United States Persons to Foreign Corporations'' (RIN1545-BG09) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Finance.

EC–801. A communication from the Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Part 4022) received in the Office of the President of the Senate on February 13, 2009; to the Committee on Health, Education, Labor, and Pensions.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–7. A resolution adopted by the Senate of the State of New Jersey memorializing Congress to protect the automobile industry and expand national infrastructure projects and related industries; to the Committee on Banking, Housing, and Urban Affairs.

SENATE RESOLUTION NO. 37

Whereas, a number of specialists have warned that the collapse of the national economy could occur if certain stop-gap and long-term actions are not implemented to overcome the problems facing the automotive and machine tool sectors of our economy; and

Whereas, the loss of the physical capabilities of the automotive industry, especially its tool sector, could mean the end of America's status as a leading world economic power; and

Whereas, while it is in the best interests of our national security to have a strong, vibrant manufacturing and industrial sector, capable of producing the necessary machinery and technology to defend the citizens of the United States and protect our interests abroad, our manufacturing and industrial sector has experienced a dramatic reduction in capacity and production over the last several decades; and

Whereas, government has an obligation to promote economic activity through the creation of new capital investment, which will result in the expansion of employment opportunities and help jump-start long-term capital investment by private investors.; and

Whereas, as government leaders, we must ensure the continued viability of our automotive and machine tool industries, which is a vital element of the State and federal economy; and

Whereas, diversification of the productive potential of the automotive and machine tool industries into a broader sector of production, coupled with a shift into the domain of essential capital goods and economic infrastructure, such as the repair, expansion, and improvement of our national railway systems, and the development of other urgently needed infrastructure projects, will save existing manufacturing jobs and create large new areas of employment in infrastructure and manufacturing for our citizenry in a manner comparable to the best of the New Deal programs that rescued the nation and the world from the ravages of the Great Depression; and

Whereas, the impact of this intervention will be to provide thousands of productive jobs in the state of New Jersey, repair our infrastructure, and create at least ten million jobs nationally, thus restoring our tax base and increasing the standard of living. Now, therefore, be it

Resolved by the Senate of the State of New Jersey:

1. The Senate of the State of New Jersey respectfully memorializes the Congress of the United States to intervene on behalf of national economic interests to ensure that the productive potential of the automobile industry, with its featured technology and machine tool capability, be protected.

2. The Senate of the State of New Jersey respectfully memorializes the Congress of the United States to intervene to vastly expand the construction and maintenance of infrastructure projects and related industries.

3. Duly authenticated copies of this resolution, signed by the President of the Senate and attested by the Secretary thereof, shall be transmitted to each member of New Jersey's congressional delegation and to the Speaker and Clerk of the United States House of Representatives, Washington, D.C. and the President and Secretary of the United States Senate, Washington, D.C.

POM–8. A resolution adopted by the Senate of the State of Michigan memorializing the Congress to assist Michigan in rebuilding the State's economy, in light of Michigan's high rate of unemployment and pressures on the State's Unemployment Trust Fund; to the Committee on Finance.

SENATE RESOLUTION NO. 232

Whereas, our nation is facing an economic crisis, the depth and breath of which has not been seen in decades. With Michigan's historic connection to the automotive industry, the Great Lakes State's economic struggles have been a precursor to the nation's economic maelstrom. Michigan has the nation's highest unemployment rate and has lost 538,000 jobs since 2000. Clearly, federal assistance is necessary to help Michigan restart its economic engine and help drive the national economy back to full recovery. Given the severity of Michigan's economic downturn, the state should be given priority when distributing stimulus dollars to spur economic growth in our country; and

Whereas, indeed, Michigan is now at a tipping point between economic despair and recovery. Technological innovation and business reforms and efficiencies adopted in response to Michigan's ''one-state recession'' are already paying dividends. However, the national economy and numerous federal policies have continued to negatively impact our

state's ability to pull itself up by its bootstraps. Chief among these are Michigan's longtime status as a donor state for federal highway funding dollars and the relative lack of federal public works and defense investment in this state; and

Whereas, Congress could be of great assistance in our state's economic redevelopment efforts, in particular, temporarily suspending the federal match for highway infrastructure investment, improving the state's share of federal highway funding so Michigan is no longer a donor state, and giving greater weight to Michigan firms in contracting would provide an immediate stimulus to our stagnant state economy. Moreover, longer term efforts such as creating tax-free state economic recovery zones; reducing taxation on innovation, production, and investment; allowing states to designate certain areas of the state as exempt from federal corporate taxes capped at $1 billion per year; enhancing investment tax credit availability; and targeting federal infrastructure investment to those states with the highest rates of unemployment would help provide economic stability where it is needed the most; now, therefore, be it

Resolved by the Senate, that we hereby memorialize the Congress of the United States to assist Michigan in rebuilding the state's economy, in light of unemployment and pressures on the state's Unemployment Trust Fund; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–9. A report from a law enforcement office relative to the Open Government Sunset Review Act; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. LANDRIEU, from the Committee on Small Business and Entrepreneurship, without amendment:

S. Res. 50. An original resolution authorizing expenditures by the Committee on Small Business and Entrepreneurship.

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. KERRY (for himself and Mr. GRASSLEY):

S. 434. A bill to amend title XIX of the Social Security Act to improve the State plan amendment option for providing home and community-based services under the Medicaid program, and for other purposes; to the Committee on Finance.

By Mr. CASEY (for himself and Ms. SNOWE):

S. 435. A bill to provide for evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to help build individual, family, and community strength and resiliency to ensure that youth lead productive, safe, health, gang-free, and law-abiding lives; to the Committee on the Judiciary.

By Mr. CORNYN:

S. 436. A bill to amend title 18, United States Code, to protect youth from exploitation by adults using the Internet, and for other purposes; to the Committee on the Judiciary.

By Mr. SPECTER (for himself, Mr. GRAHAM, Mr. LEAHY, Mr. WYDEN, Mr. CRAPO, Mr. MARTINEZ, and Ms. LANDRIEU):

S. 437. A bill to amend the Internal Revenue Code of 1986 to allow the deduction of attorney-advanced expenses and court costs in contingency fee cases; to the Committee on Finance.

By Mr. WHITEHOUSE:

S. 438. A bill to provide for the voluntary development by States of qualifying best practices for health care and to encourage such voluntary development by amending titles XVIII and XIX of the Social Security Act to provide differential rates of payment favoring treatment provided consistent with qualifying best practices under the Medicare and Medicaid programs, and for other purposes; to the Committee on Finance.

By Mr. INOUYE:

S. 439. A bill to provide for and promote the economic development of Indian tribes by furnishing the necessary capital, financial services, and technical assistance to Indian-owned business enterprises, to stimulate the development of the private sector of Indian tribal economies, and for other purposes; to the Committee on Indian Affairs.

By Mr. SPECTER (for himself and Mr. LEAHY):

S. 440. A bill to amend the Internal Revenue Code of 1986 to allow an above-the-line deduction for attorney fees and costs in connection with civil claim awards; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself, Mr. FEINGOLD, Mr. LEAHY, Mr. SANDERS, Mr. TESTER, and Ms. STABENOW):

S. 441. A bill to encourage the development of coordinated quality reforms to improve health care delivery and reduce the cost of care in the health care system; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DORGAN (for himself and Ms. SNOWE):

S. 442. A bill to impose a limitation on lifetime aggregate limits imposed by health plans; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. 443. A bill to transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, to place land into trust for the Hoh Indian Tribe, and for other purposes; to the Committee on Indian Affairs.

By Mr. WHITEHOUSE:

S. 444. A bill to provide for the establishment of a health information technology and privacy system; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SPECTER (for himself, Ms. LANDRIEU, Mr. CARPER, Mr. KERRY, Mrs. MCCASKILL, and Mr. COCHRAN):

S. 445. A bill to provide appropriate protection to attorney-client privileged communications and attorney work product; to the Committee on the Judiciary.

By Mr. SPECTER (for himself, Mr. GRASSLEY, Mr. DURBIN, Mr. SCHUMER, Mr. FEINGOLD, and Mr. CORNYN):

S. 446. A bill to permit the televising of Supreme Court proceedings; to the Committee on the Judiciary.

By Mr. LEVIN:

S. 447. A bill to amend the Commodity Exchange Act to prevent excessive price speculation with respect to energy and agricultural commodities, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SPECTER (for himself, Mr. SCHUMER, Mr. LUGAR, and Mr. GRAHAM):

S. 448. 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. SPECTER (for himself, Mr. LIEBERMAN, and Mr. SCHUMER):

S. 449. A bill to protect free speech; to the Committee on the Judiciary.

By Mr. BAUCUS (for himself, Ms. STABENOW, Mr. TESTER, Mr. CONRAD, Mr. JOHNSON, and Mr. SCHUMER):

S. 450. A bill to understand and comprehensively address the oral health problems associated with methamphetamine use; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LUGAR:

S. Res. 49. A resolution to express the sense of the Senate regarding the importance of public diplomacy; to the Committee on Foreign Relations.

By Ms. LANDRIEU:

S. Res. 50. An original resolution authorizing expenditures by the Committee on Small Business and Entrepreneurship; from the Committee on Small Business and Entrepreneurship; to the Committee on Rules and Administration.

By Mrs. FEINSTEIN (for herself, Mrs. BOXER, Mr. DURBIN, and Mr. WHITEHOUSE):

S. Con. Res. 7. A concurrent resolution honoring and remembering the life of Lawrence ''Larry'' King; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 144

At the request of Mr. KERRY, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 144, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F.

S. 259

At the request of Mr. BOND, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 259, a bill to establish a grant program to provide vision care to children, and for other purposes.

S. 311

At the request of Mrs. BOXER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 311, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 332

At the request of Mrs. FEINSTEIN, the names of the Senator from California (Mrs. BOXER) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 332, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 358

At the request of Mr. CORNYN, the names of the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oregon (Mr. WYDEN) and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S. 358, a bill to ensure the safety of members of the United States Armed Forces while using expeditionary facilities, infrastructure, and equipment supporting United States military operations overseas.

S. 421

At the request of Mr. SPECTER, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Oregon (Mr. WYDEN), the Senator from Kansas (Mr. ROBERTS) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 421, a bill to impose a temporary moratorium on the phase out of the Medicare hospice budget neutrality adjustment factor.

S. 427

At the request of Mrs. LINCOLN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 427, a bill to amend title XVI of the Social Security Act to clarify that the value of certain funeral and burial arrangements are not to be considered available resources under the supplemental security income program.

S. 433

At the request of Ms. KLOBUCHAR, her name was added as a cosponsor of S. 433, a bill to amend the Public Utility Regulatory Policies Act of 1978 to establish a renewable electricity standard, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY (for himself and Mr. GRASSLEY):

S. 434. A bill to amend title XIX of the Social Security Act to improve the State plan amendment option for providing home and community-based services under the Medicaid program, and for other purposes; to the Committee on Finance.

Mr. KERRY. Mr. President, every day millions of Americans are faced with significant challenges when it comes to meeting their own personal needs or caring for a loved one who needs substantial support. Many elderly Americans and individuals of all ages with disabilities need long-term services and supports, such as assistance with dressing, bathing, preparing meals, and managing chronic conditions. They prefer to live and work in their community, and it is time that the Federal Government and states act as better partners to provide improved access to home and community-based long-term care services, HCBS.

The Medicaid program, administered by the States but jointly financed with the Federal Government, is our nation's largest payer for long-term care services. Medicaid spends about $100 billion per year on long-term services. Despite recognizing that per person spending is much lower in community settings, and that people generally prefer community services, Medicaid still spends 61 percent of its long-term services spending in institutional settings. This disparity is due, in large part, to a strong access and payment bias in the program for institutional care.

Where Medicaid does offer HCBS, it is often in short supply, with more than 280,000 Medicaid beneficiaries on waiting lists for HCBS waiver services. Further, eligibility for HCBS waiver services requires beneficiaries to already have a very significant level of disability before gaining access, and they must meet a level of functional need that qualifies them for a nursing home. This not only contributes to the unmet needs of those in the community but it also prevents states from providing services that can help prevent beneficiaries from one day requiring high-cost institutional care. While institutionalized care may be an appropriate choice for some, it should be just that: a choice that individuals and families are allowed to make about the most appropriate setting for their own care.

The result of Medicaid's ''institutional bias'' is that, according to the Georgetown Health Policy Institute, ''one in five persons living in the community with a need for assistance from others has unmet needs, endangering their health and demeaning their quality of life.'' This is simply unacceptable.

The lack of long-term care options available to families has a significant impact on their lives. Many of my constituents are affected, as are countless Americans across the country. Take the parents living in Newton who continue to wait for their physically disabled daughter, Julia, to have the opportunity to live independently. Julia is a young adult and instead of starting out on her own, she must watch as her peers move away and begin their independent lives—something she yearns to do as well. Growing up, Julia was able to attend Newton schools and keep a similar schedule to other children in the community but now has limited social interaction, as there is no other option but to live at home with her parents. Julia's parents are her full time caregivers and would like to see her able to live in an environment more conducive to both her needs and their own. Community-based care or home-based care in an apartment she could share with a roommate are options Julia and her parents would mutually benefit from. As the opportunities for the future grow for her peers, Julia's options continue to shrink because housing and home-based supports for adults with disabilities are limited at best. I have heard many stories similar to that of Julia, which emphasizes the urgency in which HCBS is needed. In addition to individual lives being put on hold, entire families must deal with the consequences of inadequate services available to their family members.

Access to HCBS affects individuals in all stages of life, including Americans dealing with conditions such as Alzheimer's. Take Ann Bowers and Jay Sweatman for example. Without access to HCBS services, Jay, who suffers from early onset Alzheimer's, was forced to first move into assisted living and then a nursing home. By the time Jay was approved for HCBS it was too late and he was no longer able to live independently. Ann had worked tirelessly to coordinate her husband's care and get additional HCBS support but the process was so difficult that by the time help came, it was simply too late. This is just one case of many where early HCBS intervention would have not only saved time, money, and stress for family members, but would have made a significant impact on the quality of life and personal independence for Jay and Ann.

Today I am introducing, with my colleague from the Finance Committee, Senator GRASSLEY, the Empowered at Home Act, a bill that increases access to home and community-based services by giving states new tools and incentives to make these services more available to those in need. It has four basic parts.

First, it will improve the Medicaid HCBS State Plan Amendment Option by giving states more flexibility in determining eligibility for which services they can offer under the program, which will create greater options for individuals in need of long-term supports. In return we ask that states no longer cap enrollment and that services be offered throughout the entire state.

Second, the bill ensures that the same spousal impoverishment protections offered for new nursing home beneficiaries will be in place for those opting for home and community-based services. In addition, low-income recipients of home and community-based services will be able to keep more of their assets when they become eligible for Medicaid, allowing them to stay in their community as long as possible.

Third, the Empowered at Home Act addresses the financial needs of spouses and family members caring for a loved one by offering tax-related provisions to support family caregivers and promotes the purchase of meaningful private long-term care insurance.

Finally, the bill seeks to improve the overall quality of home and community-based services available by providing grants for states to invest in organizations and systems that can help to ensure a sufficient supply of high quality workers, promote health, and transform home and community-based care to be more consumer-centered.

I want to say a word about the Community Choice Act, legislation long-championed by Senator HARKIN that would make HCBS a mandatory benefit in Medicaid. I am a strong supporter

and co-sponsor of this landmark legislation, and look forward to working for its enactment as soon as possible. The legislation I am introducing today seeks to supplement—not supplant—the Community Choice Act by increasing access to HCBS for those who are disabled but not at a sufficient level of need to qualify for nursing home services. These two complimentary bills will finally make HCBS a right while vastly improving HCBS availability to vulnerable citizens of varying levels of disability.

I would also like to thank a number of organizations who have been integral to the development of the Empowered at Home Act and who have endorsed it today, including the National Council on Aging, the American Association of Retired Persons, AARP, the Arc of the United States, United Cerebral Palsy, the American Association of Homes and Services for the Aging, the Alzheimer's Association, the National Association of Area Agencies on Aging, the American Geriatrics Society, ANCOR, the Trust for America's Health, and SEIU.

Improving access to a range of long-term care services for the elderly and Americans of all ages with disabilities is an issue that must not stray from our Nation's health care priorities. I believe this legislation can move forward in a bi-partisan manner to dramatically improve access to high-quality home and community-based care for the millions of Americans who are not receiving the significant supports and services they need.

Mr. GRASSLEY. Mr. President, I am pleased to join my colleague Senator KERRY today to re-introduce the Empowered at Home Act for the 111th Congress. This bill is a continuation of efforts that I undertook in 2005 and again in 2008 to improve access to home and community based services for those needing long-term care. This is an important piece of legislation that continues our efforts to make cost-effective home and community based care options more available to those who need it.

In 2005, I introduced the Improving Long-term Care Choices Act with Senator BAYH. That legislation set forth a series of proposals aimed at improving the accessibility of long-term care insurance and promoting awareness about the protection that long-term care insurance can offer. It also sought to broaden the availability of the types of long-term care services such as home and community-based care, which many people prefer to institutional care.

The year 2005 ended up being a very important year for health policy as it relates to Americans who need extensive care. In the Deficit Reduction Act of 2005, Congress passed into law the Family Opportunity Act, the Money Follows the Person initiative, and many critical pieces of the Improving Long-term Care Choices Act. With the bill I am re-introducing today with Senator KERRY, I hope to set us on the path to completing the work we started in 2005 and continued in 2008.

Making our long-term care system more efficient is a critical goal as we consider the future of health care. There are more than 35 million Americans, roughly 12 percent of the U.S. population, over the age of 65. This number is expected to increase dramatically over the next few decades as the baby boomers age and life expectancy increases. According to the U.S. Administration on Aging, by the year 2030, there will be more than 70 million elderly persons in the United States. As the U.S. population ages, more and more Americans will require long-term care services.

The need for long-term care will also be affected by the number of individuals under the age of 65 who may require a lifetime of care. Currently, almost half of all Americans who need long-term care services are individuals with disabilities under the age of 65. This number includes over 5 million working-age adults and approximately 400,000 children.

Long-term care for elderly and disabled individuals, including care at home and in nursing homes, represents almost 40 percent of Medicaid expenditures. Contrary to general assumptions, it is Medicaid, not Medicare that pays for the largest portion of long-term care for the elderly. Over 65 percent of Medicaid long-term care expenditures support elderly and disabled individuals in nursing facilities and institutions. Although most people who need long-term care prefer to remain at home, Medicaid spending for long-term care remains heavily weighted toward institutional care.

Section 6086 of the Deficit Reduction Act of 2005, DRA, P.L. 109–171, was based on the Improving Long-term Care Choices Act. The DRA provision authorized a new optional benefit under Medicaid that allows states to extend home and community-based services to Medicaid beneficiaries under the section 1915(i) Home and Community-Based Services State Option. Under this authority, states can offer Medicaid-covered home and community-based services under a state's Medicaid plan without obtaining a section 1915(c) home and community-based waiver. Eligibility for these section 1915(i) services may be extended only to Medicaid beneficiaries already enrolled in the program whose income does not exceed 150 percent of the Federal poverty level.

To date, only one State, my own state of Iowa, has sought to take advantage of the provision authorized through the DRA. While we had hoped far more states would participate, we know that the relatively low income cap, 150 percent, in the DRA provision creates an administrative complexity that has not made the option appealing for states.

The bill we are re-introducing today mirrors the one we introduced in 2008 during the 110th Congress. In this bill, the income eligibility standard would be raised for access to covered services under section 1915(i) to persons who qualify for Medicaid because their income does not exceed a specified level established by the state up to 300 percent of the maximum Supplemental Security Income, SSI, payment applicable to a person living at home. This will significantly increase the number of people eligible for these services. States will be able to align their institutional and home and community-based care income eligibility levels.

The bill would also establish two new optional eligibility pathways into Medicaid. These groups would be eligible for section 1915(i) home and community-based services as well as services offered under a state's broader Medicaid program. Under this bill, states with an approved 1915(k) state plan amendment would have the option to extend Medicaid eligibility to individuals: who are not otherwise eligible for medical assistance; whose income does not exceed 300 percent of the supplemental security income benefit rate; and who would satisfy state-established needs-based criteria based upon a state's determination that the provision of home and community-based services would reasonably be expected to prevent, delay, or decrease the need for institutionalized care. Under this new eligibility pathway, states could choose to either limit Medicaid benefits to those home and community-based services offered under section 1915(k) or allow eligibles to access services available under a state's broader Medicaid program in addition to the 1915(k) benefits. These changes will give the states the option of exploring the use of an interventional use of home and community-based services. If states have the flexibility to provide the benefit as contemplated in the bill, they can try to delay the need for institutional care and keep people in their homes longer.

As the number of Americans reaching retirement age grows proportionally larger, ultimately the number of Americans needing more extensive care will grow. Many of these Americans will look to Medicaid for assistance. States need more tools to provide numerous options to people in need so that they can stay in their own homes as long as possible.

The cost of providing long-term care in an institutional setting is far more expensive care than providing care in the home. States will benefit from having options before them that allow them to keep people appropriately in home settings longer. The more States learn how to use those tools, the more States and ultimately the Federal taxpayer will benefit from reduced costs for institutional care.

I am also pleased that this bill will include key provisions from S. 2337, the Long-Term Care Affordability and Security Act of 2007. The bill includes important tax provisions that I introduced in previous Congresses as well,

the Improving Long-term Care Choices Act of 2005, introduced in the 109th Congress.

Research shows that the elderly population will nearly double by 2030. By 2050, the population of those aged 85 and older will have grown by more than 300 percent. Research also shows that the average age at which individuals need long-term care services, such as home health care or a private room at a nursing home, is 75. Currently, the average annual cost for a private room at a nursing home is more than $75,000. This cost is expected to be in excess of $140,000 by 2030.

Based on these facts, we can see that our nation needs to prepare its citizens for the challenges they may face in old-age. One way to prepare for these challenges is by encouraging more Americans to obtain long-term care insurance coverage. To date, only 10 percent of seniors have long-term care insurance policies, and only 7 percent of all private-sector employees are offered long-term care insurance as a voluntary benefit.

Under current law, employees may pay for certain health-related benefits, which may include health insurance premiums, co-pays, and disability or life insurance, on a pre-tax basis under cafeteria plans and flexible spending arrangements, FSAs. Essentially, an employee may elect to reduce his or her annual salary to pay for these benefits, and the employee doesn't pay taxes on the amounts used to pay these costs. Employees, however, are explicitly prohibited from paying for the cost of long-term care insurance coverage tax-free.

Our bill would allow employers, for the first time, to offer qualified long-term care insurance to employees under FSAs and cafeteria plans. This means employees would be permitted to pay for qualified long-term care insurance premiums on a tax-free basis. This would make it easier for employees to purchase long-term care insurance, which many find unaffordable. This should also encourage younger individuals to purchase long-term care insurance. The younger the person is at the time the long-care insurance contract is purchased, the lower the insurance premium.

Our bill also allows an individual taxpayer to deduct the cost of their long-term care insurance policy. In other words, the individual can reduce their gross income by the premiums that they pay for a long-term care policy, and therefore, pay less in taxes. This tax benefit for long-term care insurance should encourage more individuals to purchase these policies. It certainly makes a policy more affordable, especially for younger individuals. This would allow a middle-aged taxpayer to start planning for the future now.

Finally a provision that is included in our bill that I am really pleased with is one that provides a tax credit to long-term caregivers. Long-term caregivers could include the taxpayer him- or herself. Senator KERRY and I recognize that these taxpayers—who have long-term care needs, yet are taking care of themselves—should be provided extra assistance. Also, taxpayers taking care of a family member with long-term care needs would also be eligible for the tax credit. These taxpayers should be given a helping hand. As our population continues to age, the least that we can do is provide a tax benefit for these struggling individuals.

By Mr. SPECTER (for himself, Mr. GRAHAM, Mr. LEAHY, Mr. WYDEN, Mr. CRAPO, Mr. MARTINEZ, and Ms. LANDRIEU):

S. 437. A bill to amend the Internal Revenue Code of 1986 to allow the deduction of attorney-advanced expenses and court costs in contingency fee cases; to the Committee on Finance.

Mr. SPECTER. Mr. President, I seek recognition to introduce legislation to amend Section 162 of the Internal Revenue Code to permit attorneys to deduct expenses and court costs incurred on behalf of contingency fee clients as an ordinary and necessary business expense in the year such expenses are sustained. I introduced the same legislation in the 110th Congress, and the bill attracted bipartisan support. My bill simply clarifies the law to make certain that attorneys who take on contingency fee cases are able to enjoy the same tax benefits as virtually every other small business in the country.

Contingency agreements between attorneys and clients are very common in personal injury, medical malpractice, product liability, Social Security disability, workers compensation, civil liberties, and employment cases. Under these agreements, an attorney pays all out-of-pocket costs associated with a case before any conclusion to the case. Such expenses include costs for expert witnesses, depositions, medical records, and court fees. Contingency agreements have numerous benefits to clients; in particular, indigent individuals who might otherwise be unable to afford legal services.

The obvious benefit to clients of contingency fee arrangements is that they do not have to incur out-of-pocket expenses for attorneys' fees. This may be particularly valuable to clients who do not have the ability to pay attorneys by the hour to advance their case. The arrangement also benefits the client by effectively spreading the risk of litigation. An hourly-rate payment agreement requires the client to assume all of the risk because the attorneys' fees are a sunk cost. However, under a contingent-fee arrangement, the attorney shares that risk and is only paid a fee if he wins the case or obtains a settlement.

Currently, the Internal Revenue Service, IRS, treats expenses and court costs on behalf of contingency clients as loans to the client. As a result, the IRS does not permit any deduction by the attorney until the litigation is resolved, sometimes many years after the attorney has incurred the expenses on behalf of their client. The IRS treats the expenses and court costs as a loan despite the fact that no interest is charged and the lawyer only recoups costs if the case is won or settled. Not only is the IRS's position illogical, but it is contrary to a ruling by the United States Court of Appeals for the 9th Circuit.

In Boccardo v. Commissioner, 56 F.3d 1016, 9t Cir. 1995, the 9th Circuit held that because the firm had a ''gross fee'' contract with the client, the firm incurred ordinary and necessary business expenses in the payment of costs and charges in connection with its clients' litigation. Consequently, litigation costs such as filing fees, witness fees, travel expenses, and medical consultation fees were deductible as ordinary and necessary business expenses in the year the costs were incurred on behalf of the clients. In a ''gross fee'' contract, the client is only obligated to pay their attorney a percentage of the amount recovered and is not expressly responsible for specific repayment of costs. While the Boccardo court contrasted ''gross fee'' contracts with ''net fee'' contracts, such a distinction is trivial for tax purposes. In both agreements, the attorney takes a considerable business risk to incur significant costs on behalf of a client and only recoups the expenses if a recovery is won.

Despite the Boccardo court's ruling in favor of attorneys, the IRS continues to treat the out-of-pocket costs related to contingency fee cases as loans. Lawyers who make the decision to deduct these costs are exposed to potential audit and litigation. Over the past 13 years, taxpayers have had to proceed at their own peril—Ninth Circuit taxpayers risk a conflict with the IRS on this matter despite the case law, and taxpayers outside of the Ninth Circuit have no guidance at all since they cannot directly rely on Boccardo.

My bill reverses an unfair IRS position by treating these businesses the same as all other small businesses. It does so by allowing attorneys with contingency fee clients to deduct their expenses and costs in the year that they are paid. My legislation does not give attorneys anything above and beyond that which is currently enjoyed by virtually every other small business in our country.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 437

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEDUCTION OF ATTORNEY-ADVANCED EXPENSES AND COURT COSTS IN CONTINGENCY FEE CASES.

(a) IN GENERAL.—Section 162 of the Internal Revenue Code of 1986 (relating to trade or business expenses) is amended by redesignating subsection (q) as subsection (r) and by

inserting after subsection (p) the following new subsection:

''(q) ATTORNEY-ADVANCED EXPENSES AND COURT COSTS IN CONTINGENCY FEE CASES.—There shall be allowed as a deduction under this section any expenses and court costs paid or incurred by an attorney the repayment of which is contingent on a recovery by judgment or settlement in the action to which such expenses and costs relate. Such deduction shall be allowed in the taxable year in which such expenses and costs are paid or incurred by the taxpayer.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to expenses and costs paid or incurred after the date of the enactment of this Act, in taxable years beginning after such date.

By Mr. INOUYE:

S. 439. A bill to provide for and promote the economic development of Indian tribes by furnishing the necessary capital, financial services, and technical assistance to Indian-owned business enterprises, to stimulate the development of the private sector of Indian tribal economies, and for other purposes; to the Committee on Indian Affairs.

Mr. INOUYE. Mr. President, I rise today to introduce a bill to establish an Indian Development Finance Corporation as an independent, Federally-chartered corporation that is modeled after the family of Development Banks established by the World Bank in lesser-developed countries around the world.

Mr. President, in my more than 30 years of service on the U.S. Senate Committee on Indian Affairs, I have visited many Indian communities and Alaska Native villages, and I have seen that in many parts of Indian country, there are economic and social conditions that are as dire as those conditions found in the so-called ''lesser developed countries'' around the world. And although we have seen some economic success in recent years across Native America as a result of the Indian Gaming Regulatory Act, most Indian tribes and Native villages are not engaged in the conduct of gaming, nor have tribal governments found the means to overcome the challenges associated with their remote locations from populations centers and market places that serve the commercially-successful tribal gambling operations.

In those rurally-isolated areas, there is real potential to succeed in developing viable local economies based on agricultural and fishery resources, and the development of the vast energy resources that are located on Indian lands. What these Native communities need is the type of development financing services that the World Bank has successfully established—institutions empowered to make small, leveraged capital investments and economic infrastructure development to support tailored industrial programs, internet-based communication services, national and international trade agreements, and economic research capabilities. An Indian Development Finance Corporation could provide these kinds of services through a network of centers that would be based in Indian Country.

Under this bill, the Corporation would be authorized to issue 500,000 shares of common stock at $50 per share to every Tribal Nation in Indian Country and Alaska. The Corporation would be managed by a Board elected by the Tribal shareholders and the Board would be charged with hiring a President and a team of managers as well as set operating policies. Seed capital would be injected into the Indian Development Finance Corporation (IDFC) by the U.S. Treasury in exchange for the issuance of capital stock. Initially, $20 million in start-up funds would be invested and after the majority of common stock was purchased by tribes, another $80 million would be authorized.

I believe that the IDFC can take advantage of opportunities to integrate the economic stimulus activities soon to be created by the American Recovery and Reinvestment Act, and. I am confident that there will be support forthcoming from those tribal governments and Alaska Native corporations that have the resources to invest in the economic infrastructure initiatives that will be established by the IDFC in this period of our greatest need.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 439

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Indian Development Finance Corporation Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings and policy.
Sec. 3. Definitions.

TITLE I—INDIAN DEVELOPMENT FINANCE CORPORATION

Sec. 101. Establishment of Corporation.
Sec. 102. Duties and powers.
Sec. 103. Loans and obligations.
Sec. 104. Board of Directors.
Sec. 105. President of Corporation.
Sec. 106. Annual shareholder meetings.
Sec. 107. Annual reports; development plan.

TITLE II—CAPITALIZATION

Sec. 201. Issuance of stock.
Sec. 202. Borrowing authority.

TITLE III—AUTHORIZATION OF APPROPRIATIONS

Sec. 301. Authorization of appropriations.

SEC. 2. FINDINGS AND POLICY.

(a) FINDINGS.—Congress finds that—

(1) a special relationship has existed between the United States and Indian tribes, which is recognized in clause 3 of section 8 of article I of the Constitution of the United States;

(2) pursuant to laws, treaties, and administrative authority, Congress has implemented activities to fulfill the responsibility of the United States for the protection and preservation of Indian tribes and tribal resources;

(3) despite the availability of abundant natural resources on Indian land and a rich cultural legacy that places great value on self-determination, self-reliance, and independence, Indians and Alaska Natives experience poverty and unemployment, together with associated incidences of social pathology, to an extent unequaled by any other group in the United States;

(4)(A) the reasons for that poverty and unemployment have been widely studied and documented by Congress, the Government Accountability Office, the Department of the Interior, private academic institutions, and Indian tribes; and

(B) the studies described in subparagraph (A) have consistently identified as fundamental obstacles to balanced economic growth and progress by Indians and Alaska Natives—

(i) the very limited availability of long-term development capital and sources of financial credit necessary to support in Indian country the development of a private sector economy comprised of Indian-owned business enterprises;

(ii) the lack of effective control by Indians over their own land and resources; and

(iii) the scarcity of experienced Indian managers and technicians;

(5) previous efforts by the Federal Government directed at stimulating Indian economic development through the provision of grants, direct loans, loan guarantees, and interest subsidies have fallen far short of objectives due to—

(A) inadequate funds;

(B) lack of coordination;

(C) arbitrary project selection criteria;

(D) politicization of the delivery system; and

(E) other inefficiencies characteristic of a system of publicly administered financial intermediation; and

(6) the experience acquired by multilateral lending institutions among ''lesser-developed countries'' has demonstrated the value and necessity of development financial institutions in achieving economic growth in underdeveloped economies and societies that are strikingly similar to Indian and Alaska Native communities in relation to matters such as—

(A) control over natural resource management;

(B) the absence of experienced, indigenous managers and technicians; and

(C) the availability of long-term development capital and private sources of financial credit.

(b) POLICY.—It is the policy of the United States that, in fulfillment of the special and long-standing responsibility of the United States to Indian tribes, the United States should provide assistance to Indians in efforts to break free from the devastating effects of extreme poverty and unemployment and achieve lasting economic self-sufficiency through the development of the private sector of tribal economies by establishing a federally chartered, mixed-ownership development financing institution to provide a broad range of financial intermediary services (including working capital, direct loans, loan guarantees, and project development assistance) using the proven efficiencies of the private market mode of operation.

SEC. 3. DEFINITIONS.

In this Act:

(1) BOARD.—The term ''Board'' means the Board of Directors of the Corporation.

(2) CORPORATION.—The term ''Corporation'' means the Indian Development Finance Corporation established by section 101(a).

(3) INDIAN.—The term ''Indian'' means an individual who is a member of an Indian tribe.

(4) INDIAN BUSINESS ENTERPRISE.—

(A) IN GENERAL.—The term ''Indian business enterprise'' means any commercial, industrial, or business entity—

(i) at least 51 percent of which is owned by 1 or more Indian tribes;

(ii) that produces or provides goods, services, or facilities on a for-profit basis;

(iii) that is chartered or controlled by an Indian tribe or tribal organization that is a [shareholder/member] of the Corporation;

(iv) the principal place of business of which is located within or adjacent to the boundaries of a reservation; and

(v) the principal business activities of which, in addition to the production of a stream of income, as determined by the Corporation—

(I) are directly beneficial to an Indian tribe; and

(II) contribute to the economy of that Indian tribe.

(B) INCLUSION.—The term ''Indian business enterprise'' includes any subsidiary entity owned and controlled by an entity described in subparagraph (A).

(5) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(6) RESERVATION.—The term ''reservation'' has the meaning given the term in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452).

(7) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(8) TRIBAL ORGANIZATION.—The term ''tribal organization'' means—

(A) the governing body of an Indian tribe; and

(B) any entity established, controlled, or owned by such a governing body.

TITLE I—INDIAN DEVELOPMENT FINANCE CORPORATION

SEC. 101. ESTABLISHMENT OF CORPORATION.

(a) IN GENERAL.—There is established a corporation, to be known as the ''Indian Development Finance Corporation''.

(b) POWERS OF CONGRESS.—Congress shall have the sole authority—

(1) to amend the charter of the Corporation; and

(2) to terminate the Corporation.

SEC. 102. DUTIES AND POWERS.

(a) DUTIES.—The Corporation shall—

(1) provide development capital through financial services under section 103;

(2) encourage the development of new and existing Indian business enterprises eligible to receive assistance from the Corporation by providing, and coordinating the availability of—

(A) long-term capital and working capital;

(B) loans, loan guarantees, and other forms of specialized credit; and

(C) technical and managerial assistance and training;

(3) maintain broad-based control of the Corporation relative to the voting shareholders of the Corporation;

(4) encourage active participation in the Corporation by Indian tribes through ownership of equity securities of the Corporation; and

(5) otherwise assist in strengthening Indian tribal economies through the development of Indian business enterprises.

(b) POWERS.—In carrying out this Act, the Corporation may—

(1) adopt and alter a corporate seal, which shall be judicially noticed;

(2)(A) enter into agreements and contracts with individuals, Indian tribes, and private or governmental entities; and

(B) make payments or advance payments under those agreements and contracts without regard to section 3324 of title 31, United States Code, except that the Corporation shall provide financial assistance only in accordance with this Act;

(3) with respect to any real, personal, or mixed property (or any interest in such property)—

(A) lease, purchase, accept gifts or donations of, or otherwise acquire the property;

(B) own, hold, improve, use, or otherwise deal in or with the property; and

(C) sell, convey, mortgage, pledge, lease, exchange, or otherwise dispose of the property;

(4)(A) sue and be sued in corporate name;

(B) complain and defend in any court of competent jurisdiction; and

(C) represent itself, or contract for representation, in any judicial, legal, or other proceeding;

(5)(A) with the approval of the department or agency concerned, make use of the services, facilities, and property of any board, commission, independent establishment, or Federal department or agency in carrying out this Act; and

(B) pay for that use, with the payments to be credited to the applicable appropriation that incurred the expense;

(6) use the United States mails on the same terms and conditions as a Federal department or agency;

(7) obtain insurance or make other provisions against losses;

(8) participate with 1 or more other financial institutions, agencies, instrumentalities, trusts, or foundations in loans or guarantees provided under this Act on such terms as may be agreed on;

(9) accept guarantees from other agencies for which loans made by the Corporation may be eligible;

(10) establish, as soon as practicable, regional offices to more efficiently serve the widely disbursed Indian population;

(11) buy and sell—

(A) obligations of, or instruments insured by, the Federal Government; and

(B) securities backed by the full faith and credit of any Federal department or agency;

(12) make such investments as the Board determines to be appropriate;

(13) establish such offices within the Corporation as are necessary, including—

(A) project development;

(B) project evaluation and auditing;

(C) fiscal management;

(D) research and development; and

(E) such other activities as are authorized by the Board; and

(14) exercise all other authority necessarily or reasonably relating to the establishment of the Corporation to carry out this Act.

SEC. 103. LOANS AND OBLIGATIONS.

(a) IN GENERAL.—The Corporation may—

(1) make loans or commitments for loans to any Indian business enterprise; and

(2) purchase, insure, or discount any obligation of an Indian business enterprise, if the Indian business enterprise meets the requirements of subsection (b).

(b) REQUIREMENTS.—An Indian business enterprise meets the requirements of this subsection if the Corporation determines that—

(1) the Indian business enterprise has or will have—

(A) a sound organizational and financial structure;

(B) income in excess of the operating costs of the Indian business enterprise;

(C) assets in excess of the obligations of the Indian business enterprise; and

(D) a reasonable expectation of continuing demand for—

(i) the products, goods, commodities, or services of the Indian business enterprise; or

(ii) the facilities of the Indian business enterprise; and

(2) the loan or obligation proposed to be purchased, insured, or discounted will be fully repayable by the Indian business enterprise in accordance with the terms and conditions of the loan or obligation.

(c) TERMS, RATES, AND CHARGES.—

(1) IN GENERAL.—In establishing the terms, rates, and charges for a loan provided under this section, the Corporation, to the maximum extent practicable, shall seek to provide the type of credit needed by the applicable Indian business enterprise at the lowest reasonable cost and on a sound business basis, taking into consideration—

(A) the cost of money to the Corporation;

(B) the necessary reserve and expenses of the Corporation; and

(C) the technical and other assistance attributable to loans made available by the Corporation under this section.

(2) INTEREST RATES.—The terms of a loan under this subsection may provide for an interest rate that varies from time to time during the repayment period of the loan in accordance with the interest rates being charged by the Corporation for new loans during those periods.

(d) ADVANCING AND RELOANING.—A loan provided under this section may be advanced or reloaned by the Corporation to any member or shareholder of the Corporation for the development of an individually owned business on or adjacent to a reservation, in accordance with the bylaws of the Corporation.

(e) LOAN GUARANTEES.—

(1) IN GENERAL.—The Corporation may guarantee any part of the principal or interest of a loan that is provided—

(A) by a State-chartered or federally chartered lending institution to an Indian business enterprise that meets the requirements of subsection (b); and

(B) in accordance with such terms and conditions (including the rate of interest) as would be permissible if the loan was a direct loan provided by the Corporation.

(2) CHARGES.—The Corporation may impose a charge for a loan guarantee provided under this subsection.

(3) LIMITATION.—The Corporation shall not provide a loan guarantee under this subsection if the income to the lender from the applicable loan is excludable from the gross income of the lender for purposes of chapter 1 of the Internal Revenue Code of 1986.

(4) ASSIGNABILITY.—A loan guarantee under this subsection shall be assignable to the extent provided in the contract for the loan guarantee.

(5) INCONTESTABILITY.—A loan guarantee under this subsection shall be incontestable, except in any case of fraud or misrepresentation of which the holder of the loan had actual knowledge at the time the holder acquired the loan.

(6) PURCHASE OF GUARANTEED LOANS.—

(A) IN GENERAL.—In lieu of requiring the original lender to service a loan guaranteed under this subsection until final maturity or liquidation, the Corporation may purchase the guaranteed loan without penalty, if the Corporation determines that—

(i) the purchase would not be detrimental to the interests of the Corporation;

(ii) liquidation of the guaranteed loan would—

(I) result in the insolvency of the borrower; or

(II) deprive the borrower of an asset essential to continued operation; and

(iii)(I) the guaranteed loan will be repayable on revision of the rates, terms, payment periods, or other conditions of the loan, consistent with loans made by the Corporation under subsection (a)(1); but

(II) the lender or other holder of the guaranteed loan is unwilling to make such a revision.

(B) AMOUNT.—The amount paid by the Corporation to purchase a loan under subparagraph (A) shall not exceed an amount equal to the sum of—

(i) the balance of the principal of the loan; and

(ii) the amount of interest accrued on the loan as of the date of purchase.

(f) PURCHASES OF EQUITY AND OWNERSHIP; SUPERVISION AND PARTICIPATION.—

(1) PURCHASES OF EQUITY AND OWNERSHIP.—For purposes of providing long-term capital and working capital to Indian business enterprises, the Corporation may purchase, or make commitments to purchase, any portion of the equity or ownership interest in the Indian business enterprise if the Corporation determines, after a full and complete appraisal of all project and business plans associated with the investment, that the investment will not expose the Corporation to any unreasonable business risk, taking into consideration applicable development finance standards, as applied to Indian economic development in light of the socioeconomic, political, and legal conditions unique to reservations.

(2) SUPERVISION AND PARTICIPATION.—The Corporation may supervise or participate in the management of an Indian business enterprise in which an investment has been made under paragraph (1), in accordance with such terms and conditions as are agreed to by the Corporation and the Indian business enterprise, including the assumption of a directorship in the corporate body of the Indian business enterprise by an officer of the Corporation.

SEC. 104. BOARD OF DIRECTORS.

(a) MEMBERSHIP.—The Corporation shall be headed by a board of directors, to be composed of 21 members, of whom—

(1) 1 shall be a Federal official, to be appointed by the Secretary;

(2) 19 shall be representatives of the shareholders of the Corporation, to be appointed by the Secretary—

(A) based on consultation with, and recommendations from, Indian tribes;

(B) in accordance with subsection (b); and

(C) taking take into consideration the experience of a representative regarding—

(i) private business enterprises; and

(ii) development or commercial financing; and

(3) 1 shall be the president of the Corporation.

(b) APPOINTMENT OF SHAREHOLDER REPRESENTATIVES.—The initial members of the Board appointed under subsection (a)(2) shall be appointed by the Secretary, based on recommendations from Indian tribal leaders.

(c) TERMS OF SHAREHOLDER REPRESENTATIVES.—The terms of service of the initial members of the Board appointed under subsection (a)(2) shall terminate at the beginning of the first annual meeting of shareholders of the Corporation held as soon as practicable after the date on which subscriptions have been paid for at least 10 percent of the common stock of the Corporation initially offered for sale to Indian tribes under section 201(b).

(d) VACANCIES.—

(1) IN GENERAL.—Subject to paragraph (2), a vacancy on the Board resulting from the resignation or removal of a member of the Board shall be filled by the Board in accordance with the bylaws of the Corporation.

(2) TERM.—The term of service of a member of the Board appointed under paragraph (1) shall terminate at the beginning of the next annual shareholder meeting of the Corporation occurring after the date of appointment.

(e) REMOVAL.—A member of the Board may be removed from office by the Board only for—

(1) neglect of duty; or

(2) malfeasance in office.

(f) ADMINISTRATIVE DUTIES.—

(1) CHAIRPERSON AND VICE-CHAIRPERSON.—The Board shall annually elect from among the members of the Board described in ⌊subsection (a)(2)⌋ a chairperson and vice-chairperson.

(2) POLICIES AND MANAGEMENT.—The Board shall—

(A) establish the policies of the Corporation; and

(B) supervise the management of the Corporation.

(3) BYLAWS.—The Board shall adopt and amend, as necessary, such bylaws as are necessary for the proper management and function of the Corporation.

(4) MEETINGS.—

(A) IN GENERAL.—The Board shall meet at the call of the chairperson of the Board, in accordance with the bylaws of the Corporation, not less frequently than once each quarter.

(B) PRIVATE EXECUTIVE SESSIONS.—The Board may meet in a private executive session if the matter involved at the meeting may impinge on the right of privacy of an individual.

(g) MEMBER APPOINTED BY SECRETARY.—The member of the Board appointed by the Secretary under subsection (a)(1) shall—

(1) have 20 percent of the share of votes cast at each annual shareholder meeting; and

(2) be overruled only by ⅔ majority vote at a regular meeting of the Board with respect to any matter regarding—

(A) a request by the Board of capital under subsection (b)(3)(B) or (c)(2)(B) of section 201;

(B) borrowing by the Corporation of any amount in excess of $10,000,000;

(C) a loan or investment made by the Corporation in excess of $10,000,000; or

(D) a change to an investment or credit policy of the Corporation.

(h) COMPENSATION.—

(1) NON-GOVERNMENTAL EMPLOYEES.—A member of the Board who is not otherwise employed by the Federal Government or a State government shall receive compensation at a rate equal to the daily rate for GS–18 of the General Schedule under section 5332 of title 5, United States Code, for each day, including traveling time, during which the member carries out a duty as a member of the Board.

(2) GOVERNMENTAL EMPLOYEES.—A member of the Board who is an officer or employee of the Federal Government or a State government shall serve without additional compensation.

(3) TRAVEL AND OTHER EXPENSES.—Each member of the Board shall be reimbursed for travel, subsistence, and other necessary expenses incurred by the member in carrying out a duty as a member of the Board.

SEC. 105. PRESIDENT OF CORPORATION.

(a) APPOINTMENT.—The Board shall appoint a president of the Corporation.

(b) DUTIES AND POWERS.—The president shall—

(1) serve as the chief executive officer of the Corporation; and

(2) subject to the direction of the Board and the general supervision of the chairperson, carry out the policies and functions of the Corporation;

(3) manage the personnel and activities of the Corporation; and

(4) on approval of the Board, appoint and fix the compensation and duties of such officers and employees as may be necessary for the efficient administration of the Corporation, without regard to—

(A) the provisions of title 5, United States Code, governing appointments in the competitive service; or

(B) chapter 51 or subchapter III of chapter 53 of title 5, United States Code.

SEC. 106. ANNUAL SHAREHOLDER MEETINGS.

(a) MEETINGS.—

(1) IN GENERAL.—The Corporation shall hold meetings of the shareholders of the Corporation not less frequently than once each year.

(2) OPENNESS.—A shareholder meeting under this section shall be held open to the public.

(3) NOTICE.—The Corporation shall provide to each shareholder of the Corporation a notice of each shareholder meeting under this section by not later than 30 days before the date of the meeting.

(b) ACTIVITIES.—

(1) CORPORATION.—At a shareholder meeting under this section, the Corporation—

(A) shall provide to shareholders a report describing—

(i) the activities of the Corporation during the preceding calendar year; and

(ii) the financial condition of the Corporation as in effect on the date of the meeting; and

(B) may present to the shareholders proposals for future action and other matters of general concern to shareholders and Indian business enterprises eligible to receive services of the Corporation.

(2) SHAREHOLDERS.—At a shareholder meeting under this section, a shareholder of the Corporation may—

(A) present a motion or resolution relating to any matter within the scope of this Act; and

(B) participate in any discussion relating to such a matter or any other matter on the agenda of the meeting.

(c) VOTING.—Each Indian tribe that is a member of the Corporation may vote the common stock of the Indian tribe regarding—

(1) any matter on the agenda of a meeting under this section; or

(2) any other matter relating to the election of a member of the Board.

SEC. 107. ANNUAL REPORTS; DEVELOPMENT PLAN.

(a) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Board shall submit to the appropriate committees of Congress a report describing—

(A) the activities of the Corporation during the preceding calendar year; and

(B) the capital and financial condition of the Corporation as in effect on the date of submission of the report.

(2) INCLUSION.—Each report under paragraph (1) shall include recommendations for legislation to improve the services of the Corporation.

(b) DEVELOPMENT PLAN.—Not later than 1 year after the date of enactment of this Act, the Corporation shall submit to Congress a comprehensive, 5-year organizational development plan that includes—

(1) financial projections for the Corporation;

(2) a description of the corporate structure and locations of the Corporation; and

(3) operational guidelines for the Corporation, particularly regarding the coordinating relationship the Corporation has, or plans to have, with Federal domestic assistance programs that allocate financial resources and services to Indian tribes and reservations for economic and business development purposes.

TITLE II—CAPITALIZATION

SEC. 201. ISSUANCE OF STOCK.

(a) ISSUANCE.—

(1) IN GENERAL.—The Corporation may issue shares of stock in the Corporation, in

such quantity and of such class as the Board determines to be appropriate, in accordance with this section.

(2) REQUIREMENT.—A share of stock under paragraph (1) may be issued to, and held by, only—

(A) an Indian tribe; or

(B) the Federal Government.

(3) REDEMPTION AND REPURCHASE.—The Corporation may redeem or repurchase a share of stock issued pursuant to paragraph (1) [at a price to be determined by the Board].

(b) INITIAL OFFERING OF COMMON STOCK.—

(1) IN GENERAL.—The Corporation shall make an initial offering of common stock of the Corporation to Indian tribes under this section—

(A) in a quantity of not less than 500,000 shares; and

(B) at a price of not less than $50 per share.

(2) FORM OF PAYMENT.—Of the price paid by an Indian tribe for a share of stock of the Corporation under this subsection—

(A) 20 percent shall be provided in cash or cash-equivalent securities; and

(B) 80 percent shall provided in the form of a legally binding financial commitment that is—

(i) available at the request of the Board to meet the obligations of the Corporation; but

(ii) not available for any lending activity or administrative expenses of the Corporation.

(c) SUBSCRIPTION BY SECRETARY FOR SHARES OF CAPITAL STOCK.—

(1) IN GENERAL.—The Secretary may subscribe for not more than 2,000,000 shares of capital stock of the Corporation.

(2) PAYMENTS.—

(A) INITIAL PERIOD.—Not later than 2 years after the date of enactment of this Act, the Secretary shall pay to the Corporation for subscription for capital stock under paragraph (1) not less than $20,000,000.

(B) SUBSEQUENT PERIOD.—

(i) IN GENERAL.—Beginning in fiscal year 2012, the Secretary shall pay to the Corporation for subscription for capital stock under paragraph (1)—

(I) $80,000,000; or

(II) such lesser amount as the Board may request, in accordance with clause (ii).

(ii) REQUESTS BY BOARD.—The amount of a request by the Board under clause (i)(II) shall be determined jointly by the Secretary and the Board based on an assessment of the need of the Corporation, taking into consideration a risk analysis of the investment and credit policies and practices of the Corporation.

(iii) LIMITATIONS.—A payment under this subparagraph—

(I) shall be subject to the availability of appropriations;

(II) shall be provided only as needed to meet the obligations of the Corporation; and

(III) shall not be available for any lending activity or administrative expenses of the Corporation.

(3) REQUIREMENTS.—A share of capital stock subscribed for by the Secretary under this subsection—

(A) shall be valued at not less than $50 per share;

(B) shall be nonvoting stock;

(C) shall not accrue dividends; and

(D) shall not be transferred to any individual or entity other than the Corporation.

(d) EXEMPTED SECURITIES.—A share of stock, and any other security or instrument, issued by the Corporation shall be considered to be an exempted security for purposes of the laws (including regulations) administered by the Securities and Exchange Commission.

SEC. 202. BORROWING AUTHORITY.

(a) ISSUANCE OF OBLIGATIONS.—The Corporation may issue such bonds, notes, and other obligations at such times, bearing interest at such rates, and containing such terms and conditions as the Board, in consultation with the Secretary of the Treasury, determines to be appropriate.

(b) AMOUNT OF OBLIGATIONS.—The aggregate amount of the obligations issued pursuant to subsection (a) shall not exceed an amount equal to the sum of—

(1) the product obtained by multiplying—

(A) the sum of—

(i) the paid-in capital of the Corporation; and

(ii) the retained earnings and profits of the Corporation; and

(B) 10; and

(2) the sum of the book values of—

(A) the capital subject to request of the Board represented by the total commitments of Indian tribal shareholders under section 201(b)(2)(B); and

(B) the amount paid by the Secretary under section 201(c)(2).

(c) SALE OF OBLIGATIONS.—An obligation of the Corporation under subsection (a) may be—

(1) issued through an agent by negotiation, offer, bid, syndicate sale, or otherwise; and

(2) completed by book entry, wire transfer, or any other appropriate method.

TITLE III—AUTHORIZATION OF APPROPRIATIONS

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

(a) GENERAL OPERATIONAL EXPENSES.—There are authorized to be appropriated—

(1) $2,000,000 for fiscal year 2009 to carry out this Act;

(2) $2,500,000 for each of fiscal years 2010 through 2014 to carry out project development activities under this Act; and

(3) such sums as are necessary to carry out this Act (other than subparagraphs (A) and (B) of section 201(c)(2)) for each of fiscal years 2010 through 2014.

(b) PAID-IN CAPITAL STOCK.—There are authorized to be appropriated—

(1) for each of fiscal years 2010 and 2011, $10,000,000 to carry out section 201(c)(2)(A); and

(2) for fiscal year 2011 and each fiscal year thereafter, $80,000,000 to carry out section 201(c)(2)(B).

By Mr. SPECTER (for himself and Mr. LEAHY):

S. 440. A bill to amend the Internal Revenue Code of 1986 to allow an above-the-line deduction for attorney fees and costs in connection with civil claim awards; to the Committee on Finance.

Mr. SPECTER. Mr. President, I seek recognition to introduce legislation to amend Section 62(a)(20) of the Internal Revenue Code to allow taxpayers to subtract from their taxable gross income the attorneys' fees and court costs paid by the taxpayer in connection with an award or settlement of monetary damages in a civil claim. Such a deduction is commonly referred to as an ''above-the-line'' deduction.

Under current law, there is an inequity in the tax code that results in the double taxation of attorneys' fees and costs in certain circumstances. In addition, attorneys' fees paid by individuals in recovering a taxable award in certain civil claims are only deductible as miscellaneous itemized deductions. As such, they are subject to a reduction equal to two percent of the individual's adjusted gross income and subject to a complete disallowance when calculating the alternative minimum tax. Consequently, many plaintiffs end up incurring significant tax liability beyond the amount they actually bring home after winning or settling a case.

Congress partially corrected the problem in 2004, when we passed, and President Bush signed, the American Jobs Creation Act of 2004, Jobs Act. The Jobs Act allows an above-the-line deduction for amounts attributable to attorneys' fees and costs received by individuals based on claims brought under certain statutes, including the False Claims Act, 1862(b)(3)(A) of the Social Security Act, or unlawful discrimination claims. Prior to enactment of the Jobs Act, the Internal Revenue Code already excluded from income awards arising out of claims relating to physical injury and sickness. However, attorneys' fees paid in the pursuit and collection of punitive awards, awards for libel, slander, or other awards in cases not involving a physical injury or a claim of discrimination are still not subtracted from gross income.

In 2005, the United States Supreme Court added further confusion to the issue. In *Commissioner* v. *Banks*, 543 U.S. 426 (2005), the Court attempted to resolve a circuit split on the Federal income tax treatment of attorneys' fees. In an 8–0 opinion, the Court held that when a litigant's recovery constitutes income, the litigant's income includes the portion of the recovery paid to the attorney as a contingent fee. Consequently, for those claims not excluded from gross income in the Jobs Act, attorneys' fees are subjected to double taxation; subjected to a reduction equal to two percent of the individual's adjusted gross income when listed as a miscellaneous itemized deduction; and subjected to a complete disallowance when calculating the alternative minimum tax.

My legislation corrects the problem by permitting taxpayers to subtract from their taxable gross income the attorneys' fees and court costs paid by the taxpayer in connection with an award or settlement of monetary damages in all civil claims. The legislation would ensure more uniform treatment of contingency fees in all types of litigation, not just the limited categories of litigation as specified in the Jobs Act. Importantly, this change does not affect the requirement that attorneys pay federal income tax on legal fees they receive. The legislation does eliminate the inequity of the client also paying taxes on attorneys' fees despite not receiving the funds under the terms of a contingency fee contract.

I encourage my colleagues to join me in this effort to bring fairness to the tax code.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 440

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ABOVE-THE-LINE DEDUCTION FOR ATTORNEY FEES AND COSTS IN CONNECTION WITH CIVIL CLAIM AWARDS.

(a) IN GENERAL.—Paragraph (20) of section 62(a) of the Internal Revenue Code of 1986 is amended to read as follows:

''(20) COSTS INVOLVING CIVIL CASES.—Any deduction allowable under this chapter for attorney fees and court costs paid by, or on behalf of, the taxpayer in connection with any action involving a civil claim. The preceding sentence shall not apply to any deduction in excess of the amount includible in the taxpayer's gross income for the taxable year on account of a judgment or settlement (whether by suit or agreement and whether as lump sum or periodic payments) resulting from such claim.''.

(b) CONFORMING AMENDMENT.—Section 62 of the Internal Revenue Code of 1986 is amended by striking subsection (e).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fees and costs paid after the date of the enactment of this Act with respect to any judgment or settlement occurring after such date.

Mr. LEAHY. Mr. President, I am pleased to join Senator SPECTER in the introduction of two bills, S. 437 and S. 440, that will correct inconsistencies and provide fairness to lawyers and their clients under the Federal Tax Code.

Currently, attorneys who take on contingency fee cases, and advance their clients funds for court costs, witnesses, or other expenses, cannot deduct these expenses as ordinary business expenses at the time they are made. Instead, attorneys who advance these costs may not take a deduction until the case for which they are advanced is resolved. In most cases this is a timeframe of several years. This results in an attorney carrying the burden of these costs from year to year until the case is resolved. For many small law firms or solo practitioners, this is a significant burden.

Where attorneys are advancing costs to clients so that those clients may pursue their rights in court, they deserve to be treated as any other small business owner. This disparate treatment is inequitable and correcting it will make legal representation more easily provided by attorneys and more available to clients.

The other bill we introduce today helps clients who have been awarded funds through a contingency fee arrangement. Under current tax law, punitive damages awards and awards to a plaintiff resulting from certain claims are subject to Federal taxation for the entire amount of the award, even if the plaintiff then uses a portion to satisfy a contingency fee agreement. The result is that the portion of an award to a plaintiff in a contingency fee arrangement that then goes to an attorney is taxed twice—once through the plaintiff and again through the attorney.

This legislation will allow a plaintiff who has recovered an award to take an above the line deduction for the portion of his or her award that will be transmitted to the attorney who provided the representation. This is a commonsense solution and where an individual has suffered an injury and will rely on his or her award it is sound policy to reduce this unnecessary and duplicative tax burden.

Neither of these bills gives any special treatment to attorneys or their clients. Rather, in combination, they will help attorneys provide more representation to clients who by virtue of their financial or other circumstances must enter a contingency fee arrangement, and will allow a greater amount of funds recovered to be put to use by the individual for whose benefit they were awarded.

I thank Senator SPECTER for introducing this legislation and I hope all Senators will join us in supporting these sensible corrections to our Tax Code.

By Mr. DORGAN (for himself and Ms. SNOWE):

S. 442. A bill to impose a limitation on lifetime aggregate limits imposed by health plans; to the Committee on Health, Education, Labor, and Pensions.

Ms. SNOWE. Mr. President, I join today with Senator DORGAN to address the growing problem of beneficiaries who exceed their lifetime cap on health care coverage. Today, many Americans responsibly purchase a health plan to cover themselves and their loved ones in case of illness. Tragically, some of these individuals become stricken by illness that is extremely expensive to treat, and too often exceeds their policy's lifetime cap provision. After doing all you can to act responsibly and avoid becoming a burden on society, an overly restrictive lifetime cap on benefits can cause one to go bankrupt—and ultimately shifts costs to public programs such as Medicaid.

We have seen that even beneficiaries who acquire health insurance with seemingly hefty lifetime caps have found that the high cost of modern treatments—combined with medical inflation which exceeds the consumer price index by two to threefold—has greatly deflated the true value of the lifetime cap. The legislation offered today addresses this issue by setting a higher minimum cap. It has been estimated the cost of this improved protection—spread over many insurance purchasers—will increase premiums by approximately $8 per year. This reinforces the principle of insurance—spreading high risks over many purchasers—in order to assure adequate protection should a protracted and expensive illness befall an individual. This bill will also assure that costs are not inappropriately shifted onto the government programs, such as Medicaid—where taxpayers will feel the brunt of financial responsibility for costly treatment.

As I work with my colleagues and the administration to grapple with how to make health care more affordable to the millions of Americans struggling to pay their premiums, coinsurance and copays—raising the floor on lifetime caps will provide the immediate financial relief to families so that they will have access to health care should a costly, chronic disease occur.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. 443. A bill to transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, to place land into trust for the Hoh Indian Tribe, and for other purposes; to the Committee on Indian Affairs.

Mrs. MURRAY. 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. 443

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 ''Hoh Indian Tribe Safe Homelands Act''.

SEC. 2. FINDINGS.

(a) FINDINGS.—Congress finds the following:

(1) The Hoh Indian Reservation, located along the Hoh River and the Pacific Ocean in a remote section of Jefferson County, Washington, is the homeland of the Hoh Indian Tribe, a federally recognized Indian tribe.

(2) Established by Executive Order in 1893, the Reservation is approximately one square mile, but its habitable acreage has been reduced over time due to storm surges, repeated flooding and erosion, and lack of river dredging.

(3) Due to its location along the river and ocean and frequent torrential rains, 90 percent of the Reservation is located within a flood zone and, in fact, has flooded repeatedly over the last five years. In addition, 100 percent of the Reservation is within a tsunami zone, leaving most of the Reservation unfit for safe occupation.

(4) The Tribe has repeatedly suffered from serious flood and wind damage to homes, tribal buildings, and utility infrastructure that have caused significant damage and resulted in critical safety and environmental hazards.

(5) Federal agencies such as the Bureau of Indian Affairs, the Department of Housing and Urban Development, and the Federal Emergency Management Agency have limited authority to assist the Tribe with housing and other improvements and services due to the dangerous and unsustainable location of the Reservation.

(6) The Tribe has purchased from private owners near the Reservation approximately 260 acres of land in order to move key infrastructure out of the flood zone.

(7) In addition, the State of Washington's Department of Natural Resources has transferred ownership of 160 acres of land to the Tribe.

(8) An approximately 37 acre parcel of logged land, administered by the National Park Service, lies between the current Reservation land and those lands acquired by the Tribe, and the only road accessing the Reservation crosses this parcel.

(9) Together, the lands described in paragraphs 6, 7, and 8 would constitute a contiguous parcel for the Reservation and would

create a safe area for members of the Tribe to live and rebuild their community.

SEC. 3. DEFINITIONS.

For the purposes of this Act——

(1) the term ''Federal land'' mean the Federal lands described in section 4(c)(2);

(2) the term ''Reservation'' means the reservation of the Hoh Indian Tribe;

(3) the term ''Secretary'' means the Secretary of the Interior; and

(4) the term ''Tribe'' means the Hoh Indian Tribe, a federally recognized Indian tribe.

SEC. 4. TRANSFER OF LANDS TO BE HELD IN TRUST AS PART OF THE TRIBE'S RESERVATION; PLACEMENT OF OTHER LAND INTO TRUST.

(a) IN GENERAL.—The Secretary shall transfer to the Tribe all right, title, and interest of the United States in and to the Federal land. Such land shall be held in trust by the United States for the benefit of the Tribe. Such land shall be excluded from the boundaries of Olympic National Park. At the request of the Tribe, at the time of transfer of the Federal land, the Secretary shall also place into trust for the benefit of the Tribe the non-Federal land owned by the Tribe and described in subsection (c)(1).

(b) RESERVATION.—Land taken into trust for the Tribe pursuant to subsection (a) shall be part of the Reservation.

(c) DESCRIPTION OF LANDS.—The land to be transferred and held in trust under subsection (a) is the land generally depicted on the map titled ''H.R. _____ Hoh Indian Tribe Safe Homelands Act'', and dated _____ and further described as—

(1) the non-Federal land owned by the Hoh Tribe; and

(2) the Federal land administered by the National Park Service, located in Section 20, Township 26N, Range 13W, W.M. South of the Hoh River.

(d) AVAILABILITY OF MAP.—Not later than 120 days after the completion of the land transfer of Federal land under this section, the Secretary shall make the map available to the appropriate agency officials and congressional committees. The map shall be available for public inspection in the appropriate offices of the Secretary.

(e) CONGRESSIONAL INTENT.—It is the intent of Congress that—

(1) the condition of the Federal land at the time of the transfer under this section should be preserved and protected;

(2) that the natural environment existing on the Federal land at the time of the transfer under this section should not be altered, except as described in this Act; and

(3) the Tribe and the National Park Service shall work cooperatively on issues of mutual concern related to this Act.

SEC. 5. PRESERVATION OF EXISTING CONDITION OF FEDERAL LAND; TERMS OF CONSERVATION AND USE IN CONNECTION WITH LAND TRANSFER.

(a) RESTRICTIONS ON USE.—The use of the Federal land transferred pursuant to section 4 is subject to the following conditions:

(1) No commercial, residential, industrial, or other buildings or structures shall be placed on the Federal land being transferred and placed into trust. The existing road may be maintained or improved, but no major improvements or road construction shall occur on the lands.

(2) In order to maintain its use as a natural wildlife corridor and to provide for protection of existing resources, no logging or hunting shall be allowed on the land.

(3) The Tribe may authorize tribal members to engage in ceremonial and other treaty uses of these lands and existing tribal treaty rights are not diminished by this Act.

(4) The Tribe shall survey the boundaries of the Federal land and submit the survey to the National Park Service for review and concurrence.

(b) COOPERATIVE EFFORTS.—Congress urges the Secretary and the Tribe to enter into written agreements on the following:

(1) Upon completion of the Tribe's proposed emergency fire response building, Congress urges the parties to work toward mutual aid agreements.

(2) The National Park Service and the Tribe shall work collaboratively to provide opportunities for the public to learn more about the culture and traditions of the Tribe.

(3) The land may be used for the development of a multi-purpose, non-motorized trail from Highway 101 to the Pacific Ocean. The parties agree to work cooperatively in the development and placement of such trail.

SEC. 6. HOH INDIAN RESERVATION.

All lands taken into trust by the United States under this Act shall be a part of the Hoh Indian Reservation.

SEC. 7. GAMING PROHIBITION.

No land taken into trust for the benefit of the Hoh Indian Tribe under this Act shall be considered Indian lands for the purpose of the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.).

By Mr. SPECTER (for himself, Ms. LANDRIEU, Mr. CARPER, Mr. KERRY, Mrs. MCCASKILL, and Mr. COCHRAN):

S. 445. A bill to provide appropriate protection to attorney-client privileged communications and attorney work product; to the Committee on the Judiciary.

Mr. SPECTER. Mr. President, I seek recognition today to reintroduce the Attorney-Client Privilege Protection Act of 2009, which is nearly identical to S. 3217, a bill I introduced in July of 2008 under the same name. This legislation continues to address the Department of Justice's corporate prosecution guidelines. Those guidelines, last revised by Deputy Attorney General Mark Filip in August 2008, erode the attorney-client relationship by allowing prosecutors to continue considering the provision of privileged information in order for corporations to receive cooperation credit.

To their credit, the Filip guidelines preclude prosecutors from asking for privilege waivers in nearly all circumstances. However, as evidenced by the numerous versions of the Justice Department's corporate prosecution guidelines over the past decade, the Filip reforms cannot be trusted to remain static. Moreover, unlike Federal law—which requires the assent of both houses and the President's signature or a super-majority in Congress—the Filip guidelines are subject to unilateral executive branch modification. Therefore, to avoid a recurrence of prosecutorial abuses and attorney-client privilege waiver demands, legislation is necessary.

Like my previous bills, this bill will protect the sanctity of the attorney-client relationship by statutorily prohibiting Federal prosecutors and investigators across the executive branch from requesting waiver of attorney-client privilege and attorney work product protections in corporate investigations. The bill would similarly prohibit the government from conditioning charging decisions or any adverse treatment on an organization's payment of employee legal fees, invocation of the attorney-client privilege, or agreement to a joint defense agreement.

The bill makes many subtle improvements over earlier iterations, including defining ''organization'' to make clear that continuing criminal enterprises and terrorist organizations will not benefit from the bill's protections. The bill also clarifies language that the Department of Justice had previously criticized as ambiguous. The bill further makes clear in its findings that its prohibition on informal privilege waiver demands is far from unprecedented. The bill states: ''Congress recognized that law enforcement can effectively investigate without attorney-client privileged information when it banned Attorney General demands for privileged materials in the Racketeer Influenced and Corrupt Organizations Act. See 18 U.S.C. §1968(c)(2).''

Though an improvement over past guidelines, there is no need to wait to see how the Filip guidelines will operate in practice. There is similarly no need to wait for another Department of Justice or executive branch reform that will likely fall short and become the sixth policy in the last 10 years. Any such internal reform may prove fleeting and might not address the privilege waiver policies of other government agencies that refer matters to the Department of Justice, thus allowing in through the window what isn't allowed through the door.

As I said when I introduced my first bill on this subject, the right to counsel is too important to be passed over for prosecutorial convenience or Executive Branch whimsy. It has been engrained in American jurisprudence since the 18th century when the Bill of Rights was adopted. The 6th Amendment is a fundamental right afforded to individuals charged with a crime and guarantees proper representation by counsel throughout a prosecution. However, the right to counsel is largely ineffective unless the confidential communications made by a client to his or her lawyer are protected by law. As the Supreme Court observed in Upjohn Co. v. United States, ''the attorney-client privilege is the oldest of the privileges for confidential communications known to the common law.'' When the Upjohn Court affirmed that attorney-client privilege protections apply to corporate internal legal dialogue, the Court manifested in the law the importance of the attorney-client privilege in encouraging full and frank communication between attorneys and their clients, as well as the broader public interests the privilege serves in fostering the observance of law and the administration of justice. The Upjohn Court also made clear that the value of legal advice and advocacy depends on the lawyer having been fully informed by the client.

In addition to the importance of the right to counsel, it is also fundamental

that the Government has the burden of investigating and proving its own case. Privilege waiver tends to transfer this burden to the organization under investigation. As a former prosecutor, I am well aware of the enormous power and tools a prosecutor has at his or her disposal. The prosecutor has enough power without the coercive tools of the privilege waiver, whether that waiver policy is embodied in the Holder, Thompson, McCallum, McNulty, or Filip memorandum.

As in my prior bills designed to protect the attorney-client privilege, this bill amends title 18 of the United States Code by adding a new section, §3014, that would prohibit any agent or attorney of the U.S. Government in any criminal or civil case to demand or request the disclosure of any communication protected by the attorney-client privilege or attorney work product. The bill would also prohibit government lawyers and agents from basing any charge or adverse treatment on whether an organization pays attorneys' fees for its employees or signs a joint defense agreement.

This legislation is needed to ensure that constitutional protections of the attorney-client relationship are preserved in Federal prosecutions and investigations.

By Mr. SPECTER (for himself, Mr. GRASSLEY, Mr. DURBIN, Mr. SCHUMER, Mr. FEINGOLD, and Mr. CORNYN):

S. 446. A bill to permit the televising of Supreme Court proceedings; to the Committee on the Judiciary.

Mr. SPECTER. Mr. President, once more I seek recognition to introduce legislation that will give the public greater access to our Supreme Court. This bill requires the High Court to permit television coverage of its open sessions unless it decides by a majority vote of the Justices that allowing such coverage in a particular case would violate the due process rights of one or more of the parties involved in the matter.

The purpose of this legislation is to open the Supreme Court doors so that more Americans can see the process by which the Court reaches critical decisions of law that affect this country and everyday Americans. The Supreme Court makes pronouncements on Constitutional and Federal law that have a direct impact on the rights of Americans. Those rights would be substantially enhanced by televising the oral arguments of the Court so that the public can see and hear the issues presented to the Court. With this information, the public would have insight into key issues and be better equipped to understand the impact of and reasons for the Court's decisions.

In a very fundamental sense, televising the Supreme Court has been implicitly recognized—perhaps even sanctioned—in a 1980 decision by the Supreme Court of the United States entitled Richmond Newspapers v. Virginia. In this case, the Court noted that a public trial belongs not only to the accused but to the public and the press as well and recognized that people now acquire information on court procedures chiefly through the print and electronic media.

That decision, in referencing the electronic media, appears to anticipate televising court proceedings, although I do not mean to suggest that the Supreme Court is in agreement with this legislation. I should note that the Court could, on its own initiative, televise its proceedings but has chosen not to do so. This presents, in my view, the necessity for legislating on this subject.

When I argued the case of the Navy Yard, Dalton v. Specter, back in 1994, the Court proceedings were illustrated by an artist's drawings—some of which now hang in my office. Today, the public gets a substantial portion, if not most, of its information from television and the internet. While many court proceedings are broadcast routinely on television, the public has little access to the most important and highest court in this country. Although the internet has made the Court's transcripts, and even more recently, audio recordings, more widely accessible, the public is still deprived of the real time transmission of audio and video feeds from the Court. I believe it is vital for the public to see, as well as to hear, the arguments made before the Court and the interplay among the justices. I think the American people will gain a greater respect for the way in which our High Court functions if they are able to see oral arguments.

Justice Felix Frankfurter perhaps anticipated the day when Supreme Court arguments would be televised when he said that he longed for a day when: ''The news media would cover the Supreme Court as thoroughly as it did the World Series, since the public confidence in the judiciary hinges on the public's perception of it, and that perception necessarily hinges on the media's portrayal of the legal system.''

When I spoke in favor of this legislation in September of 2000, I said, ''I do not expect a rush to judgment on this very complex proposition, but I do believe the day will come when the Supreme Court of the United States will be televised. That day will come, and it will be decisively in the public interest so the public will know the magnitude of what the Court is deciding and its role in our democratic process.'' I have continued to reiterate those sentiments in September of 2005 and in January of 2007 when I re-introduced identical bills. Today, I continue to support this legislation because I believe that it is crucial to the public's awareness of Supreme Court proceedings and their impact on the daily lives of all Americans.

I pause to note that it was not until 1955 that the Supreme Court, under the leadership of Chief Justice Warren, first began permitting audio recordings of oral arguments. Between 1955 and 1993, there were apparently over 5,000 recorded arguments before the Supreme Court. That roughly translates to an average of about 132 arguments annually. But audio recordings are simply ill suited to capture the nuance of oral arguments and the sustained attention of the American citizenry. Nor is it any response that people who wish to see open sessions of the Supreme Court should come to the Capital and attend oral arguments. For, according to one source: ''Several million people each year visit Washington, D.C., and many thousands tour the White House and the Capitol. But few have the chance to sit in the Supreme Court chamber and witness an entire oral argument. Most tourists are given just three minutes before they are shuttled out and a new group shuttled in. In cases that attract headlines, seats for the public are scarce and waiting lines are long. And the Court sits in open session less than two hundred hours each year. Television cameras and radio microphones are still banned from the chamber, and only a few hundred people at most can actually witness oral arguments. Protected by a marble wall from public access, the Supreme Court has long been the least understood of the three branches of our Federal Government.''

In light of the increasing public desire for information, it seems untenable to continue excluding cameras from the courtroom of the Nation's highest court. As one legal commentator observes: ''An effective and legitimate way to satisfy America's curiosity about the Supreme Court's holdings, Justices, and modus operandi is to permit broadcast coverage of oral arguments and decision announcements from the courtroom itself.''

Televised court proceedings better enable the public to understand the role of the Supreme Court and its impact on the key decisions of the day. Not only has the Supreme Court invalidated Congressional decisions where there was, in the views of many, simply a difference of opinion as to what is preferable public policy, but the Court determines novel issues such as whether AIDS is a disability under the Americans with Disabilities Act, whether Congress can ban obscenity from the Internet, and whether states can impose term limits upon members of Congress. The current Court, like its predecessors, hands down decisions which vitally affect the lives and liberties of all Americans. Since the Court's historic 1803 decision, Marbury v. Madison, the Supreme Court has the final authority on issues of enormous importance from birth to death. In Roe v. Wade, 1973, the Court affirmed a Constitutional right to abortion in this country and struck down state statutes banning or severely restricting abortion during the first two trimesters on the grounds that they violated a right to privacy inherent in the Due Process Clause of the Fourteenth Amendment.

In the case of Washington v. Glucksberg, 1997, the court refused to create a similar right to assisted suicide. Here the Court held that the Due Process Clause does not recognize a liberty interest that includes a right to commit suicide with another's assistance.

In the Seventies, the Court first struck down then upheld state statutes imposing the death penalty for certain crimes. In Furman v. Georgia, 1972, the Court struck down Georgia's death penalty statute under the cruel and unusual punishment clause of the Eighth Amendment and stated that no death penalty law could pass constitutional muster unless it took aggravating and mitigating circumstances into account. This decision led Georgia and many States to amend their death penalty statutes and, four years later, in Gregg v. Georgia, 1976, the Supreme Court upheld Georgia's amended death penalty statute.

Over the years, the Court has also played a major role in issues of war and peace. In its opinion in Scott v. Sandford, 1857—better known as the Dred Scott decision—the Supreme Court held that Dred Scott, a slave who had been taken into ''free'' territory by his owner, was nevertheless still a slave.

The Court further held that Congress lacked the power to abolish slavery in certain territories, thereby invalidating the careful balance that had been worked out between the North and the South on the issue. Historians have noted that this opinion fanned the flames that led to the Civil War.

The Supreme Court has also ensured adherence to the Constitution during more recent conflicts. Prominent opponents of the Vietnam War repeatedly petitioned the Court to declare the Presidential action unconstitutional on the grounds that Congress had never given the President a declaration of war. The Court decided to leave this conflict in the political arena and repeatedly refused to grant writs of certiorari to hear these cases. This prompted Justice Douglas, sometimes accompanied by Justices Stewart and Harlan, to take the unusual step of writing lengthy dissents to the denials of cert.

In New York Times Co. v. United States, 1971—the so called ''Pentagon Papers'' case—the Court refused to grant the government prior restraint to prevent the New York Times from publishing leaked Defense Department documents which revealed damaging information about the Johnson Administration and the war effort. The publication of these documents by the New York Times is believed to have helped move public opinion against the war.

In its landmark civil rights opinions, the Supreme Court took the lead in effecting needed social change, helping us to address fundamental questions about our society in the courts rather than in the streets. In Brown v. Board of Education, the Court struck down the principle of ''separate but equal'' education for blacks and whites and integrated public education in this country. This case was then followed by a series of civil rights cases which enforced the concept of integration and full equality for all citizens of this country, including Gamer v. Louisiana, 1961, Burton v. Wilmington Parking Authority, 1961, and Peterson v. City of Greenville, 1963.

In recent years Marbury, Dred Scott, Furman, New York Times, and Roe, familiar names in the lexicon of lawyerly discussions concerning watershed Supreme Court precedents, have been joined with similarly important cases like Hamdi, Rasul, Roper, and Boumediene—all cases that affect fundamental individual rights. In Hamdi v. Rumsfeld, 2004, the Court concluded that although Congress authorized the detention of combatants, due process demands that a citizen held in the United States as an enemy combatant be given a meaningful opportunity to contest the factual basis for that detention before a neutral decisionmaker. The Court reaffirmed the nation's commitment to constitutional principles even during times of war and uncertainty. Similarly, in Rasul v. Bush, 2004, the Court held that the Federal habeas statute gave district courts jurisdiction to hear challenges of aliens held at Guantanamo Bay, Cuba in the U.S. War on Terrorism. In Roper v. Simmons, a 2005 case, the Court held that executions of individuals who were under 18 years of age at the time of their capital crimes is prohibited by Eighth and Fourteenth Amendments. In Boumediene v. Bush, 2008, the Court held that, subsequent to Hamdan v. Rumsfeld and regardless of Congress' attempts to strip federal courts of jurisdiction to consider pending habeas corpus petitions from Guantanamo detainees, the detainees nonetheless were not barred from seeking the writ and procedures under the Detainee Treatment Act were not an adequate substitute for it.

When deciding issues of such great national import, the Supreme Court is rarely unanimous. In fact, a large number of seminal Supreme Court decisions, such as Boumediene, have been reached through a vote of 5–4. Such a close margin reveals that these decisions are far from foregone conclusions distilled from the meaning of the Constitution, reason and the application of legal precedents. On the contrary, these major Supreme Court opinions embody critical decisions reached on the basis of the preferences and views of each individual justice. In a case that is decided by a vote of 5–4, an individual justice has the power by his or her vote to change the law of the land.

Since the beginning of its October 2005 term when Chief Justice Roberts first began hearing cases, the Supreme Court has issued 45 decisions with a 5–4 split, not including the current October 2008 term, in which I understand there are additional 5–4 decisions within the few cases that have already been decided. It has also issued six 5–3 decisions in which one justice recused. Finally, it has issued a rare 5–2 decision in which Chief Justice Roberts and Justice Alito took no part, and in the October 2007 term, two 4–4 ties. In sum, since the beginning of its October 2005 term and not counting the current term, the Supreme Court has issued 52 decisions establishing the law of the land in which only 5 justices explicitly concurred. Many of these narrow majorities occur in decisions involving the Court's interpretation of our Constitution—a sometimes divisive endeavor on the Court. I will not discuss all 52 thinly decided cases but will describe a few to illustrate my point about the importance of the Court and its decisions in the lives of Americans.

The first 5–4 split decision, decided on January 11, 2006, was Brown v. Sanders. In this case the Court considered ''the circumstances in which an invalidated sentencing factor will render a death sentence unconstitutional by reason of its adding an improper element to the aggravation scale in the jury's weighing process.'' A majority of the Court held that henceforth in death penalty cases, an invalidated sentencing factor will render the sentence unconstitutional by reason of its adding an improper element to the aggravation scale unless one of the other sentencing factors enables the sentencer to give aggravating weight to the same facts and circumstances. The majority opinion was authored by Justice Scalia and joined by Chief Justice Roberts and Justices O'Connor, Kennedy and Thomas. Justice Stevens filed a dissenting opinion in which Justice Souter joined. Similarly, Justice Breyer filed a dissenting opinion in which Justice Ginsburg joined.

In November 2006, the Supreme Court decided Ayers v. Belmontes, a capital murder case in which the Belmontes contended that California law and the trial court's instructions precluded the jury from considering his forward looking mitigation evidence suggesting he could lead a constructive life while incarcerated. In Ayers the Supreme Court found the Ninth Circuit erred in holding that the jury was precluded by jury instructions from considering mitigation evidence. Justice Kennedy authored the majority opinion while Justice Stevens wrote a dissent joined by three other justices.

Other 5–4 split decisions since October 2005 include United States v. Gonzalez-Lopez, concerning whether a defendant's Sixth Amendment right to counsel was violated when a district court refused to grant his paid lawyer permission to represent him based upon some past ethical violation by the lawyer, June 26, 2006; LULAC v. Perry, deciding whether the 2004 Texas redistricting violated provisions of the Voting Rights Act, June 28, 2006; Kansas v. Marsh, concerning the Eighth and Fourteenth Amendments in a capital murder case in which the defense argued that a Kansas statute established

an unconstitutional presumption in favor of the death sentence when aggravating and mitigating factors were in equipoise, April 25, 2006; Clark v. Arizona, a capital murder case involving the constitutionality of an Arizona Supreme Court precedent governing the admissibility of evidence to support an insanity defense, June 29, 2006; Garcetti v. Ceballos, a case holding that when public employees make statements pursuant to their official duties they are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline, May 30, 2006; and District of Columbia v. Heller, June 26, 2008, which found that Washington, D.C.'s gun laws were unconstitutionally restrictive of rights afforded under the Second Amendment.

The justices have split 5–3 six times since October 2005.

In Georgia v. Randolph, March 22, 2006, a 5–3 majority of the Supreme Court held that a physically present co-occupant's stated refusal to permit a warrantless entry and search rendered the search unreasonable and invalid as to that occupant. Justice Souter authored the majority opinion. Justice Stevens filed a concurring opinion as did Justice Breyer. The Chief Justice authored a dissent joined by Justice Scalia. Moreover, Justice Scalia issued his own dissent as did Justice Thomas. In Randolph, there were six opinions in all from a Court that only has nine justices. One can only imagine the spirited debate and interplay of ideas, facial expressions and gestures that occurred in oral arguments. Audio recordings are simply inadequate to capture all of the nuance that only cameras could capture and convey.

In House v. Bell, a 5–3 opinion authored by Justice Kennedy, June 12, 2006, the Supreme Court held that because House had made the stringent showing required by the actual innocence exception to judicially-established procedural default rules, he could challenge his conviction even after exhausting his regular appeals. Justice Alito took no part in considering or deciding the House case. It bears noting, however, that if one justice had been on the other side of this decision it would have resulted in a 4–4 tie and, ultimately, led to affirming the lower court's denial of House's post-conviction habeas petitions due to a procedural default.

In Hamdan v. Rumsfeld, a 5–3 decision in which Chief Justice Roberts took no part, the Supreme Court held that Hamdan could challenge his detention and the jurisdiction of the President's military commissions to try him despite recent enactment of the Detainee Treatment Act. A thin majority of the justices supported the decision despite knowledge that the DTA explicitly provides ''no court . . . shall have jurisdiction to hear or consider . . . an application for . . . habeas corpus filed by . . . an alien detained . . . at Guantanamo Bay.'' In deciding the merits, the Court went on to hold that the President lacked authority to establish a military commission to try Hamdan or others without enabling legislation passed by both houses of Congress and enacted into law. This case was one of a handful of recent cases in which the Supreme Court released audiotapes of oral arguments almost immediately after they occurred. Yet it would have been vastly preferable to watch the parties' advocates grapple with the legal issues as the justices peppered them with jurisdictional, constitutional and merits-related questions from the High Court's bench.

In another fascinating 5–3 case, Jones v. Flowers, April 26, 2006, the Supreme Court considered whether, when notice of a tax sale is mailed to the owner and returned undelivered, the government must take additional reasonable steps to provide notice before taking the owner's property. In an opinion by Chief Justice Roberts, the Court held that where the Arkansas Commissioner of State Lands had mailed Jones a certified letter and it had been returned unclaimed, the Commissioner had to take additional reasonable steps to provide Jones notice. Justices Thomas, Scalia and Kennedy dissented and Justice Alito took no part in the decision.

Though Jones v. Flowers involved the Due Process Clause of the Fourteenth Amendment, not the Takings Clause of Fifth Amendment, one could draw interesting analogies to the Court's controversial 2005 decision in Kelo v. City of New London. In Kelo, a majority of the justices held that a city's exercise of eminent domain power in furtherance of a privately initiated economic development plan satisfied the Constitution's Fifth Amendment ''public use'' requirement despite the absence of any blight. Four justices dissented in Kelo and public opinion turned sharply against the decision immediately after it was issued.

It's possible, though merely speculative, that the public ire aimed at Kelo informed what became a majority of justices in Jones v. Flowers. In a passage by Chief Justice Roberts, the Court notes, ''when a letter is returned by the post office, the sender will ordinarily attempt to resend it, if it is practicable to do so. This is especially true when, as here, the subject matter of the letter concerns such an important and irreversible prospect as the loss of a house.''

Not only lawyers but all homeowners could benefit from knowing how the Court grapples with legal issues governing the rights to their houses. My legislation creates the opportunity for all interested Americans to watch the Court in action in cases like these. From his perch on the High Court one justice has been heard to contend that most Americans could care less about the arcane legal issues argued before the Court. But as elected representatives of the people we must endeavor to view America from a bottoms-up, rather than a top-down perspective.

Regardless of one's view concerning the merits of these decisions, it is clear that they frequently have a profound effect on the interplay between the government, on the one hand, and the individual on the other. So, it is with these watershed decisions in mind that I introduce legislation designed to make the Supreme Court less esoteric and more accessible to common men and women who are so clearly affected by its decisions.

Given the enormous significance of each vote cast by each justice on the Supreme Court, televising the proceedings of the Supreme Court will allow sunlight to shine brightly on these proceedings and ensure greater public awareness and scrutiny.

In a democracy, the workings of the government at all levels should be open to public view. With respect to oral arguments, the more openness and the more real the opportunity for public observation the greater the understanding and trust. As the Supreme Court observed in the 1986 case of Press-Enterprise Co. v. Superior Court, ''People in an open society do not demand infallibility from their institutions, but it is difficult for them to accept what they are prohibited from observing.''

It was in this spirit that the House of Representatives opened its deliberations to meaningful public observation by allowing C–SPAN to begin televising debates in the House chamber in 1979. The Senate followed the House's lead in 1986 by voting to allow television coverage of the Senate floor.

Beyond this general policy preference for openness, however, there is a strong argument that the Constitution requires that television cameras be permitted in the Supreme Court.

It is well established that the Constitution guarantees access to judicial proceedings to the press and the public. In 1980, the Supreme Court relied on this tradition when it held in Richmond Newspapers v. Virginia that the right of a public trial belongs not just to the accused, but to the public and the press as well. The Court noted that such openness has ''long been recognized as an indisputable attribute of an Anglo-American trial.''

Recognizing that in modern society most people cannot physically attend trials, the Court specifically addressed the need for access by members of the media: ''Instead of acquiring information about trials by first hand observation or by word of mouth from those who attended, people now acquire it chiefly through the print and electronic media. In a sense, this validates the media claim of acting as surrogates for the public. [Media presence} contributes to public understanding of the rule of law and to comprehension of the functioning of the entire criminal justice system.''

To be sure, a strong argument can be made that forbidding television cameras in the court, while permitting access to print and other media, constitutes an impermissible discrimination against one type of media over another. In recent years, the Supreme Court and lower courts have repeatedly held that differential treatment of different media is impermissible under the First Amendment absent an overriding governmental interest. For example, in 1983 the Court invalidated discriminatory tax schemes imposed only upon certain types of media in Minneapolis Star & Tribune Co. v. Minnesota Commissioner of Revenue. In the 1977 case of ABC v. Cuomo, the Second Circuit rejected the contention by the two candidates for mayor of New York that they could exclude some members of the media from their campaign headquarters by providing access through invitation only. The Court wrote that: ''Once there is a public function, public comment, and participation by some of the media, the First Amendment requires equal access to all of the media or the rights of the First Amendment would no longer be tenable.''

However, in the 1965 case of Estes v. Texas, the Supreme Court rejected the argument that the denial of television coverage of trials violates the equal protection clause. In the same opinion, the Court held that the presence of television cameras in the Court had violated a Texas defendant's right to due process. Subsequent opinions have cast serious doubt upon the continuing relevance of both prongs of the Estes opinion.

In its 1981 opinion in Chandler v. Florida, the court recognized that Estes must be read narrowly in light of the state of television technology at that time. The television coverage of Estes' 1962 trial required cumbersome equipment, numerous additional microphones, yards of new cables, distracting lighting, and numerous technicians present in the courtroom. In contrast, the court noted, television coverage in 1980 can be achieved through the presence of one or two discreetly placed cameras without making any perceptible change in the atmosphere of the courtroom. Accordingly, the Court held that, despite Estes, the presence of television cameras in a Florida trial was not a violation of the rights of the defendants in that case. By the same logic, the holding in Estes that exclusion of television cameras from the courts did not violate the equal protection clause must be revisited in light of the dramatically different nature of television coverage today.

Given the strength of these arguments, it is not surprising that over the last two decades there has been a rapidly growing acceptance of cameras in American courtrooms which has reached almost every court except for the Supreme Court itself.

On September 6, 2000, the Senate Judiciary Committee's Subcommittee on Administrative Oversight and the Courts held a hearing titled ''Allowing Cameras and Electronic Media in the Courtroom.'' The primary focus of the hearing was Senate bill S. 721, legislation introduced by Senators GRASSLEY and SCHUMER that would give Federal judges the discretion to allow television coverage of court proceedings. One of the witnesses at the hearing, the late Judge Edward R. Becker, then-Chief Judge U.S. Court of Appeals for the Third Circuit, spoke in opposition to the legislation and the presence of television cameras in the courtroom. The remaining five witnesses, however, including a Federal judge, a State judge, a law professor and other legal experts, all testified in favor of the legislation. They argued that cameras in the courts would not disrupt proceedings but would provide the kind of accountability and access that is fundamental to our system of government.

On November 9, 2005, the Judiciary Committee held a hearing to address whether Federal court proceedings should be televised generally and to consider S. 1768, my earlier version of this bill, and S. 829, Senator GRASSLEY's ''Sunshine in the Courtroom Act of 2005.'' During the November 9 hearing, most witnesses spoke favorably of cameras in the courts, particularly at the appellate level. Among the witnesses favorably disposed toward the cameras were Peter Irons, author of May It Please the Court, Seth Berlin, a First Amendment expert at a local firm, Brian Lamb, founder of C–SPAN, Henry Schleif of Court TV Networks, and Barbara Cochran of the Radio-Television News Directors Association and Foundation.

The notable exception was the Honorable Judge Jan DuBois of the Eastern District of Pennsylvania, who testified on behalf of the Judicial Conference. Judge DuBois warned of problems particularly at the trial level, where witnesses who appear uncomfortable because of cameras might seem less credible to jurors. I note, however, that appellate courts do not appear susceptible to this criticism because there are no witnesses or jurors present for appellate arguments.

The Judiciary Committee considered and passed both bills on March 30, 2006. The Committee vote to report S. 1768 was 12–6, and the bill was placed on the Senate Legislative Calendar. Unfortunately, due to the press of other business neither bill was allotted time on the Senate Floor. Again, in the 110th Congress, I introduced this legislation, and it was reported out of the Judiciary Committee by a vote of 11–7.

During their confirmation hearings over the past two years, Chief Justice John Roberts stated he would keep an open mind on the issue and Justice Alito stated that as a circuit judge he unsuccessfully voted, in the minority, to permit televised open proceedings in the Third Circuit. I applaud the fact the new Chief Justice has taken steps to make the Court more open and to ensure the timely publication of audio recordings of the arguments as well as the written transcripts.

In my judgment, Congress, with the concurrence of the President, or overriding his veto, has the authority to require the Supreme Court to televise its proceedings. Such a conclusion is not free from doubt and is highly likely to be tested with the Supreme Court, as usual, having the final word. As I see it, there is clearly no constitutional prohibition against such legislation.

Article 3 of the Constitution states that the judicial power of the United States shall be vested ''in one Supreme Court and such inferior Courts as the Congress may from time to time ordain and establish.'' While the Constitution specifically creates the Supreme Court, it left it to Congress to determine how the Court would operate. For example, it was Congress that fixed the number of justices on the Supreme Court at nine. Likewise, it was Congress that decided that any six of these justices are sufficient to constitute a quorum of the Court. It was Congress that decided that the term of the Court shall commence on the first Monday in October of each year, and it was Congress that determined the procedures to be followed whenever the Chief Justice is unable to perform the duties of his office.

Beyond such basic structural and operational matters, Congress also controls more substantive aspects of the Supreme Court. Most importantly, it is Congress that in effect determines the appellate jurisdiction of the Supreme Court. Although the Constitution itself sets out the original jurisdiction of the Court, it provides that appellate jurisdiction exists ''with such exceptions and under such regulations as the Congress shall make.''

Some objections have been raised to televised proceedings of the Supreme Court on the ground that it would subject justices to undue security risks. My own view is such concerns are vastly overstated. Well-known members of Congress walk on a regular basis in public view in the Capitol complex. Other very well-known personalities, presidents, vice presidents, cabinet officers, all are on public view with even incumbent presidents exposed to risks as they mingle with the public. Such risks are minimal in my view given the relatively minor ensure that Supreme Court justices would undertake through television appearances. Also, any concerns could be mitigated by focusing only on the attorneys presenting arguments. There is no requirement that the justices permit the cameras to focus on the bench.

As I explained earlier, the Supreme Court could, of course, permit television through its own rule but has decided not to do so. Congress should be circumspect and even hesitant to impose a rule mandating the televising of Supreme Court proceedings and should do so only in the face of compelling public policy reasons. The Supreme Court has such a dominant role in key

decision-making functions that their proceedings ought to be better known to the public; and, in the absence of Court rule, public policy would be best served by enactment of legislation requiring the televising of Supreme Court proceedings.

This legislation embodies sound policy and will prove valuable to the all Americans. I urge my colleagues to support this bill.

By Mr. LEVIN:

S. 447. A bill to amend the Commodity Exchange Act to prevent excessive price speculation with respect to energy and agricultural commodities, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. LEVIN. Mr. President, over the past couple of years energy prices have taken the American people on an unpredictable, expensive, and damaging roller coaster ride. In early 2007, a barrel of crude oil cost about $50. Over the course of the year, the price rose steeply, nearly doubling by the end of the year to almost $100 per barrel. Oil prices continued to soar through the first half of 2008, peaking at nearly $150 per barrel in July. Then, over the next few months, oil prices crashed back down to $35 per barrel, a drop of over $110 per barrel.

These huge price swings can't be explained by simple changes in supply and demand. Even taking into account the recession now plaguing our country and the world economy, many market analysts believe that it was a stampede of speculators into the crude oil futures market that first drove prices far higher than justified by global supply and demand, and now an exodus of those same speculators has driven prices much lower than justified by supply and demand.

Like crude oil, the natural gas, gasoline, and heating oil markets have also seen large price changes. The prices are way up, they're way down, they're unpredictable—making it impossible for many businesses and consumers to plan for and afford energy costs and related goods and services.

Unpredictable energy prices continue to take a tremendous toll on millions of American consumers and businesses. Unless we act to protect our energy markets from excessive speculation and price manipulation, the American economy will continue to be vulnerable to wild price swings affecting the prices of transportation, food, manufacturing and everything in between, endangering the economic security of our people, our businesses, and our nation.

Congress should act now to help tame rampant speculation and reinvigorate supply and demand as market forces.

That is why I am re-introducing legislation today that is nearly identical to the legislation I and others introduced near the end of the last Congress that provides strong and workable measures to prevent excessive speculation and price manipulation in U.S. energy and agricultural markets. It will close the loopholes in our commodities laws that now impede the policing of U.S. energy trades on foreign exchanges and in the unregulated over-the-counter market. It will ensure that large commodity traders cannot use these markets to hide from CFTC oversight or avoid limits on speculation. It will strengthen disclosure, oversight, and enforcement in U.S. energy markets, restoring the financial oversight that is crucial to protect American consumers, American businesses, and the U.S. economy from further energy shocks.

This legislation, which addresses commodity markets, is one important piece of the broader reform effort needed to repair our financial regulatory system, stop abusive practices, and put the cop back on the beat in all of our markets.

Specifically, this particular legislation would make four sets of changes.

First, it would require the CFTC to set limits on the holdings of traders in all of the energy futures contracts traded on regulated exchanges to prevent traders from engaging in excessive speculation or price manipulation. Since we closed the Enron loophole last year all futures contracts must be traded in regulated markets.

Second, it would close the ''London loophole'' by giving the CFTC the same authority to police traders in the United States who trade U.S. futures contracts on a foreign exchange and by requiring foreign exchanges that want to install trading terminals in the United States to impose comparable limits on speculative trading as the CFTC imposes on domestic exchanges to prevent excessive speculation and price manipulation.

Third, it would close the ''swaps loophole'' by requiring traders in the over-the-counter energy markets to report large trades to the CFTC, and it would authorize the CFTC to set limits on trading in the presently unregulated over-the-counter markets to prevent excessive speculation and price manipulation.

Finally, it would require the CFTC to revise the standards that allow traders who use futures markets to hedge their holdings to exceed the speculation limits that apply to everyone else.

My Permanent Subcommittee on Investigations has shown that one key factor in price spikes of energy is increased speculation in the energy markets. Traders are now trading millions of contracts for future delivery of oil, creating a demand for paper contracts that gets translated into increases in prices and increasing price volatility.

Much of this increase in trading of futures has been due to speculators who are not in the oil business but who are buying and selling oil futures contracts in the hope of making a profit from changing prices. According to the CFTC's data, the number of futures and options contracts held by speculators grew from around 100,000 contracts in 2001, which was 20 percent of the total number of outstanding contracts, to almost 1.2 million contracts last fall, representing almost 40 percent of the outstanding futures and options contracts in oil on NYMEX. Even these statistics understate the increase in speculation, since the CFTC data classifies futures trading involving index funds as commercial trading rather than speculation, and the CFTC classifies all traders in commercial firms as commercial traders, regardless of whether any particular trader in that firm may, in fact, be speculating.

Basic economic theory tells us that the greater the demand there is to buy futures contracts for the delivery of a commodity, the higher the price will be for those futures contracts.

Not surprisingly, therefore, massive speculation that the price of oil will increase, together with massive purchases of futures contracts in pursuit of that belief, have, in fact, helped increase the price of oil to a level far above the price justified by the traditional forces of supply and demand.

In June 2006, I released a Subcommittee report, The Role of Market Speculation in Rising Oil and Gas Prices: A Need to Put a Cop on the Beat. This report found that the traditional forces of supply and demand didn't account for sustained price increases and price volatility in the oil and gasoline markets. The report concluded that, in 2006, a growing number of trades of contracts for future delivery of oil occurred without regulatory oversight and that market speculation had contributed to rising oil and gasoline prices, perhaps accounting for $20 out of a then-priced $70 barrel of oil.

Oil industry executives and experts arrived at similar conclusions. As oil prices neared $100 in late 2007, the President and CEO of Marathon Oil said, ''$100 oil isn't justified by the physical demand in the market. It has to be speculation on the futures market that is fueling this.'' At about the same time, Mr. Fadel Gheit, oil analyst for Oppenheimer and Company described the oil market as ''a farce.'' ''The speculators have seized control and it's basically a free-for-all, a global gambling hall, and it won't shut down unless and until responsible governments step in.'' In January of 2008, when oil first hit $100 per barrel, Mr. Tim Evans, oil analyst for Citigroup, wrote: ''[T]he larger supply and demand fundamentals do not support a further rise and are, in fact, more consistent with lower price levels.'' At a joint hearing on the effects of speculation my Subcommittee held in late 2007, Dr. Edward Krapels, a financial market analyst, testified: ''Of course financial trading, speculation affects the price of oil because it affects the price of everything we trade. . . . It would be amazing if oil somehow escaped this effect.'' Dr. Krapels added that as a result of this speculation ''there is a bubble in oil prices.''

Last summer, the Presidents and CEOs of major U.S. airlines described the disastrous effects of rampant speculation on the airline industry. The CEOs stated: ''normal market forces are being dangerously amplified by poorly regulated market speculation.'' The CEOs wrote: ''For airlines, ultra-expensive fuel means thousands of lost jobs and severe reductions in air service to both large and small communities.''

To rein in this rampant speculation, the first step to take is to put a cop back on the beat in all our energy markets to prevent excessive speculation, price manipulation, and trading abuses.

With respect to the commodity futures markets, the legislation we are introducing today requires the CFTC to establish limits on the amount of futures contracts any trader can hold. Currently, the CFTC allows the futures exchanges themselves to set these limits. This bill would require the CFTC to set those limits to prevent excessive speculation and price manipulation. It would preserve, however, the exchanges' obligation and ability to police their traders to ensure they remain below these limits.

This legislation would also require the CFTC to conduct a rulemaking to review and revise the criteria for allowing traders who are using the futures market to hedge their risks in a commodity to acquire holdings in excess of the limits on holdings for speculators.

Another step is to give the CFTC authority to prevent excessive speculation in the over-the-counter markets. In 2007, my Subcommittee issued a report on the effects of speculation in the energy markets entitled, Excessive Speculation in the Natural Gas Market. This investigation showed that speculation by a single hedge fund named Amaranth distorted natural gas prices during the summer of 2006 and drove up prices for average consumers. The report demonstrated how Amaranth had shifted its speculative activity to unregulated markets, under the ''Enron loophole,'' to avoid the restrictions and oversight in the regulated markets, and how Amaranth's trading in the unregulated markets contributed to price increases.

Following this investigation, I introduced a bill, S. 2058, to close the Enron loophole and regulate the un-regulated electronic energy markets. Working with Senators FEINSTEIN and SNOWE, and with the members of the Agriculture Committee in a bipartisan effort, we included an amendment to close the Enron loophole in the farm bill, which Congress passed last year.

The legislation to close the Enron loophole placed over-the-counter, OTC, electronic exchanges under CFTC regulation. However, this legislation did not address the separate issue of trading in the rest of the OTC market, which includes bilateral trades through voice brokers, swap dealers, and direct party-to-party negotiations. In order to ensure there is a cop on the beat in all of the energy commodity markets, we need to address the rest of the OTC market as well.

A large portion of this OTC market consists of the trading of swaps relating to the price of a commodity. Generally, commodity swaps are contracts between two parties where one party pays a fixed price to another party in return for some type of payment at a future time depending on the price of a commodity. Because some of these swap instruments look very much like futures contracts—except that they do not call for the actual delivery of the commodity—there is concern that the price of these swaps that are traded in the unregulated OTC market could affect the price of the very similar futures contracts traded on the regulated futures markets. We don't yet know for sure that this is the case, or that it is not, because we don't have any access to comprehensive data or reporting on the trading of these swaps in the OTC market.

The legislation introduced today includes provisions to give the CFTC oversight authority to stop excessive speculation in the over-the-counter market. These provisions represent a practical, workable approach that will enable the CFTC to obtain key information about the OTC market to enable it to prevent excessive speculation and price manipulation.

Under these provisions, the CFTC will have the authority to ensure that traders cannot avoid the CFTC reporting requirements by trading swaps in the unregulated OTC market instead of regulated exchanges. It will enable the CFTC to act, such as by requiring reductions in holdings of futures contracts or swaps, against traders with large positions in order to prevent excessive speculation or price manipulation regardless of whether the trader's position is on an exchange or in the OTC market.

This bill also gives the CFTC the authority to establish position limits in the over-the-counter market for energy and agricultural commodities in order to prevent excessive speculation and price manipulation. The CFTC needs this authority to ensure that large traders are not using the over-the-counter markets to evade the position limits in the futures markets.

The ''London loophole'' allowed crude oil traders in the U.S. to avoid the position limits that apply to trading on U.S. futures exchanges by directing their trades onto the ICE Futures Exchange in London.

In the last Congress, after I and others introduced legislation to close the London loophole that is similar to the legislation we are now introducing, the CFTC imposed more stringent requirements upon the ICE Futures Exchange's operations in the United States—for the first time requiring the London exchange to impose and enforce comparable position limits in order to be allowed to keep its trading terminals in the United States. This is the very action our legislation called for. However, the current CFTC position limits apply only to the nearest futures contract. Our legislation will ensure that foreign exchanges with trading terminals in the U.S. will apply position limits to other futures contracts once the CFTC establishes those limits for U.S. exchanges.

Although the CFTC has taken these important steps that will go a long way towards closing the London loophole, Congress should still pass this legislation to make sure the London loophole stays closed. The legislation would put the conditions the CFTC has imposed upon the London exchange into statute, and ensure that the CFTC has clear authority to take action against any U.S. trader who is manipulating the price of a commodity or excessively speculating through the London exchange, including requiring that trader to reduce positions.

The legislation also provides authorization for the CFTC to hire an additional 100 employees to oversee the commodity markets it regulates. The CFTC has been understaffed and underfunded for years. This authorization is a necessary first step to reinvigorate the agency's oversight and enforcement capabilities.

In summary, the legislation I am introducing today will give the CFTC ability to police all of our energy commodity markets to prevent excessive speculation and price manipulation. This legislation is necessary to close the loopholes in current law that permit speculators in commodity markets to avoid trading limits designed to prevent the type of excessive speculation that has been contributing to high energy and other commodity prices. I hope my colleagues will support this legislation.

Mr. President, I ask unanimous consent that the text of the bill and support material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 447

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Prevent Excessive Speculation Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definition of energy and agricultural commodity.
Sec. 3. Speculative limits and transparency of off-shore trading.
Sec. 4. Authority of Commodity Futures Trading Commission with respect to certain traders.
Sec. 5. Working group of international regulators.
Sec. 6. Position limits for energy and agricultural commodities.
Sec. 7. Over-the-counter transactions.
Sec. 8. Index traders and swap dealers.
Sec. 9. Disaggregation of index funds and other data in energy and agricultural markets.

Sec. 10. Additional Commodity Futures Trading Commission employees for improved enforcement.

SEC. 2. DEFINITIONS OF ENERGY AND AGRICULTURAL COMMODITY.

(a) DEFINITION OF ENERGY COMMODITY.—Section 1a of the Commodity Exchange Act (7 U.S.C. 1a) is amended—

(1) by redesignating paragraphs (13) through (34) as paragraphs (14) through (35), respectively; and

(2) by inserting after paragraph (12) the following:

''(13) ENERGY COMMODITY.—The term 'energy commodity' means—

''(A) crude oil;

''(B) natural gas;

''(C) coal;

''(D) gasoline, heating oil, diesel fuel, and any other source of energy derived from coal, crude oil, or natural gas;

''(E) electricity;

''(F) ethanol and any other fuel derived from a renewable biomass;

''(G) any commodity that results from the management of air emissions, including but not limited to greenhouse gases, sulfur dioxide, and nitrogen oxides; and

''(H) any other substance that is used as a source of energy, as the Commission, in its discretion, deems appropriate.''.

(b) DEFINITION OF AGRICULTURAL COMMODITY.—Section 1a of the Commodity Exchange Act (7 U.S.C. 1a) is amended—

(1) by redesignating paragraphs (1) through (35) as paragraphs (2) through (36), respectively; and

(2) by inserting a new paragraph (1) as follows:

''(1) AGRICULTURAL COMMODITY.—The term 'agricultural commodity' means any commodity specifically described in paragraph (5).''.

(c) CONFORMING AMENDMENTS.—

(1) Section 2(c)(2)(B)(i)(II)(cc) of the Commodity Exchange Act (7 U.S.C. 2(c)(2)(B)(i)(II)(cc)) is amended—

(A) in subitem (AA), by striking ''section 1a(20)'' and inserting ''section 1a(21)''; and

(B) in subitem (BB), by striking ''section 1a(20)'' and inserting ''section 1a(21)''.

(2) Section 13106(b)(1) of the Food, Conservation, and Energy Act of 2008 is amended by striking ''section 1a(32)'' and inserting ''section 1a''.

(3) Section 402 of the Legal Certainty for Bank Products Act of 2000 (7 U.S.C. 27) is amended—

(A) in subsection (a)(7), by striking ''section 1a(20)'' and inserting ''section 1a''; and

(B) in subsection (d)—

(i) in paragraph (1)(B), by striking ''section 1a(33)'' and inserting ''section 1a''; and

(ii) in paragraph (2)(D), by striking ''section 1a(13)'' and inserting ''section 1a''.

SEC. 3. SPECULATIVE LIMITS AND TRANSPARENCY OF OFF-SHORE TRADING.

Section 4 of the Commodity Exchange Act (7 U.S.C. 6) is amended by adding at the end the following:

''(e) FOREIGN BOARDS OF TRADE.—

''(1) IN GENERAL.—The Commission may not permit a foreign board of trade to provide to the members of the foreign board of trade or other participants located in the United States, or otherwise subject to the jurisdiction of the Commission, direct access to the electronic trading and order matching system of the foreign board of trade with respect to an agreement, contract, or transaction in an energy commodity that settles against any price (including the daily or final settlement price) of one or more contracts listed for trading on a registered entity, unless—

''(A) the foreign board of trade—

''(i) makes public daily trading information regarding the agreement, contract, or transaction that is comparable to the daily trading information published by the registered entity for the one or more contracts against which the agreement, contract or transaction traded on the foreign board of trade settles; and

''(ii) promptly notifies the Commission of any change regarding—

''(I) the information that the foreign board of trade will make publicly available;

''(II) the position limits and position accountability provisions that the foreign board of trade will adopt and enforce;

''(III) the position reductions required to prevent manipulation; and

''(IV) any other area of interest expressed by the Commission to the foreign board of trade; and

''(B) the foreign board of trade (or the foreign futures authority that oversees the foreign board of trade)—

''(i) adopts position limits or position accountability provisions for the agreement, contract, or transaction that are comparable to the position limits or position accountability provisions adopted by the registered entity for the one or more contracts against which the agreement, contract or transaction traded on foreign board of trade settles;

''(ii) has the authority to require or direct market participants to limit, reduce, or liquidate any position the foreign board of trade (or the foreign futures authority that oversees the foreign board of trade) determines to be necessary to prevent or reduce the threat of price manipulation, excessive speculation, price distortion, or disruption of delivery or the cash settlement process; and

''(iii) provides information to the Commission that is comparable to the information that the Commission determines to be necessary to publish the commitments of traders report of the Commission for the one or more contracts against which the agreement, contract or transaction traded on the foreign board of trade settles.

''(2) EXISTING FOREIGN BOARDS OF TRADE.—Paragraph (1) shall not be effective with respect to any agreement, contract, or transaction in an energy commodity executed on a foreign board of trade to which the Commission had granted direct access permission prior to the date of enactment of this subsection until the date that is 180 days after the date of enactment of this subsection.

''(3) EXISTING CONTRACTS.—No contract of sale of a commodity for future delivery traded or executed on or through the facilities of a board of trade, exchange or market located outside the United States for purposes of subsection (a) shall be void, voidable or unenforceable and no party to such contract shall be entitled to rescind or recover any payments made with respect to such contract based upon the failure of the foreign board of trade to comply with any provision of this Act.''.

SEC. 4. AUTHORITY OF COMMODITY FUTURES TRADING COMMISSION WITH RESPECT TO CERTAIN TRADERS.

(a) IN GENERAL.—

(1) RESTRICTION OF FUTURES TRADING TO CONTRACT MARKETS OR DERIVATIVES TRANSACTION EXECUTION FACILITIES.—Section 4(b) of the Commodity Exchange Act (7 U.S.C. 6(b)) is amended by inserting after the first sentence the following: ''The Commission may adopt rules and regulations requiring the maintenance of books and records by any person that is located within the United States (including the territories and possessions of the United States) or that enters trades directly into the trade matching system of a foreign board of trade from the United States (including the territories and possessions of the United States).''

(2) COMMISSION AUTHORITY OVER TRADERS.—Section 4 of the Commodity Exchange Act (7 U.S.C. 6) is amended by adding at the end the following:

''(e) The Commission shall have authority under this Act to require or direct a person located in the United States, or otherwise subject to the jurisdiction of the Commission, to limit, reduce, or liquidate any position on a foreign board of trade to prevent or reduce the threat of price manipulation, excessive speculation, price distortion, or disruption of delivery or the cash settlement process with respect to any contract listed for trading on a registered entity.

''(f) CONSULTATION.—Before taking any action under subsection (e), the Commission shall consult with the appropriate—

''(1) foreign board of trade; and

''(2) foreign futures authority.''.

(3) VIOLATIONS.—Section 9(a) of the Commodity Exchange Act (7 U.S.C. 13(a)) is amended by inserting ''(including any person trading on a foreign board of trade)'' after ''Any person'' each place it appears.

(4) EFFECT.—No amendment made by this subsection limits any of the otherwise applicable authorities of the Commodity Futures Trading Commission.

SEC. 5. WORKING GROUP OF INTERNATIONAL REGULATORS.

Section 4a of the Commodity Exchange Act (7 U.S.C. 6a) (as amended by section 4(a)(2)(B)) is amended by adding at the end the following:

''(g) WORKING GROUP OF INTERNATIONAL REGULATORS.—Not later than 90 days after the date of enactment of this subsection, the Commission shall invite regulators of foreign boards of trade to participate in a working group of international regulators to develop uniform international reporting and regulatory standards to ensure the protection of the energy and agricultural futures markets from excessive speculation, manipulation, and other trading practices that may pose systemic risks to energy and agricultural futures markets, countries, and consumers.''.

SEC. 6. POSITION LIMITS FOR ENERGY AND AGRICULTURAL COMMODITIES.

Section 4a of the Commodity Exchange Act (7 U.S.C. 6a) is amended—

(1) in subsection (a)—

(A) by inserting ''(1)'' after ''(a)''; and

(B) by adding after and below the end the following:

''(2) In accordance with the standards set forth in paragraph (1) of this subsection and consistent with the good faith exception cited in subsection (b)(2), with respect to energy and agricultural commodities, the Commission, within 90 days after the date of the enactment of this paragraph, shall issue a proposed rule, and within 180 days after issuance of such proposed rule shall adopt a final rule, after notice and an opportunity for public comment, to establish limits on the amount of positions that may be held by any person with respect to contracts of sale for future delivery or with respect to options on such contracts or commodities traded on or subject to the rules of a contract market or derivatives transaction execution facility, or on an electronic trading facility with respect to a significant price discovery contract.

''(3) In establishing the limits required in paragraph (2), the Commission shall set limits—

''(A) on the number of positions that may be held by any person for the spot month, each other month, and the aggregate number of positions that may be held by any person for all months;

''(B) to the maximum extent practicable, in its discretion—

''(i) to diminish, eliminate, or prevent excessive speculation;

''(ii) to deter and prevent market manipulation, squeezes, and corners;

''(iii) to ensure sufficient market liquidity; and

''(iv) to ensure that the price discovery function of the underlying cash market is not distorted or disrupted.

''(4) In addition to the position limits for energy and agricultural commodities that the Commission establishes under paragraph (2), the Commission may require or permit a contract market, derivatives transaction execution facility, or electronic trading facility with respect to a significant price discovery contract, to establish and enforce position accountability, as the Commission determines may be necessary and appropriate to accomplish the objectives set forth in paragraph (3)(B), provided that the number of positions that may be authorized under position accountability may not exceed the position limits established under paragraph (2).

''(5) Nothing in this section shall require the Commission to revise any position limit for an agricultural commodity that is in effect on the date of enactment of this Act.''.

SEC. 7. OVER-THE-COUNTER TRANSACTIONS.

Section 2 of the Commodity Exchange Act (7 U.S.C. 2) is amended by adding at the end the following:

''(j) OVER-THE-COUNTER TRANSACTIONS.—

''(1) DEFINITIONS.—In this subsection:

''(A) COVERED PERSON.—The term 'covered person' means a person that enters into an over-the-counter transaction that is required to be reported under paragraph (3)(C).

''(B) OVER-THE-COUNTER TRANSACTION.—The term 'over-the-counter transaction' means a contract, agreement, or transaction in an energy or agricultural commodity that is—

''(i) entered into only between persons that are eligible contract participants at the time the persons enter into the agreement, contract, or transaction;

''(ii) not entered into on a trading facility; and

''(iii) not a sale of any cash commodity for delivery.

''(2) AUTHORITY IN MAJOR MARKET DISTURBANCES.—

''(A) IN GENERAL.—In the case of a major market disturbance, as determined by the Commission, the Commission may require any trader subject to the reporting requirements described in paragraph (3) to take such action as the Commission considers to be necessary to maintain or restore orderly trading in any contract listed for trading on a registered entity, including—

''(i) the liquidation of any futures contract; and

''(ii) the fixing of any limit that may apply to a market position involving any over-the-counter transaction acquired in good faith before the date of the determination of the Commission.

''(B) MAJOR MARKET DISTURBANCE.—The term 'major market disturbance' means any disturbance in a commodity market that disrupts the liquidity and price discovery function of that market from accurately reflecting the forces of supply and demand for a commodity, including—

''(i) a threatened or actual market manipulation or corner;

''(ii) excessive speculation; and

''(iii) any action of the United States or a foreign government that affects a commodity.

''(C) The term 'market disturbance' shall be interpreted in a manner consistent with section 8a(9).

''(D) JUDICIAL REVIEW.—Any action taken by the Commission under subparagraph (A) shall be subject to judicial review carried out in accordance with section 8a(9).

''(3) REPORTING; RECORDKEEPING.—

''(A) IN GENERAL.—The Commission shall require each covered person to submit to the Commission a report—

''(i) at such time and in such manner as the Commission determines to be appropriate; and

''(ii) containing the information required under subparagraph (B) to assist the Commission in detecting and preventing potential price manipulation of, or excessive speculation in, any contract listed for trading on a registered entity.

''(B) CONTENTS OF REPORT.—A report required under subparagraph (A) shall contain—

''(i) information describing large trading positions of the covered person obtained through one or more over-the-counter transactions that involve—

''(I) substantial quantities of a commodity in the cash market; or

''(II) substantial positions, investments, or trades in agreements or contracts relating to the commodity; and

''(ii) any other information relating to over-the-counter transactions required to be reported under subparagraph (C) carried out by the covered person that the Commission determines to be necessary to accomplish the purposes described in subparagraph (A).

''(C) OVER-THE-COUNTER TRANSACTIONS TO BE REPORTED.—

''(i) IN GENERAL.—The Commission shall identify each large over-the-counter transaction or class of large over-the-counter transactions the reporting of which the Commission determines to be appropriate to assist the Commission in detecting and preventing potential price manipulation of, or excessive speculation in, any contract listed for trading on a registered entity.

''(ii) MANDATORY FACTORS FOR DETERMINATIONS.—

''(I) IN GENERAL.—In carrying out a determination under clause (i), the Commission shall consider the extent to which each factor described in subclause (II) applies.

''(II) FACTORS.—The factors required for carrying out a determination under clause (i) include whether—

''(aa) a standardized agreement is used to execute the over-the-counter transaction;

''(bb) the over-the-counter transaction settles against any price (including the daily or final settlement price) of one or more contracts listed for trading on a registered entity;

''(cc) the price of the over-the-counter transaction is reported to a third party, published, or otherwise disseminated;

''(dd) the price of the over-the-counter transaction is referenced in any other transaction;

''(ee) there is a significant volume of the over-the-counter transaction or class of over-the-counter transactions; and

''(ff) there is any other factor that the Commission determines to be appropriate.

''(iii) PERIODIC REVIEW.—The Commission shall periodically conduct a review, but not less than once every 2 years, to determine whether to initiate a rulemaking to include any additional transactions or classes of transactions or to exclude any transactions or classes of transactions from the reporting requirements of this paragraph.

''(D) ALTERNATE REPORTING.—The Commission may permit any report required to be reported under paragraph (A) by—

''(i) a member of a derivatives clearing organization; or

''(ii) only one of the persons entering into the transaction, provided that each person entering into the transaction or transactions has notified the Commission, in the manner specified by the Commission, that one of the persons to the transaction or transactions has assumed, on behalf of the other person to the transaction, the legal obligations for such other person to submit reports under this section, including liabilities for failure to file such reports in accordance with the Commission's regulations. Any notification provided under this paragraph shall be effective in imposing such legal obligations and liabilities upon such person.

''(E) RECORDKEEPING.—The Commission, by rule, shall require each covered person—

''(i) in accordance with section 4i, to maintain such records as directed by the Commission for a period of 5 years, or longer, if directed by the Commission; and

''(ii) to provide such records upon request to the Commission or the Department of Justice.

''(4) POSITION LIMITS FOR OVER-THE-COUNTER TRANSACTIONS.—Upon review of the information reported to the Commission under paragraph (3), or following a major market disturbance as determined by the Commission under paragraph (2), the Commission may establish, after due notice and opportunity for hearing, by rule, regulation, or order, such limits on the amount of trading in over-the-counter transactions as the Commission determines are necessary and appropriate to accomplish one or more of the following objectives with respect to any contract listed for trading on a registered entity—

''(A) diminish, eliminate, or prevent excessive speculation;

''(B) deter and prevent market manipulation, squeezes, and corners;

''(C) ensure sufficient market liquidity; and

''(D) ensure that the price discovery function of the underlying cash market is not distorted or disrupted.

''(5) PROTECTION OF PROPRIETARY INFORMATION.—In carrying out this subsection, the Commission may not—

''(A) require the publication of any proprietary information;

''(B) prohibit the commercial sale or licensing of any proprietary information; and

''(C) except as provided in section 8, publicly disclose any information relating to any market position, business transaction, trade secret, or name of any customer of a covered person.

''(6) APPLICABILITY.—Notwithstanding subsections (g) and (h), and any exemption issued by the Commission for any energy or agricultural commodity, each over-the-counter transaction shall be subject to this subsection.

''(7) SAVINGS CLAUSE.—Nothing in this subsection modifies or alters—

''(A) the guidance of the Commission; or

''(B) any applicable requirements with respect the disclosure of proprietary information.

''(8) BONA FIDE HEDGING TRANSACTION REVIEW.—

''(A) IN GENERAL.—The Commission shall review and revise the definition of bona fide hedging transaction in subsection (c) of Section 4a of the Commodity Exchange Act (7 U.S.C 2(h)(2)(A)) as the Commission determines is necessary and appropriate to ensure that the commodity markets effectively perform their risk management and price discovery functions.''.

SEC. 8. INDEX TRADERS AND SWAP DEALERS.

Section 4 of the Commodity Exchange Act (7 U.S.C. 6) (as amended by section 3) is amended by adding at the end the following:

''(f) INDEX TRADERS AND SWAP DEALERS.—Not later than 60 days after the date of enactment of this subsection, the Commission shall—

''(1) routinely require detailed reporting from index traders and swap dealers in markets under the jurisdiction of the Commission;

''(2) reclassify the types of traders for regulatory and reporting purposes to distinguish between index traders and swaps dealers; and

''(3) review the trading practices for index traders in markets under the jurisdiction of the Commission—

''(A) to ensure that index trading is not adversely impacting the price discovery process; and

''(B) to determine whether different practices or regulations should be implemented.''.

SEC. 9. DISAGGREGATION OF INDEX FUNDS AND OTHER DATA IN ENERGY AND AGRICULTURAL MARKETS.

Section 4 of the Commodity Exchange Act (7 U.S.C. 6) (as amended by section 8) is amended by adding at the end the following:

''(g) DISAGGREGATION OF INDEX FUNDS AND OTHER DATA IN ENERGY AND AGRICULTURAL MARKETS.—The Commission shall disaggregate and make public monthly—

''(1) the number of positions and total value of index funds and other passive, long-only positions in energy and agricultural markets; and

''(2) data on speculative positions relative to bona fide physical hedgers in those markets.''.

SEC. 10. ADDITIONAL COMMODITY FUTURES TRADING COMMISSION EMPLOYEES FOR IMPROVED ENFORCEMENT.

Section 2(a)(7) of the Commodity Exchange Act (7 U.S.C. 2(a)(7)) is amended by adding at the end the following:

''(D) ADDITIONAL EMPLOYEES.—As soon as practicable after the date of enactment of this subparagraph, the Commission shall appoint at least 100 full-time employees (in addition to the employees employed by the Commission as of the date of enactment of this subparagraph)—

''(i) to increase the public transparency of operations in energy futures markets;

''(ii) to improve the enforcement of this Act in those markets; and

''(iii) to carry out such other duties as are prescribed by the Commission.''.

LEVIN PREVENT EXCESSIVE SPECULATION ACT

BILL SUMMARY

The Prevent Excessive Speculation Act would:

Authorize Speculation Limits for all Energy and Agricultural Commodities. Direct CFTC to impose position limits on energy and agricultural futures contracts to prevent excessive speculation and manipulation and to ensure sufficient market liquidity.

Authorize CFTC to permit exchanges to impose and enforce accountability levels that are lower than CFTC-established speculation limits.

Close London Loophole by Regulating Offshore Traders and Increasing Transparency of Offshore Trades. Prohibit a foreign exchange from operating in the United States unless it imposes comparable speculation limits and reporting requirements as apply to U.S. exchanges.

Provide CFTC with same enforcement authority over U.S. traders on foreign exchanges as it has over traders on U.S. exchanges, including authority to require traders to reduce their holdings to prevent excessive speculation or manipulation.

Require CFTC to invite non-U.S. regulators to form an international working group to develop uniform regulatory and reporting requirements to protect futures markets from excessive speculation and manipulation.

Close the Swaps Loophole and Regulate Over-the-Counter Transactions. Authorize CFTC to impose speculation limits on OTC transactions to protect the integrity of prices in the futures markets and cash markets.

Require large OTC trades that affect futures prices to be reported to CFTC. Allow one party to a transaction to authorize the other party to file the report. Require CFTC periodic review of reporting requirements to ensure key trades are covered.

Direct CFTC to revise bona fide hedge exemption to ensure regulation of all speculators, and strengthen data analysis and transparency of swap dealer and index trading.

Clarify definition of OTC transactions to exclude spot market transactions.

Protect Both Energy and Agriculture Commodities. Cover trades in crude oil, natural gas, gasoline, heating oil, coal, propane, electricity, other petroleum products and sources of energy from fossil fuels, as well as ethanol, biofuels, emission allowances for greenhouse gases, SO_2, NO_x, and other air emissions.

Cover trades in agricultural commodities listed in the Commodity Exchange Act.

Strengthen CFTC Oversight. Authorize CFTC to hire 100 new personnel to oversee markets.

Direct CFTC to issue proposed rules within 90 days and final rules within 180 days.

By Mr. SPECTER (for himself, Mr. SCHUMER, Mr. LUGAR, and Mr. GRAHAM):

S. 448. 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.

Mr. SPECTER. Mr. President, I sought recognition to introduce the Free Flow of Information Act of 2009. I am honored to be joined in my efforts by Senators SCHUMER, LUGAR and GRAHAM, who are original cosponsors. Some 242 years ago, on January 16, 1767, Thomas Jefferson remarked in a letter to Col. Edward Carrington, ''Were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter.'' We take our free press for granted because it is so ingrained in our history. But we need only look at free press movements in fledgling democracies to appreciate how sometimes fragile and easily chilled freedom of press truly is.

The Free Flow of Information Act protects the public interest by ensuring an informed citizenry. In the past three years the Department of Justice has provided inconsistent numbers of subpoenaed journalists to the Judiciary Committee. We know from the public record, however, that at least 19 journalists have been subpoenaed by federal and special prosecutors for confidential source information since 2001 claim. Among them are Judith Miller, Matt Cooper, Tim Russert, Lance Williams, Mark Fainaru-Wada, and Philip Shenon. We also know 4 journalists have been imprisoned at the request either of the DoJ, U.S. Attorneys, or special prosecutors since 2000. Josh Wolf, Judith Miller, Jim Taricani, Vanessa Leggett. Collectively, these journalists have spent over 19 months imprisoned. Journalists who are not jailed for failing to comply with subpoenas still suffer the prospect of being held in contempt. Several have suffered this fate: Toni Locy, James Stewart, Walter Pincus, Jim Taricani.

In addition to the subpoenas from special prosecutors mentioned above, more than a dozen reporters have received subpoenas in civil suits, such as the Wen Ho Lee and Hatfill privacy lawsuits against the government. A preliminary report on the 2007 Media Subpoena Survey conducted by Professor RonNell Andersen Jones at the Law College Foundation at the University of Arizona states: 761 responding news organizations reported receiving a total of 3,602 subpoenas seeking information or material relating to newsgathering activities in calendar year 2006. Of these, 335 were subpoenas arising out of proceedings that took place in a federal forum. Sixty-four percent of responding newsroom leaders believe the frequency of media subpoenas to be greater than it was five years ago. Fifty percent of the media companies believe the risk of their own organization receiving a subpoena is greater than it was five years ago, while only 5 percent believe the risk to be less.

This bipartisan legislation would establish a qualified reporters' privilege protecting them from being compelled to identify confidential source information. The bill seeks to reconcile reporters' need to maintain confidentiality, in order to ensure that sources will speak openly and freely with the media, with the public's right to effective law enforcement and fair trials. The situation in the United States today is that journalists are subject to a compulsory process to disclose confidential informants—at least in Federal courts. At the State level, there are many laws providing qualified privileges for journalists. Prior versions of this bill garnered the support of numerous bipartisan cosponsors, as well as 39 media organizations, including the Washington Post, The Hearst Corporation, Time Warner, ABC Inc., CBS, CNN, The New York Times Company, and National Public Radio.

In 2005 I cosponsored two prior bills and was principle author of yet another. In the 110th Congress, I introduced S. 1035 the Free Flow of Information Act of 2007, along with Senator SCHUMER, and Senators LUGAR, GRAHAM, and DODD other senators to join as cosponsors were Senators LEAHY, JOHNSON, BOXER, KLOBUCHAR, Salazar, Obama, Clinton, Dole, MURRAY, LANDRIEU, WEBB, TESTER, LIEBERMAN, DURBIN, BAUCUS, and LAUTENBERG. On October 4, 2007, the Committee on the Judiciary favorably reported S.2035 out of committee by a 15–4 vote, which marked the first time a reporters' privilege bill had ever passed out of the Senate Judiciary Committee.

On March 6, 2008, I, along with Senator LEAHY, sent a letter to Majority Leader REID and Minority Leader MCCONNELL asking that S. 2035 receive floor time for full Senate consideration. They answered our call. On July 30, 2008, the Senate entertained a cloture vote on the motion to proceed to the measure that failed by a vote of 51–43. Nonetheless, the bill continues to enjoy broad bipartisan support—including the pledged support of former Senator, now—President Barack Obama. I urge all of my colleagues to join me in passing the Free Flow of Information Act of 2009, its high time we stop jailing or holding in contempt reporters who, in good faith, protect their confidential sources even in the face of a government subpoena.

There has been a growing consensus that we need to establish a Federal journalists' privilege to protect the integrity of the news gathering process, a process that depends on the free flow of information between journalists and whistleblowers, as well as other confidential sources.

Under my chairmanship, the Judiciary Committee held three separate hearings on this issue at which we heard from 20 witnesses, including prominent journalists like William Safire and Judith Miller, current and former Federal prosecutors, including former Deputy Attorney General Paul McNulty, and First Amendment scholars.

These witnesses demonstrated that there are two vital, competing concerns at stake. On one hand, reporters cite the need to maintain confidentiality in order to ensure that sources will speak openly and freely with the news media. The renowned William Safire, former columnist for the New York Times, testified that ''the essence of news gathering is this: if you don't have sources you trust and who trust you, then you don't have a solid story—and the public suffers for it.'' Reporter Matthew Cooper of Time Magazine said this to the Judiciary Committee: ''As someone who relies on confidential sources all the time, I simply could not do my job reporting stories big and small without being able to speak with officials under varying degrees of anonymity.''

On the other hand, the public has a right to effective law enforcement and fair trials. Our judicial system needs access to information in order to prosecute crime and to guarantee fair administration of the law for plaintiffs and defendants alike. As a Justice Department representative told the Committee, prosecutors need to ''maintain the ability, in certain vitally important circumstances, to obtain information identifying a source when a paramount interest is at stake. For example, obtaining source information may be the only available means of preventing a murder, locating a kidnapped child, or identifying a serial arsonist.''

As Federal courts have considered these competing interests, they adopted rules that went in several different directions. Rather than a clear, uniform standard for deciding claims of journalist privilege, the Federal courts currently observe a ''crazy quilt'' of different judicial standards.

The confusion began 36 years ago, when the Supreme Court decided Branzburg v. Hayes. The Court held that the press' First Amendment right to publish information does not include a right to keep information secret from a grand jury investigating a criminal matter. The Supreme Court also held that the common law did not exempt reporters from the duty of every citizen to provide information to a grand jury.

The Court reasoned that just as newspapers and journalists are subject to the same laws and restrictions as other citizens, they are also subject to the same duty to provide information to a court as other citizens. However, Justice Powell, who joined the 5–4 majority, wrote a separate concurrence in which he explained that the Court's holding was not an invitation for the Government to harass journalists. If a journalist could show that the grand jury investigation was being conducted in bad faith, the journalist could ask the court to quash the subpoena. Justice Powell indicated that courts might assess such claims on a case-by-case basis by balancing the freedom of the press against the obligation to give testimony relevant to criminal conduct.

In attempting to apply Justice Powell's concurring opinion, Federal courts have split on the question of when a journalist is required to testify. In more than three decades since Branzburg, the Federal courts are split in at least three ways in their approaches to Federal criminal and civil cases.

With respect to Federal criminal cases, five circuits apply Branzburg so as to not allow journalists to withhold information absent governmental bad faith. Four other circuits recognize a qualified privilege, which requires courts to balance the freedom of the press against the obligation to provide testimony on a case-by-case basis. The law in the District of Columbia Circuit is unsettled.

With respect to Federal civil cases, 9 of the 12 circuits apply a balancing test when deciding whether journalists must disclose confidential sources. One circuit affords journalists no privilege in any context. Two other circuits have yet to decide whether journalists have any privilege in civil cases. Meanwhile, 49 States plus the District of Columbia have recognized some form of reporters' privilege within their own jurisdictions. Thirty-one States plus the District of Columbia have passed some form of reporter's shield statute, and 18 States have recognized a privilege at common law.

There is little wonder that there is a growing consensus concerning the need for a uniform journalists' privilege in Federal courts. This system must be simplified.

Today, we move toward resolving this problem by introducing the Free Flow of Information Act of 2009. The purpose of this bill is to guarantee the flow of information to the public through a free and active press, while protecting the public's right to effective law enforcement and individuals' rights to the fair administration of justice.

The bill provides a qualified privilege for reporters to withhold from Federal courts, prosecutors, and other Federal entities, confidential source information and documents and materials obtained or created under a promise of confidentiality. However, the bill recognizes that, in certain instances, the public's interest in law enforcement and fair trials outweighs a source's interest in remaining anonymous through the reporter's assertion of a privilege. Therefore, it allows courts to require disclosure where certain criteria are met.

Under the legislation, in most criminal investigations and prosecutions, the Federal entity seeking the reporter's source information must show that there are reasonable grounds to believe that a crime has occurred, and that the reporter's information is essential to the prosecution or defense. In criminal investigations and prosecutions of leaks of classified information, the Federal entity seeking disclosure must additionally show that the leak caused significant, clear, and articulable harm to national security. In noncriminal actions, the Federal entity seeking source information must show that the reporter's information is essential to the resolution of the matter.

In all cases and investigations, the Federal entity must demonstrate that nondisclosure would be contrary to the public interest. In other words, the court must balance the governmental need for the information against the public interest in newsgathering and the free flow of information.

Further, the bill ensures that Federal Government entities do not engage in ''fishing expeditions'' for a reporter's information. The information a reporter reveals must, to the extent possible, be limited to verifying published information and describing the surrounding circumstances. The information must also be narrowly tailored to avoid compelling a reporter to reveal peripheral or speculative information.

Finally, the Free Flow of Information Act adds layers of safeguards for the public. Reporters are not allowed to withhold information if a Federal court concludes that the information is needed for the defense of our Nation's security, as long as it outweighs the public interest in newsgathering and maintains the free flow of information to citizens, or to prevent an act of terrorism. Similarly, journalists may not withhold information reasonably necessary to stop a kidnapping or a crime that could lead to death or physical injury. Also, the bill ensures that both crime victims and criminal defendants

will have a fair hearing in court. Under this bill, a journalist who is an eyewitness to a crime or tort or takes part in a crime or tort may not withhold that information on grounds of the qualified privilege. Journalists should not be permitted to hide from the law by writing a story and then claiming a reporter's privilege.

It is time for Congress to clear up the ambiguities journalists and the Federal judicial system face in balancing the protections journalists need in providing confidential information to the public with the ability of the courts to conduct fair and accurate trials. I urge my colleagues to support this legislation and help create a fair and efficient means to serve journalists and the news media, prosecutors and the courts, and most importantly the public interest on both ends of the spectrum.

By Mr. SPECTER (for himself, Mr. LIEBERMAN, and Mr. SCHUMER):

S. 449. A bill to protect free speech; to the Committee on the Judiciary.

Mr. SPECTER. Mr. President. I am introducing the Free Speech Protection Act of 2009 to address a serious challenge to one of the most basic protections in our Constitution. American journalists and academics must have the freedom to investigate, write, speak, and publish about matters of public importance, limited only by the legal standards laid out in our First Amendment jurisprudence, including precedents such as New York Times v. Sullivan. Despite the protection for free speech under our own law, the rights of the American public, and of American journalists who share information with the public, are being threatened by the forum shopping of libel suits to foreign courts with less robust protections for free speech.

These suits are filed in, and entertained by, foreign courts, despite the fact that the challenged speech or writing is written in the United States by U.S. journalists, and is published or disseminated primarily in the United States. The plaintiff in these cases may have no particular connection to the country in which the suit is filed. Nevertheless, the U.S. journalists or publications who are named as defendants in these suits must deal with the expense, inconvenience and distress of being sued in foreign courts, even though their conduct is protected by the First Amendment.

An example of why the legislation is necessary is found in litigation involving Dr. Rachel Ehrenfeld, a U.S. citizen and Director of the American Center for Democracy, whose articles have appeared in the Wall Street Journal, the National Review, and the Los Angeles Times. She has been a scholar with Columbia University, the University of New York School of Law, and Johns Hopkins, and has testified before Congress. Dr. Ehrenfeld's 2003 book, ''Funding Evil: How Terrorism is Financed and How to Stop It'', which was published solely in the United States by a U.S. publisher, alleged that a Saudi Arabian subject and his family financially supported Al Qaeda in the years preceding the attacks of September 11. He sued Ehrenfeld for libel in England, although only 23 books were sold there. Why? Because under English law, it is not necessary for a libel plaintiff to prove falsity or actual malice as is required in the United States.

Dr. Ehrenfeld did not appear, and the English court entered a default judgment for damages, an injunction against publication in the United Kingdom, a ''declaration of falsity'', and an order that she and her publisher print a correction and an apology.

Dr. Ehrenfeld sought to shield herself with a declaration from both federal and state courts that her book did not create liability under American law, but jurisdictional barriers prevented both the Federal and New York State courts from acting. Reacting to this problem, the Governor of New York, on May 1, 2008, signed into law the ''Libel Terrorism Protection Act.'' Congress must now take similar action. I note that the person who sued Dr. Ehrenfeld has filed dozens of lawsuits in England, and there is a real danger that other American writers and researchers will be afraid to address this crucial subject of terror funding and other important matters. Other countries should be free to have their own libel law, but so too should the United States. Venues that have become magnets for defamation plaintiffs from around the world permit those who want to intimidate our journalists to succeed in doing so. The stakes are high. The United Nations in 2008 noted the importance of free speech and a free press, and the threat that libel tourism poses to the world.

Following the New York example, the legislation my co-sponsors and I introduce today confers jurisdiction on federal courts to bar enforcement of foreign libel judgments if the material at issue would not constitute libel under U.S. law. Significantly, it also deters foreign suits in the first place by permitting American defendants to countersue from the moment papers are served on them. Damages available in the countersuit include the amount at issue in the foreign libel suit as well as treble damages if the foreign suit is part of a scheme to suppress a U.S. person's first amendment rights.

This deterrent mechanism is critical because those who bring these foreign libel suits are more interested in intimidating the authors than in actually collecting damages. They know that even if a foreign judgment cannot be enforced in the United States, the cost of defending the suit and the penalty for taking a default judgment can have a chilling effect on American writers and publishers. In particular, under English law a contempt citation may issue against authors or publishers who fail to satisfy default judgments, pursuant to which their property may be seized and they may be imprisoned. What is worse, defendants can no longer skirt the consequences merely by avoiding contact with England. Under recent European Commission regulations, default judgments for monetary claims are enforceable in all EU countries except Denmark.

The potentially severe ramifications of a default judgment make clear that merely barring enforcement of a foreign libel judgment in U.S. courts is entirely insufficient particularly for publishers with European offices. While it is important to bar enforcement, in the words of a New York Times editorial, that does ''not go as far as it could.''

I often remark that the Senate is the world's greatest deliberative body and all the facts and arguments ought to be examined before it acts. Accordingly, I must address a letter in opposition to this bill from a prominent British libel lawyer and explain why his arguments are unpersuasive.

He notes that a ''U.S. citizen . . . knocked down by the negligent driving'' of a London taxi driver is ''just as entitled as any British citizen'' to sue in England for damages. Why should a U.S. citizen ''not be entitled on the same basis, like any other UK citizen, to sue for damages to his reputation?'' The answer, of course, is that the analogy is inapt. In that hypothetical, the plaintiff sues the defendant in the defendant's jurisdiction for a harm committed and suffered there, an injury that is universally recognized as a tort. By contrast, the plaintiff in a foreign libel action purposely avoids suing in the jurisdiction where the defendant journalist writes and publishes, a jurisdiction where the material is not libelous. The proper analogy would be if the injured American had sued the taxi driver in the United States instead of England because the driver's conduct would not constitute negligence under English law. That hardly seems fair play. Our bill is designed specifically to prevent such forum shopping.

That essay also asks whether ''legislators will extend their intervention'' to commercial matters such as contracts and debts and warns that such extension could trigger ''retaliatory action on the part of UK legislators.'' Actually, such extension has already happened, but at the hands of British legislators not American ones. In the antitrust context, British law bars enforcement of foreign judgments for treble damages such as those awarded by U.S. courts. In addition, it allows a British corporation, against whom a judgment for treble damages was entered in a foreign court, to recover from the plaintiff any excess over actual damages. In any event, this bill is confined to the narrow area of core First Amendment rights.

''Perhaps of most significance'' he continues in his letter, is that to his knowledge ''very few of these claims have actually come before UK courts.'' But it is the chilling effect and the

mere threat of litigation that suffices to silence authors; there is no need to try the cases. In 2004, fear of a lawsuit forced Random House UK to cancel publication of ''House of Bush, House of Saud,'' a best seller in the U.S. that was written by an American author. Similarly, in 2007, the threat of a lawsuit compelled Cambridge University Press to apologize and destroy all available copies of ''Alms for Jihad,'' a book on terrorism funding by American authors. Indeed, an October 2008 study reported in The Guardian found that ''[m]edia companies are becoming less willing to fight defamation court cases all the way to a verdict. . . . With the burden of proof effectively resting on the defendant'' and attorneys' fees paid by the loser, defendants ''are forced to enter into settlement negotiations.''

Numerous organizations have endorsed the bill we offer today, including the ACLU and the Anti-Defamation League, as well as numerous journalists and publishers groups. Op-eds and editorials supporting our efforts have run in national papers, including the New York Times on September 15, 2008 and the New York Sun on July 28, 2008. Also drawing attention to the issue was an op-ed Senator LIEBERMAN and I penned that ran in the Wall Street Journal on July 14, 2008.

Freedom of speech, freedom of the press, freedom of expression of ideas, opinions, and research, and freedom of exchange of information are all essential to the functioning of a democracy. They are also essential in the fight against terrorism.

I thank Senators LIEBERMAN and SCHUMER, as well as Congressman PETE KING and his cosponsors for working with me on this important bill.

By Mr. BAUCUS (for himself, Ms. STABENOW, Mr. TESTER, Mr. CONRAD, Mr. JOHNSON, and Mr. SCHUMER):

S. 450. A bill to understand and comprehensively address the oral health problems associated with methamphetamine use; to the Committee on Health, Education, Labor, and Pensions.

Mr. BAUCUS. Mr. President, I rise today to re-introduce the Meth Mouth Prevention and Community Recovery Act in the 111th Congress.

In December 2007, the U.S. Department of Justice's National Drug Intelligence Center, NDIC, reported the increasing availability of high-purity methamphetamine throughout the country and the expansion of methamphetamine networks. According to the 2005 National Survey on Drug Use and Health, NSDUH, an estimated 10.4 million Americans aged 12 or older used methamphetamine at least once in their lifetimes for nonmedical reasons, representing 4.3 percent of the U.S. population in that age group. Its use has been destructive to individual people, families and communities in our nation. Lung disease, fatal heart attacks, mental illness and decaying teeth have been implicated with its prevalent use.

Dental problems are common among drug users. Many do not care for their teeth regularly and most do not see a dentist often. But methamphetamine seems to be taking a unique and horrific toll inside its user's mouths.

In those populated areas where its use is highly concentrated, more and more dentists are encountering patients with a distinct, painful and often debilitating pattern of oral decay. The condition, known as ''meth mouth'', is characterized by teeth that are blackened, stained, rotting and crumbling or falling apart. Some believe meth mouth is caused by the drug's acidic nature, its ability to dry the mouth, the tendency of users to grind and clench their teeth and a drug-induced craving for sugary drinks. Often the damage is so severe that extraction is the only viable treatment option.

The Meth Mouth Prevention and Community Recovery Act authorizes funding for local, school-based initiatives to educate primary and elementary school students about the dangers of methamphetamine usage. It will also provide for enhanced research and professional training in substance use disorders, oral health and the provision of dental care.

The bill I am putting forth here today will begin to address our Nation's need to better understand and educate our population along helping the dental health providers treat the oral disease originating from this drug's abuse. The studies funded and treatment offered here will begin to stem the tide on this terrible affliction.

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. 450

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; PURPOSES.

(a) SHORT TITLE.—This Act may be cited as the ''Meth Mouth Prevention and Community Recovery Act''.

(b) PURPOSES.—The purposes of this Act are—

(1) to investigate and report on all aspects of meth mouth, including its causes, public health impact, innovative models for its prevention, and new and improved methods for its treatment;

(2) to ensure dentists and allied dental personnel are able to recognize the signs of substance abuse in their patients, discuss the nature of addiction as it relates to oral health and dental care, and facilitate appropriate help for patients (and family members of patients) who are affected by a substance use disorder;

(3) to determine whether, how, and to what degree educating youth about meth mouth is an effective strategy for preventing or reducing the prevalence of methamphetamine use; and

(4) to underscore the many ways that dentists and other oral health professionals can contribute to the general health of their patients, their communities, and the country as a whole.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title; purposes.
Sec. 2. Table of contents.
TITLE I—EVIDENCE–BASED PREVENTION
Sec. 101. Findings; purpose; definitions.
Sec. 102. Methamphetamine prevention demonstration projects.
Sec. 103. Education for American Indian and Alaska native children.
Sec. 104. Authorization of appropriations.
TITLE II—METH MOUTH RESEARCH INVESTMENT ACT
Sec. 201. Findings; purpose; definitions.
Sec. 202. Research on substance abuse, oral health, and dental care.
Sec. 203. Study of methamphetamine-related oral health costs.
Sec. 204. Authorization of appropriations.
TITLE III—SUBSTANCE ABUSE EDUCATION FOR DENTAL PROFESSIONALS
Sec. 301. Findings; purpose; definitions.
Sec. 302. Substance abuse training for dental professionals.
Sec. 303. Authorization of appropriations.

TITLE I—EVIDENCE–BASED PREVENTION

SEC. 101. FINDINGS; PURPOSE; DEFINITIONS.

(a) FINDINGS.—The Congress finds as follows:

(1) According to the Substance Abuse and Mental Health Services Administration, first-time methamphetamine use is most likely to occur between the ages of 18 and 25. Prevention efforts must therefore begin during the teen years.

(2) Most young people do not realize that methamphetamine use can quickly leave their teeth blackened, stained, rotting, and crumbling or falling apart and that the treatment options are often limited.

(3) By educating youth about meth mouth, oral health advocates can play a substantial role in helping to prevent first-time methamphetamine use.

(b) PURPOSE.—The purpose of this title is to provide for a number of projects to evaluate whether, how, and to what degree educating youth about meth mouth is an effective strategy for preventing or reducing methamphetamine use.

(c) DEFINITIONS.—In this title:

(1) ANTI-DRUG COALITION.—The term ''anti-drug coalition'' has the meaning given to the term ''eligible coalition'' in section 1023 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1523).

(2) DENTAL ORGANIZATION.—The term ''dental organization'' means a group of persons organized to represent the art and science of dentistry or who are otherwise associated for the primary purpose of advancing the public's oral health.

(3) DIRECTOR.—The term ''Director'' means the Director of the Center for Substance Abuse Prevention.

(4) ELEMENTARY SCHOOL; SECONDARY SCHOOL.—The terms ''elementary school'' and ''secondary school'' have the meanings given to such terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(5) INDIAN; INDIAN TRIBE; TRIBAL ORGANIZATION.—The terms ''Indian'', ''Indian tribe'', and ''tribal organization'' have the meanings given to such terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(6) METH MOUTH.—The term ''meth mouth'' means a distinct and often severe pattern of oral decay that is commonly associated with methamphetamine use.

(7) SUBSTANCE USE DISORDER.—The term ''substance use disorder'' means any harmful pattern of alcohol or drug use that leads to clinically significant impairment in physical, psychological, interpersonal, or vocational functioning.

(8) YOUTH.—The term ''youth'' has the meaning given to such term in section 1023 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1523).

SEC. 102. METHAMPHETAMINE PREVENTION DEMONSTRATION PROJECTS.

(a) IN GENERAL.—In carrying out section 519E of the Public Health Service Act (42 U.S.C. 290bb–25e), the Director of the Center for Substance Abuse Prevention shall make grants to public and private nonprofit entities to enable such entities to determine whether, how, and to what degree educating youth about meth mouth is an effective strategy for preventing or reducing methamphetamine use.

(b) USE OF FUNDS.—

(1) MANDATORY USES.—Amounts awarded under this title shall be used for projects that focus on, or include specific information about, the oral health risks associated with methamphetamine use.

(2) AUTHORIZED USES.—Amounts awarded under this title may be used—

(A) to develop or acquire instructional aids to enhance the teaching and learning process (including audiovisual items, computer-based multimedia, supplemental print material, and similar resources);

(B) to develop or acquire promotional items to be used for display or distribution on school campuses (including posters, flyers, brochures, pamphlets, message-based apparel, buttons, stickers, and similar items);

(C) to facilitate or directly furnish school-based instruction concerning the oral health risks associated with methamphetamine use;

(D) to train State and local health officials, health professionals, members of anti-drug coalitions, parents, and others how to carry messages about the oral health risks associated with methamphetamine use to youth; and

(E) to support other activities deemed appropriate by the Director.

(c) GRANT ELIGIBILITY.—

(1) APPLICATION.—To be eligible for grants under this title, an entity shall prepare and submit an application at such time, in such manner, and containing such information as the Director may reasonably require.

(2) CONTENTS.—Each application submitted pursuant to paragraph (1) shall include—

(A) a description of the objectives to be attained;

(B) a description of the manner in which the grant funds will be used; and

(C) a plan for evaluating the project's success using methods that are evidence-based.

(3) PREFERENCE.—In awarding grants under this title, the Director shall give preference to applicants that intend to—

(A) collaborate with one or more dental organizations;

(B) partner with one or more anti-drug coalitions; and

(C) coordinate their activities with one or more national, State, or local methamphetamine prevention campaigns or oral health promotion initiatives.

(d) LIMITATIONS.—

(1) GRANT AMOUNTS.—The amount of an award under this title may not exceed $50,000 per grantee.

(2) DURATION.—The Director shall award grants under this title for a period not to exceed 3 years.

(e) EVALUATION AND DISSEMINATION.—The Director shall collect and widely disseminate information about the effectiveness of the demonstration projects assisted under this title.

SEC. 103. EDUCATION FOR AMERICAN INDIAN AND ALASKA NATIVE CHILDREN.

Not less than 5 percent of the funds appropriated pursuant to section 104 for a fiscal year shall be awarded to Indian tribes and tribal organizations for the purpose of educating Indian youth about the oral health risks associated with methamphetamine use.

SEC. 104. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for the purpose of carrying out this title $1,000,000 for each of fiscal years 2010 through 2012. Amounts authorized to be appropriated under this section are in addition to any other amounts authorized to be appropriated for such purpose.

TITLE II—METH MOUTH RESEARCH INVESTMENT ACT

SEC. 201. FINDINGS; PURPOSE; DEFINITIONS.

(a) FINDINGS.—The Congress finds as follows:

(1) As the number of regular methamphetamine users has increased, so has a peculiar set of dental problems linked to the drug. The condition (known as ''meth mouth'') develops rapidly and is attributed to the drug's acidic nature, its ability to dry the mouth, the tendency of users to grind and clench their teeth, and a drug-induced craving for sugar-laden soft drinks.

(2) Meth mouth is regarded by many as an anecdotal phenomenon. Few peer-reviewed studies have been published that examine its causes, its physical effects, its prevalence, or its public health costs.

(3) Enhanced research would help to identify the prevalence and scope of meth mouth. Such research would also help determine how substances of abuse can damage the teeth and other oral tissues, and offer the possibility of developing new and improved prevention, harm-reduction, and cost management strategies.

(b) PURPOSE.—The purpose of this title is to provide for enhanced research examining all aspects of meth mouth, including its causes, its public health impact, innovative models for its prevention, and new and improved methods for its treatment.

(c) DEFINITIONS.—In this title:

(1) CLINICAL RESEARCH; HEALTH SERVICES RESEARCH.—The terms ''clinical research'' and ''health services research'' shall have the meanings given to such terms in section 409 of the Public Health Service Act (42 U.S.C. 284d).

(2) INDIAN; INDIAN TRIBE; TRIBAL ORGANIZATION.—The terms ''Indian'', ''Indian tribe'', and ''tribal organization'' shall have the meanings given to such terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) METH MOUTH.—The term ''meth mouth'' means a distinct and often severe pattern of oral decay that is commonly associated with methamphetamine use.

(4) PUBLIC HEALTH RESEARCH.—The term ''public health research'' means research that focuses on population-based health measures.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(6) SUBSTANCE USE DISORDER.—The term ''substance use disorder'' means any harmful pattern of alcohol or drug use that leads to clinically significant impairment in physical, psychological, interpersonal, or vocational functioning.

SEC. 202. RESEARCH ON SUBSTANCE ABUSE, ORAL HEALTH, AND DENTAL CARE.

(a) EXPANSION OF ACTIVITY.—In carrying out part A of title III of the Public Health Service Act (42 U.S.C. 241 et seq.), the Secretary shall expand and intensify the clinical research, health services research, and public health research on associations between substance use disorders, oral health, and the provision of dental care.

(b) ADMINISTRATION.—In carrying out subsection (a), the Secretary—

(1) may enter into contracts or agreements with other Federal agencies, including interagency agreements, to delegate authority for the execution of grants and for such other activities as may be necessary to carry out this section;

(2) may carry out this section directly or through grants or cooperative agreements with State, local, and territorial units of government, Indian tribes, and tribal organizations, or other public or nonprofit private entities; and

(3) may request and use such information, data, and reports from any Federal, State, local, or private entity as may be required to carry out this section, with the consent of such entity.

SEC. 203. STUDY OF METHAMPHETAMINE-RELATED ORAL HEALTH COSTS.

(a) IN GENERAL.—In carrying out section 202, the Secretary shall conduct a study to determine whether, how, and to what degree methamphetamine use affects the demand for (and provision of) dental care. The study shall account for both genders, all racial and ethnic groups (and subgroups), and persons of all ages and from all geographic areas as appropriate for the scientific goals of the research.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish a special report detailing the results of the study described in subsection (a), with findings that address—

(1) the prevalence and severity of oral health problems believed to be associated with methamphetamine use;

(2) the criteria most commonly used to determine whether a patient's oral health problems are associated with methamphetamine use;

(3) the therapies most commonly used to treat patients with meth mouth;

(4) the clinical prognosis for patients who received care for meth mouth; and

(5) the financial impact of meth mouth on publicly financed dental programs.

SEC. 204. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for the purpose of carrying out this title, $200,000 for each of fiscal years 2010 through 2012. Amounts authorized to be appropriated under this section are in addition to any other amounts authorized to be appropriated for such purpose.

TITLE III—SUBSTANCE ABUSE EDUCATION FOR DENTAL PROFESSIONALS

SEC. 301. FINDINGS; PURPOSE; DEFINITIONS.

(a) FINDINGS.—The Congress finds as follows:

(1) The use of certain therapeutic agents in dental treatment can jeopardize the health and affect the relapse potential of patients with substance use disorders.

(2) Screening patients for substance abuse is not a common practice among dentists, according to several peer-reviewed articles published in the ''Journal of the American Dental Association''. Limited time, inadequate training, and the potential for alienating patients are among the reasons often cited.

(3) Dentists receive little formal education and training in screening patients for substance abuse, discussing the nature of addiction as it relates to oral health and dental care, and facilitating appropriate help for patients, and family members of patients, who are affected by a substance use disorder.

(4) The American Dental Association maintains that dentists should be knowledgeable about substance use disorders in order to safely administer and prescribe controlled

substances and other medications. The American Dental Association further recommends that dentists become familiar with their community's substance abuse treatment resources and be able to make referrals when indicated.

(5) Training can greatly increase the degree to which dentists, allied dental personnel, and other health professionals can screen patients for substance abuse, discuss the nature of addiction as it relates to oral health and dental care, and facilitate appropriate help for patients, and family members of patients, who are affected by a substance use disorder.

(b) PURPOSE.—The purpose of this title is to provide for enhanced training and technical assistance to ensure that dentists and allied dental personnel are able to recognize the signs of substance abuse in their patients, discuss the nature of addiction as it relates to oral health and dental care, and facilitate appropriate help for patients, and family members of patients, who are affected by a substance use disorder.

(c) DEFINITIONS.—For the purposes of this title:

(1) ALLIED DENTAL PERSONNEL.—The term ''allied dental personnel'' means individuals who assist the dentist in the provision of oral health care services to patients, including dental assistants, dental hygienists, and dental laboratory technicians who are employed in dental offices or other patient care facilities.

(2) CONTINUING EDUCATION.—The term ''continuing education'' means extracurricular learning activities (including classes, lecture series, conferences, workshops, seminars, correspondence courses, and other programs) whose purpose is to incorporate the latest advances in science, clinical, and professional knowledge into the practice of health care (and whose completion is often a condition of professional licensing).

(3) CONTINUING EDUCATION CREDIT.—The term ''continuing education credit'' means a unit of study that is used to officially certify or recognize the successful completion of an activity that is consistent with professional standards for continuing education.

SEC. 302. SUBSTANCE ABUSE TRAINING FOR DENTAL PROFESSIONALS.

(a) IN GENERAL.—In carrying out title V of the Public Health Service Act (42 U.S.C. 290 et seq.), the Administrator of the Substance Abuse and Mental Health Services Administration shall support training and offer technical assistance to ensure that dentists and allied dental personnel are prepared to—

(1) recognize signs of alcohol or drug addiction in their patients and the family members of their patients;

(2) discuss the nature of substance abuse as it relates to their area of expertise;

(3) understand how certain dental therapies can affect the relapse potential of substance dependent patients; and

(4) help those affected by a substance use disorder to find appropriate treatment for their condition.

(b) CONTINUING EDUCATION CREDITS.—The Administrator of the Substance Abuse and Mental Health Services Administration may collaborate with professional accrediting bodies—

(1) to develop and support substance abuse training courses for oral health professionals; and

(2) to encourage that the activities described in paragraph (1) be recognized for continuing education purposes.

SEC. 303. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for the purpose of carrying out this title, $500,000 for each of fiscal years 2010 through 2012. Amounts authorized to be appropriated under this section are in addition to any other amounts authorized to be appropriated for such purpose.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 49—TO EXPRESS THE SENSE OF THE SENATE REGARDING THE IMPORTANCE OF PUBLIC DIPLOMACY

Mr. LUGAR submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 49

Whereas public diplomacy is the conduct of foreign relations directly with the average citizen of a country, rather than with officials of a country's foreign ministry;

Whereas public diplomacy is commonly conducted through people-to-people exchanges in which experts, authors, artists, educators and students interact with their peers in other countries;

Whereas effective public diplomacy promotes free and unfiltered access to information about the United States through books, newspapers, periodicals, and the Internet;

Whereas public diplomacy requires a willingness to discuss all aspects of society, search for common values, foster a long-term bilateral relationship based on mutual respect, and recognize that certain areas of disagreement may remain unresolved on a short term basis;

Whereas a BBC World Service poll published in February 2009 that involved 13,000 respondents in 21 countries found that while 40 percent of the respondents had a positive view of the United States, 43 percent had a negative view of the United States;

Whereas Freedom House's 2008 Global Press Freedom report notes that 123 countries (66 percent of the world's countries and 80 percent of the world's population) have a press that is classified as ''Not Free'' or ''Partly Free'';

Whereas the Government of the United Kingdom, of France, and of Germany run stand-alone public diplomacy facilities throughout the world, which are known as the British Council, the Alliance Francaise, and the Goethe Institute, respectively;

Whereas these government-run facilities teach the national languages of their respective countries, offer libraries, newspapers, and periodicals, sponsor public lecture and film series that engage local audiences in dialogues that foster better understandings between these countries and create an environment promoting greater trust and openness;

Whereas the United States has historically operated similar facilities, known as American Centers, which—

(1) offered classes in English, extensive libraries housing collections of American literature, history, economics, business, and social studies, and reading rooms offering the latest American newspapers, periodicals, and academic journals;

(2) hosted visiting American speakers and scholars on these topics; and

(3) ran United States film series on topics related to American values;

Whereas in societies in which freedom of speech, freedom of the press, or local investment in education were minimal, American Centers provided vital outposts of information for citizens throughout the world, giving many of them their only exposure to uncensored information about the United States;

Whereas this need for uncensored information about the United States has accelerated as more foreign governments have restricted Internet access or blocked Web sites viewed as hostile to their political regimes;

Whereas following the end of the Cold War and the attacks on United States embassies in Kenya and Tanzania, budgetary and security pressures resulted in the drastic downsizing or closure of most of the American Centers;

Whereas beginning in 1999, American Centers began to be renamed Information Resource Centers and relocated primarily inside United States embassy compounds;

Whereas of the 177 Information Resource Centers operating in February 2009, 87, or 49 percent, operate on a ''By Appointment Only'' basis and 18, or 11 percent, do not permit any public access;

Whereas Information Resource Centers located outside United States embassy compounds receive significantly more visitors than those inside such compounds, including twice the number of visitors in Africa, 6 times more visitors in the Middle East, and 22 times more visitors in Asia;

Whereas Iran has increased the number of similar Iranian facilities, known as Iranian Cultural Centers, to about 60 throughout the world: Now, therefore, be it

Resolved, That—

(1) the Secretary of State should initiate a reexamination of the public diplomacy platform strategy of the United States with a goal of reestablishing publicly accessible American Centers;

(2) after taking into account relevant security considerations, the Secretary of State should consider placing United States public diplomacy facilities at locations conducive to maximizing their use, consistent with the authority given to the Secretary under section 606(a)(2)(B) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)(2)(B)) to waive certain requirements of that Act.

SENATE RESOLUTION 50—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. LANDRIEU submitted the following resolution; from the Committee on Small Business and Entrepreneurship; which was referred to the Committee on Rules and Administration:

S. RES. 50

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Small Business and Entrepreneurship is authorized from March 1, 2009, through September 30, 2009, and 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 expense of the committee for the period March 1, 2009, through September 30, 2009, under this resolution shall not exceed $1,693,240, of which amount—

(1) not to exceed $25,000 may be expended for the procurement of the services of individual consultants, or organizations thereof

(as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period of October 1, 2009, through September 30, 2010, expenses of the committee under this resolution shall not exceed $2,976,370, of which amount—

(1) not to exceed $25,000 may be expended for the procurement of the services of individual consultants, organizations thereof (as authorized by section 292(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of 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 $1,267,330, of which amount—

(1) not to exceed $25,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee may 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;

(2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate;

(3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate;

(4) for payments to the Postmaster, United States Senate;

(5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate;

(6) for the payment of Senate Recording and Photographic Services; or

(7) for payment of franked 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 CONCURRENT RESOLUTION 7—HONORING AND REMEMBERING THE LIFE OF LAWRENCE ''LARRY'' KING

Mrs. FEINSTEIN (for herself, Mrs. BOXER, Mr. DURBIN, and Mr. WHITEHOUSE) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 7

Whereas Larry King was a 15-year-old boy from Oxnard, California who was shot by a fellow student during English class on February 12, 2008 and died in the hospital 2 days later;

Whereas the police classified the murder as a hate crime;

Whereas in 2008, more than 150 vigils were held across the Nation in Larry's memory, and more than 18,000 students from more than 6,500 middle and high schools came together to commemorate his death;

Whereas one year later, vigils continue to be organized to call for an end to violence, bullying, and harassment in schools in the United States;

Whereas in 2007, 85 percent of lesbian, gay, bisexual, and transgender students were verbally harassed at school because of their sexual orientation, and more than 20 percent of those students were physically assaulted because of their sexual orientation;

Whereas the Gay, Lesbian, and Straight Education Network's 2007 National School Climate Survey showed that when students are harassed or assaulted at school, they find it difficult to focus on their school work, their grades drop, and they attend school less often; and

Whereas schools should be a place where all children can learn and grow in a safe environment, free from bullying and harassment: Now, therefore, be it

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

(1) honors and remembers the life of Lawrence ''Larry'' King;

(2) condemns all hate crimes; and

(3) calls on the Federal Government, States, localities, schools, and the people of the United States to take immediate steps to stop bullying and harassment in the Nation's schools.

Mrs. FEINSTEIN. Mr. President, I rise to introduce a resolution to honor the memory of Lawrence ''Larry'' King, a 15-year-old boy who was shot and killed at a California junior high school on this day last year.

Larry's story is a tragic and is a poignant reminder of why it is so important to stop bullying and violence in our schools.

Larry King was a spirited boy who grew up in Oxnard, California.

At the age of 10, he told the other kids at school that he was gay, and many of them teased and taunted him as a result. At his first school, the bullying became so harsh that his parents had to transfer him to a different school. But the transfer seemed like a good one, and although Larry still endured teasing, he made some very close friends.

Near the beginning of last year, Larry decided to change the way he dressed. He started wearing girls' accessories, makeup, and a pair of high heels that he bought for himself at Target.

In February, he asked one of his male classmates to be his Valentine. The boys exchanged heated words, and the next morning Larry came to school dressed plainly and looking nervous and out of sorts.

He had English as his first class and he sat with the other students, including the boy he had asked to be his Valentine. The class was in the school's computer lab and the students sat typing up their papers.

At 8:30 a.m., the other boy stood up and fatally shot Larry. He had hidden a handgun in his bag, which he took out, and simply stood up silently and shot Larry twice in the back of the head. Larry died in the hospital two days later.

This act of violence is shocking and devastated his parents, and the Oxnard community.

I strongly oppose hate crimes of all kinds. When victims are targeted because of who they are—because of their race, their religion, their sexual orientation, or national origin—the harm runs very deep.

Hate crimes can cause lengthy emotional trauma; they can make people afraid to express their identities; and they are deeply divisive and can tear our communities apart.

Hate crimes and bullying in schools can cause even deeper harm.

According to a School Climate Survey in 2007, over 85 percent of gay, lesbian, bisexual, and transgender students were verbally harassed at school. And more than 20 percent of these students had been physically assaulted.

The survey also found that when children were bullied or harassed, they attended school less and their grades began to drop.

This bullying and violence has to stop. I am introducing this resolution today to commemorate the life of this young boy and to draw attention to the need for increased efforts to end bullying and violence in our schools. Schools should be safe places where children can learn and grow, free from harassment or any threat of physical attack.

I also want to take this opportunity to urge my colleagues to pass hate crimes legislation this year so that our federal law will be clear that crimes based on a person's sexual orientation, gender identity, or disability are crimes of hate and must be vigorously prosecuted because of the great harm that they cause to our communities.

I urge my colleagues to support this resolution.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate, off the Senate floor, during a roll call vote on February 13, 2009.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISTRICT OF COLUMBIA HOUSE VOTING RIGHTS ACT OF 2009—MOTION TO PROCEED

CLOTURE MOTION

Mr. REID. Mr. President, ordinarily I would ask consent to proceed to legislation, especially 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, but I know there is an objection; therefore, I will not ask consent. But in view of an objection that would be lodged against the proceeding, I now move to proceed to Calendar No. 23, S. 160, and I send a cloture motion to the desk.

The PRESIDING OFFICER. Under rule XXII, the clerk will report the motion to invoke cloture on the motion to proceed to S. 160, the District of Columbia House Voting Rights Act of 2009.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to S. 160, the District of Columbia House Voting Rights Act of 2009.

Harry Reid, Joseph I. Lieberman, Richard Durbin, Charles E. Schumer, Christopher J. Dodd, Benjamin L. Cardin, Edward E. Kaufman, Mark Udall, Daniel K. Inouye, Michael F. Bennet, Mary L. Landrieu, Mark L. Pryor, Sheldon Whitehouse, Roland W. Burris, Patty Murray, Bernard Sanders, Thomas R. Carper.

Mr. REID. I ask unanimous consent that the mandatory quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I now withdraw the motion.

The PRESIDING OFFICER. The leader has that right. The motion is withdrawn.

Mr. REID. I now ask unanimous consent that the cloture vote occur at 11 a.m. on Tuesday, February 24; that if cloture is invoked on the motion, then all postcloture time be considered yielded back, the motion to proceed be agreed to, and the Senate proceed to the consideration of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF HILDA L. SOLIS TO BE SECRETARY OF LABOR

Mr. REID. Mr. President, I now ask unanimous consent that the Senate proceed to executive session to consider the nomination of Calendar No. 18, Hilda L. Solis, of California, to be Secretary of Labor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The clerk will report.

The legislative clerk read the nomination of Hilda L. Solis, of California, to be Secretary of Labor.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the clerk will report the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Hilda L. Solis, of California, to be Secretary of Labor.

Harry Reid, Christopher J. Dodd, Richard Durbin, Charles E. Schumer, Benjamin L. Cardin, Edward E. Kaufman, Joseph I. Lieberman, Mark Udall, Daniel K. Inouye, Michael F. Bennet, Mary L. Landrieu, Mark L. Pryor, Sheldon Whitehouse, Roland W. Burris, Patty Murray, Jack Reed, Blanche L. Lincoln, Bernard Sanders.

Mr. REID. I ask unanimous consent that the mandatory quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. REID. Mr. President, I ask unanimous consent that the Senate now resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 94–304, as amended by Public Law 99–7, appoints the following Senators as members of the Commission on Security and Cooperation in Europe, Helsinki, during the 111th Congress: the Honorable RICHARD BURR of North Carolina and the Honorable ROGER WICKER of Mississippi.

100TH ANNIVERSARY OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 35.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 35) honoring and praising the National Association for the Advancement of Colored People on the occasion of its 100th anniversary.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, there be no intervening action or debate, and any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 35) was agreed to.

The preamble was agreed to.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES AND A CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 47.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 47) providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Mr. President, I now ask unanimous consent that the concurrent resolution be agreed to, and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 47) was agreed to, 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.

PROGRAM

Mr. REID. Mr. President, when we get back on that Monday, a week from this Monday, we are going to have Washington's Farewell Address. It will be read by Senator JOHANNS of Nebraska. It alternates back and forth between Democrats and Republicans. This is the time for the Republicans to read the address. There will be no votes on Monday as a result of the agreement we reached just a minute ago on this unanimous consent request.

On the 24th, at 11 a.m., there will be a cloture vote on the motion to proceed

to the DC House Voting Rights Act. If cloture is invoked on the motion to proceed, postcloture time will be yielded back, and the Senate will proceed to the bill. There will be immediately another cloture vote on the nomination of HILDA SOLIS to be President Obama's Secretary of Labor.

I anticipate that after the luncheons we have every week with our caucuses, we will reach an agreement for a time certain for a vote on the confirmation of the nomination of HILDA SOLIS.

Everyone is reminded that President Obama will address a joint session of Congress Tuesday evening at 9 p.m. in the House Chamber. Members of the Senate will gather on the Senate floor at 8:30 p.m. and proceed to the House.

On Wednesday, February 25, the DC voting rights bill will be up, be open to debate and amendments. We hope to complete this bill by the end of the week.

I would recognize that the House is going to take up, the week we get back, the omnibus appropriations bill.

Friday, February 26, is an announced no-vote day.

ORDERS FOR MONDAY, FEBRUARY 23, 2009

Mr. REID. So, Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned under the provisions of H. Con. Res. 47 until 2 p.m. on Monday, February 23; 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 that the Senator from Nebraska, Mr. JOHANNS, be recognized to read Washington's Farewell Address; further, that following the address, the Senate resume consideration of the motion to proceed to S. 160, the District of Columbia House Voting Rights Act of 2009.

A TEAM EFFORT

Mr. REID. Mr. President, just in closing, it has been a long, hard several weeks for our valiant staff, and there is not any way anyone could suggest well enough the enormous contributions they make to making this body flourish the way it does.

We have gotten a tremendous amount of work done this first working period of this Congress. We should be proud of what we have done. We have passed the most sweeping environmental bill in more than 25 years. We have passed the discrimination bill, the Lilly Ledbetter bill, which is an important piece of legislation for women all over America. We passed the Children's Health Insurance Program, which allow millions of American children to have health insurance coverage that they would not have ordinarily. And we just passed this bill to help our struggling economy. So I think the American people should see that we have worked together on a bipartisan basis to accomplish a lot.

We are so fortunate to have our new President. It is a pleasure to work with him. I have had, this past couple of weeks, the ability to visit with him firsthand in legislative combat.

They are competent. I am so impressed. The President's chief of staff Rahm Emanuel—we could not have done this without his assistance, guidance, and directness.

We had the head of the Office of Management and Budget, Peter Orszag, who I called personally last night to tell him that I know he is not a longtime person involved in politics, but he is a natural. He is a brilliant man. He has a degree from Princeton. He has a Ph.D. from the London School of Economics. I am very impressed with this man, who I did not know other than to say hello to, but I have gotten to know him well because we have spent days together in the last short period of time.

The President's representative up here, who we will deal with all the time, Phil Schiliro, has done a really wonderful job.

Rob Nabors, who was the longtime staff assistant, director of the Appropriations Committee for Chairman OBEY, has been magnificent in his work for the White House, working as Peter Orszag's assistant.

There are a lot of people who allowed us to get to where we are, and I appreciate very much their help. It was a real long, hard pull.

The Presiding Officer, my dear friend, the senior Senator from the State of Illinois, who came to Washington with me in 1982, has been invaluable during this very difficult time working on this bill.

Senator SCHUMER of New York, of course, works with me and Senator DURBIN on all the things we do.

And the final point of that legislative team is PATTY MURRAY. She is such a contributor to this Senate. I have such respect for her. She has such a soft touch, but she is as strong as anybody in the Senate.

I am not going to go through the entire list of people. Many, many worked hard.

The chairman of the Appropriations Committee, Senator INOUYE, is a hero in many different ways. He is a Member of the Senate who has had the Congressional Medal of Honor awarded to him for his valiant efforts in World War II.

The chairman of the Finance Committee, Senator BAUCUS, was involved in this from the very beginning and did such a great job.

My personal staff has spent longer hours than I have put in. My chief of staff Gary Myrick is very quiet but such a help to me and the Senate; Randy Devalk, everyone in the Senate depends on him. He is a wealth of knowledge, a fountain of legislative information, and he has just been, really, a remarkably good person.

Mr. President, I am sure I have left off people, but this piece of legislation, I am so happy we were able to get it done.

I will never, ever forget the valiancy of those three brave Republicans who broke from the pack and stood alone to tell America that we needed to do something with our economy which needed help: Senator SNOWE from Maine, and Senator COLLINS from Maine, Senator SPECTER from Pennsylvania. But for them we would not be where we are.

Senator INOUYE was masterful in what he did. Senator BAUCUS was tremendous in the Finance Committee, and his staff. Senator BAUCUS's staff was really very good, led by Russ Sullivan, who we depend on—all of us—for his knowledge. He is a CPA. He has been a feature in the Senate for a long time and he was so very important.

I did not mention a person we have come to depend on in the Senate—all of us—because he has been the chief person on the Appropriations Committee for Senator BYRD, and that is Chuck Kieffer, who was with us all the time, as was Senator INOUYE's chief clerk on the Appropriations Committee, Charlie Houy.

Now, as I said, I am sure I have missed a few people because this was, really, a big team effort.

In my own mind, this piece of legislation is the most important piece of legislation I have worked on for the country. The country is in trouble, and we are so fortunate we were able to get it passed. It is going to give this country a shot in the arm. My State of Nevada needs this so very much. We are going to have a number of meetings in Nevada next week to talk about all the good that will flow to Nevada as a result of its passage.

As usual, Lula Davis is so important to how we function here. She is the person who tells us how we can move forward on things. She is invaluable to every Democratic Senator, and especially to me.

As I announced earlier, Mr. President, the next vote will occur at 11 a.m., Tuesday, February 24. That vote will be on the motion to invoke cloture on the motion to proceed to the District of Columbia House voting rights legislation.

ADJOURNMENT UNTIL MONDAY, FEBRUARY 23, 2009, AT 2 P.M.

Mr. REID. So, Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

The PRESIDING OFFICER. Without objection, the foregoing requests are all agreed to.

Thereupon, the Senate, at 11:03 p.m., adjourned until Monday, February 23, 2009, at 2 p.m.

EXTENSIONS OF REMARKS

IN HONOR OF IBEW'S 100TH ANNIVERSARY

HON. NANCY PELOSI
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Ms. PELOSI. Madam Speaker, on February 21, 2009 San Franciscans will celebrate the 100th anniversary of the International Brotherhood of Electrical Workers (IBEW) Local 6. Local 6 has a proud history of providing labor and services to the citizens of San Francisco; with electrical lighting and power systems for more than 125 years and communications systems for more than 150 years.

Electrical workers were the pioneers who changed the face of society. Recognizing the need for unity, fair compensation and safe working conditions, they organized and affiliated with other electrical workers and were chartered by IBEW on February 21, 1895 and newly chartered on February 21, 1909. From helping to rebuild our fire-ravaged city after the 1906 Earthquake to developing San Francisco's infrastructure, including schools, hospitals, civic buildings, bridges and transportation, the Bay Area would not be the magnificent area it is today without Local 6.

In our more recent history, Local 6 played an integral role in building the Bay Area Rapid Transit system (BART), seismic retrofitting of City Hall, relocation of the main pubic library building, the new municipal court and federal buildings, Pacific Bell Park, University of California's development of Mission Bay, and they have made high-tech switching facilities and modern communication systems available for use.

This is a great opportunity to recognize all the brave men and women who struggled and sacrificed so that we can enjoy the quality and life and standard of living that we have come to cherish.

I pledge to continue to fight in Congress for economic opportunity, good jobs and good opportunities for America's working men and women. I will work with President Obama and Secretary of Labor Hilda Solis to ensure fair wages, safe workplaces and job training for working Americans. I join my constituents and all those in the San Francisco Bay Area to salute Local 6's success and unrelenting commitment to working Americans and to look forward to a bright future.

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

SPEECH OF

HON. CAROLYN C. KILPATRICK
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Ms. KILPATRICK of Michigan. Mr. Speaker, I have been proud to have served as a Member of the State House of Representatives in Michigan and now as a Member of the United States House of Representatives for more than three decades. I know first-hand of the hard work and leadership of the long-term Chairman Emeritus JOHN DINGELL. People outside of the great State of Michigan, in which I have been proud to serve as a Member of the State House of Representatives in Michigan and now as a Member of the U.S. House of Representatives for more than three decades know the long-time Chairman Emeritus of the powerful Energy and Commerce Committee as JOHN D. DINGELL. In Michigan, we know Chairman DINGELL as a dedicated, devoted and dutiful public servant who continues to serve the people of Michigan's 15th Congressional District and the United States superbly. As the Dean of the U.S. House of Representatives, Chairman DINGELL has been a fighter for the automotive industry; a protector of our environment; a dogged investigator and leader of Federal oversight; and one of the leading supporters of health care for all Americans.

Chairman DINGELL's sense of public service goes beyond his service as a Member of Congress for more than the past five decades. Chairman DINGELL, who began learning his skill as a legislator at the feet of his father, John, the Chairman joined the U.S. Army at the age of 18 to fight in WWII. After graduating from college, working as a forest ranger and becoming a lawyer, Chairman DINGELL became a member of our august body after winning the seat of his departed dad.

Chairman DINGELL's influence upon the lives of all Americans is broad and deep. As the longtime Chairman of the Energy and Commerce Committee, to which more than two-thirds of all legislation in Congress is referred, Chairman DINGELL has been at the forefront of legislation that has improved the health of minorities, women, and men; improved the quality of the water we drink, the food we eat, and the very air that we breathe; and uncovered some of the worst fraud, waste and abuse of scarce American tax dollars.

Every Congress for more than the past five decades, Chairman DINGELL has introduced legislation that would guarantee each and every American access to health care. This is carrying on a family tradition that was begun by his father, and continued by the son. This is but one of the hundreds of bills and laws that Chairman DINGELL has directly influenced. Under Chairman DINGELL, we discovered that the Department of Defense were paying more than $600 for a toilet seat. The ''Do Not Call'' law that restricted telemarketers from interrupting our homes. The recently-signed into law State Children's Health Insurance Plan, guaranteeing health insurance for millions of children of working families. Saving our beloved Great Lakes from pollution. Preserving America's forestry and animal heritage with the Endangered Species Act. Ensuring that women and minorities are counted and considered as we find cures for cancer, AIDS, and other debilitating diseases. Fighting for the American automobile industry. And finally, Chairman DINGELL's work to establish a ''Patient's Bill of Rights'' that means that doctors, not insurance bureaucrats, make decisions for our health care. In more than half a century of service to all Americans, Chairman DINGELL has a record of achievement that will not be surpassed. It is a record that I respected as a Member of Michigan's State legislature, and it is one that I continue to respect to this very day.

I join my colleagues in congratulating Chairman JOHN DINGELL, along with all of Michigan's sons and daughters, regardless of race, religion, or party affiliation, on his record length of service to our Nation. Chairman DINGELL's service has made a difference for us all. I am proud to honor Chairman DINGELL for a lifetime of dedication to our country.

DTV DELAY ACT

SPEECH OF

HON. MARCY KAPTUR
OF OHIO
IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2009

Ms. KAPTUR. Mr. Speaker, I rise in support of S 352, the DTV Delay Act.

America is unready and as always, the poor and elderly are the most at risk. In my district alone, 4,569 people have requested vouchers for their analog televisions and have not yet received the coupons. Unless Congress acts, these televisions will flicker black. These constituents will not be able to hear news alerts, be notified of national emergencies and continue to be connected to the outside world through their televisions because the Government didn't follow through with a promise to provide DTV vouchers.

It is the Federal Government that for years, has been assuring these constituents that their televisions will not turn black as long as they follow through with the instructions and submit requests for digital television vouchers. It is imperative that we delay implementation of the digital transmission and fulfill the commitment we have made to our constituents that have followed the rules.

The legislation being considered today has important provisions which allow the FCC with flexibility in implementing these requirements. The bill permits the FCC to approve full DTV conversion in markets where the consumers are prepared for the transition before the hard date in June. Where the transition does occur before the June 12th date, this legislation allows first responders to take over the airwaves immediately once the analog signal space is open.

While this delay is unfortunate, it is a necessary step to assure that the millions of Americans televisions will not go dark because of a bureaucratic snafu.

In the multiple media markets in Ohio, 6.88 percent of the Dayton market is unready for the digital transition, 5.91 percent of the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Cleveland market, 4.4 percent of the Detroit market and 4.29 percent of the Columbus market. I urge a Yes vote on this legislation because I cannot simply turn my back on this many constituents.

TRIBUTE TO SUSAN RITSCHEL

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. CALVERT. Madam Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to the community of San Clemente, California, are exceptional. San Clemente has been fortunate to have dynamic and dedicated community leaders who willingly and unselfishly give their time and talent and make their communities a better place to live and work. Susan Ritschel is one of these individuals. On February 19, 2009, the San Clemente Chamber of Commerce will honor Susan as the ''2008 Citizen of the Year.''

I've known Susan for several years and can attest to all that she does for the community of San Clemente. Susan served on the San Clemente Planning Commission as Commissioner after which she served on the San Clemente City Council for two terms and was mayor of the city. Susan is a former president of the Orange County Division of the League of California Cities and a board member and chair of the San Diego Regional Water Quality Control Board and was the Orange County planning commissioner.

Susan's accomplishments in 2008 are extraordinary. She was the honorary chair of the Capital Campaign for the new Dorothy Visser Senior Center in San Clemente. I was honored to join Susan for a short leg of her 1,000 miles to raise funds for the Senior Center. She also planned and held a major fundraiser entitled ''Cruising to our Destination'' as well as oversaw and coordinated outreach to foundations. Susan's passion for helping seniors in our community was the driving force in gathering support for the Dorothy Visser Senior Center from legislators at all levels as well as businesses, service clubs and other entities. Susan developed and implemented a Capital Campaign, which raised over 2.1 million dollars in pledges and payments to meet the Campaign goal.

In short, there is nothing Susan cannot do once she puts her mind to it. Susan Ritschel is a model citizen and in 2008 she worked untiringly to improve the lives of San Clemente seniors. She is held in high esteem by the city of San Clemente, the business community and the many people that she impacts everyday in a positive way.

Susan's tireless passion for community service has contributed immensely to the betterment of the community of San Clemente, California, and especially to the senior community. I am proud to call Susan a fellow community member, American and friend. I know that many community members are grateful for her service and salute her as she receives the much-deserved ''2008 Citizen of the Year'' Award.

HONORING THE NAACP ON ITS 100TH ANNIVERSARY

SPEECH OF

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the 100th Anniversary of the NAACP, which was founded on February 12th, 1909. For the past century, the NAACP has served as the driving force behind the American civil rights movement, as its founders, leaders and members risked everything to tear down the walls of ignorance and racism, demanding freedom, empowerment, opportunity and justice for all.

With a membership of a half–million strong, the NAACP membership represents communities across the country. The organization was formed partly in reaction to the unconscionable practice of lynching and also in response to the 1908 race riot in Springfield, Illinois. Horrified at the violence aimed at African Americans, a small group of concerned citizens met to discuss and find ways to address racial injustice and the NAACP was formed. Founding members included Mary White Ovington, Oswald Garrison Villard, Dr. Henry Moscovitz, Jane Addams and Charles Darrow. The stated goals included securing the rights of all people as guaranteed in the 13th, 14th and 15th Amendments of the United States Constitution.

The NAACP was the principle legal advocate for numerous groundbreaking civil rights advancements, including the 1930 anti-lynching bill, the Dyer Bill, which passed the U.S. House of Representatives but not the U.S. Senate. Shortly thereafter, the NAACP published a report entitled, ''Thirty Years of Lynching in the United States,'' which drastically decreased the incidence of lynching after its release. The impact of the NAACP's support of the civil rights movement is evidenced in numerous landmark court decisions, most notably, in Brown v. Board of Education, wherein the brilliant attorney, Thurgood Marshall, who later served as the NAACP's Chief Counsel and also as a United States Supreme Court Justice, argued his case against school segregation, and won.

Mr. Speaker and colleagues, please join me in honor and recognition of the members, past and present, of the NAACP, as they celebrate 100 years of service and sacrifice focused on protecting the rights of minority citizens, thereby raising our nation upon a platform where human rights and civil rights are protected for all.

TRIBUTE TO RICHARD SHER

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. RUPPERSBERGER. Madam Speaker, I rise today to honor veteran broadcaster Richard Sher who is retiring from WJZ Television after 33 years.

Richard had a remarkable run in television news and worked as a news anchor and reporter in Baltimore. He anchored the popular political talk show ''Square-Off'' and co-hosted the morning talk show ''People Are Talking'' with then up-and-comer Oprah Winfrey.

In 2006, he graced the silver screen and played himself in the movie Man of the Year featuring Robin Williams. In his stories, Richard had the ability to capture the true heart of the people and places that make Baltimore so unique.

Richard is home grown Baltimore. He went to St. Paul's School and received bachelor's and master's degrees from the University of Maryland at College Park.

Richard began his broadcasting career as a radio disc jockey for WEAM in Arlington, Virginia. He moved to Baltimore to become a News Director for WCBM and made the move to television news a short time later when he joined WJZ in 1975.

Madam Speaker, it is with great pride that I congratulate Richard Sher on his exemplary career as a journalist in Baltimore. I wish him well in his much deserved retirement.

HONORING THE DISTINGUISHED SERVICE OF MARY ATSMA-CAMERON

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. COSTA. Madam Speaker, I rise today to recognize, before my esteemed colleagues, an exceptional woman whose contributions to the California dairy industry epitomize the tenacious spirit of industriousness and persistence found often in our Agricultural communities across this country. I would like to recognize Mary Atsma-Cameron, who on February 10th, 2009 was awarded the ''2009 Outstanding Dairy Producer of the Year'' award by Western Dairy Business magazine at the World Ag Expo in Tulare, California.

This indeed is a great honor. In an industry predominated by male ownership, Mary has distinguished herself as a force to contend with. According to her own words, ''I'm a 'dairyman' and I say that because I've always worked like a dairyman, right alongside the men. I don't ask for special favors because I'm a woman.'' Mary has been in the dairy business now for 53 years and can still be found engaged in the day to day operations of the business; from driving tractor to managing the finances, purchasing feed and/or even assisting in ''pulling'' calves for cows struggling to deliver. Mary estimates that she has assisted in over 1,000 calf deliveries to date.

Not only has Mary Atsma-Cameron been an excellent hands-on ''dairyman'', Mary has also been a very active spokesperson and advocate for the dairy industry. Those who know Mary best, confirm that she is passionate and outspoken when it comes to dairy issues. Mary can be found continually urging local, state and federal officials concerning policy decisions affecting all dairy producers. From efforts to expanding the school milk programs to addressing supply management issues, Mary has a lengthy resume of involvement. Mary is a member of Kings County Dairywomen serving as president in 1981–82. She was a member of the National Dairy Board from 1994–2000 and was reappointed in 2003 where she continues to serve. Mary

was the first, and thus far, the only woman director to serve on the Board of Western United Dairymen Association. She has also served as secretary of Dairy Management Inc., and as director of Dairy Council of California from 1992–2004. Mary is presently on the board of directors for the Kings County Farm Bureau. Her awards include Kings County 2001 Agriculturalist of the year, the 2003 Woman of Distinction award by Soroptomist International of Hanford, CA and the 2003 Common Threads Honoree by California State University of Fresno.

Mary is truly a remarkable woman; always persistent, always engaged. Mary is definitely the sort of advocate that the dairy industry needs on its side. So I congratulate Mary Atsma-Cameron today on the receipt of this distinguished honor and to commend her before you, my colleagues, for her on-going contributions the dairy industry of California, indeed, the nation.

HONORING THE LIFE OF LOTTIE FOX

HON. TRAVIS W. CHILDERS

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. CHILDERS. Madam Speaker, I rise today with deep sadness by the passing away of such a wonderful, spiritual, gentle, native Mississippian, Mrs. Lottie Fox. Mrs. Fox just celebrated, remarkably, her 104th birthday on Thursday, February 5, 2009. She was the oldest of fifteen siblings.

Lottie was dutiful and diligent and contributed tirelessly as an agricultural farmer to her native Calhoun County community for several years. Upon her retirement from farming, she made Water Valley, Mississippi, her home for over 30 years.

Lottie was a devoted wife, mother, grandmother, great-grandmother and great-great grandmother. She is survived by her daughters, Opeal Trice; Ella Harris; Army Woodward; Bernice Minor; Molly Simmons; Dolly Fant; Catherine Brown; Rudy Swift; her son, Willie Fox and Step-daughters; Ella Coleman and Lela Doolittle. Lottie is also survived by 47 grandchildren, 69 great-grandchildren and 14 great-great grandchildren. Lottie was also a proud and devout member of Everdale Baptist Church.

Madam Speaker, with distinct honor and pride, I along with the citizens of both Yalobusha and Calhoun County, sadly mourn the death of such an inspirational Mississippian, as the 104 year old, Mrs. Lottie Fox. I want to personally thank her for her contributions. Her memory will live on.

HONORING THE MEMORY OF GILBERT ROBERT CRAFT

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. BONNER. Madam Speaker, the city of Citronelle and the state of Alabama recently lost a dear friend, and I rise today to honor Gilbert Robert Craft and pay tribute to his memory.

Known to his many friends as ''Bobby,'' he was a lifelong resident of Citronelle. He graduated from Citronelle High School and Spring Hill College. He also served in the U.S. Army and attained the rank of captain.

Bobby began his career in public service in 1968 when he was elected to the Citronelle Town Council. In 1970, he was appointed to Citronelle's Utility Board, which later became South Alabama Utilities. He served as chairman from 1972 until 1984 when he was named executive director, a position he held for more than 39 years. Under Bobby's leadership, the local utility company encompassing one municipality grew to become one of the most respected utilities in the South, expanding into Semmes, west Mobile County, and at one time, southern Mobile County.

In honor of his service and unwavering devotion to his city, Bobby was twice named Citronelle's Citizen of the Year. He was the owner of two companies, Craft Auto Parts and Craft Oil Company, and was a devoted member of St. Thomas Aquinas Catholic Church where he was a member for more than 70 years.

Madam Speaker, I ask my colleagues to join me in remembering a dedicated community leader and friend to many throughout south Alabama. Gilbert Robert Craft will be dearly missed by his family—his wife, Patricia; his children, Gilbert Robert Craft Jr. and his wife Deena, Patricia D'Nette Fagan, and Matthew Reed Craft and his wife Kirsten; his five grandchildren, Tiffani Marie Craft, Joshua Robert Craft, Blakely Danelle Fagan, Reed Alexander Craft, and Raleigh Connell Craft; and his three brothers, Joseph P. Craft, James B. Craft, and William M. Craft—as well as the countless friends he leaves behind.

Our thoughts and prayers are with them all during this difficult time.

INTRODUCTION OF THE TAX RELIEF FOR TRANSPORTATION WORKERS ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. PAUL. Madam Speaker, I rise to introduce the Tax Relief for Transportation Workers Act. This legislation helps those who work in the port industry cope with the costs of complying with Congress's mandate that all those working on a port obtain a Transportation Worker Identity Card, TWIC. The Tax Relief for Transportation Workers Act provides a tax credit to workers who pay the costs of obtaining TWICs. The credit is refundable against both income and payroll tax liabilities.

When Congress created the TWIC requirement, it placed the burden of paying the cost of obtaining the card on individual workers. Imposing the costs of obtaining TWICs on port workers has several negative economic impacts that Congress should help mitigate by making the cost associated with obtaining a TWIC tax deductible. According to the Department of Homeland Security, a port worker will have to pay between $100 and $132 to obtain a card. The worker will also have to pay a $60 fee for every card that is lost or damaged. Even those employers whose employers pay the substantial costs of obtaining TWICs for their workforce are adversely affected by the TWIC requirement, as the money employers pay for TWICs is money that cannot go into increasing their workers' salaries. The costs of the TWIC requirement may also cause some employers to refrain from hiring new employees.

Ironically, many of the employees whose employers are unable to pay the TWIC are part-time or temporary workers at the lower end of the income scale. Obviously, the TWIC requirement hits these workers the hardest. According to Recana, an employer of port workers in my district, the fee will have a ''significant impact'' on port workers.

Unless Congress acts to relieve some of the economic burden the TWIC requirement places on those who work in the port industry, the damage done could reach beyond the port employers and employees to harm businesses that depend on a strong American port industry. This could be very harmful to both interstate and international trade.

Regardless of what one thinks of the merits of the TWIC card, it is simply not right for Congress to make the port industry bear all the costs of TWIC. I therefore urge my colleagues to stand up for those who perform vital tasks at America's ports by cosponsoring the Tax Relief for Transportation Workers Act.

CALL FOR CONGRESSIONAL INVESTIGATION INTO WHITE HOUSE POLITICIZATION OF THE CENSUS BUREAU

HON. MARSHA BLACKBURN

OF

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mrs. BLACKBURN. Madam Speaker, yesterday we learned of two important developments as the White House plans to grab control of the day-to-day management of the U.S. Census Bureau: (1) The U.S. Senate's chief committee on government oversight scheduled its first hearing of the year to investigate the matter; (2) Senator GREGG withdrew his name for the consideration of the Commerce Secretary position, citing ''irreconcilable difference'' with the President on the future of the U.S. Census.

These developments solidify what we already know: a political grab of the Census will jeopardize the non-partisan operations of the Bureau, and potentially disrupt the completion of a competent, reliable census.

My Republican colleagues on the Energy and Commerce Committee unanimously joined my call for an oversight hearing in the House. The Senate has heard our call. What do House Democrats have to hide? Americans deserve a non-partisan and accurate census, not one driven by partisan politics. Let's hold a hearing and ensure that we give them that.

RECOGNIZING THE FOUNDING OF THE BOY SCOUTS OF AMERICA

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. DAVIS of Illinois. Madam Speaker, I wish to take a moment to acknowledge the

99th anniversary of the founding of the Boy Scouts of America. This organization, which was incorporated on February 8th, 1910, under the laws of the District of Columbia, has long been the largest youth organization in the nation and has done well in producing responsible citizens of strong character.

The Boy Scouts of America was rapid in its initial growth; only two years after its founding, Boy Scout troops were established in every state. Time and time again the Boy Scouts of America has proven its commitment to our nation, with initiatives such as, ''Every Scout Feed a Soldier'' and ''A Good Turn for America''. The past 99 years have seen more than 112 million youth bear the traditions of excellence rooted in the history of the Boy Scouts of America.

In the Chicagoland Area, Scouting is as prevalent of a force as it has always been. Currently, nearly 10,000 youth are actively involved in the Scouting program of our local council. In addition, through the Chicago Area Council's involvement in Learning for Life Programs, over 35,000 additional youth are immersed as well in the principles of scouting. Combining the two programs, nearly one in every seven youth in Chicago is in someway involved in the Scouting program.

I am sure that the spirit of Scouting is present in this very body, as it has been in the past. A survey conducted by the Boy Scouts of America revealed that nearly 60 percent of the membership of the 110th Congress had at some point participated in Scouting.

I am grateful that the twin pillars of the Scout Oath and Scout Law have served to shape the character of both young men and women of all ages, colors, codes, and creeds. With the continued contributions of the Boy Scouts of America and organizations like it, we can be sure that our youth are developing into good citizens.

IN SUPPORT OF RESTORING THE WHITE HOUSE OFFICE OF CONSUMER AFFAIRS

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Ms. WASSERMAN SCHULTZ. Madam Speaker, over the past eight years, American consumer safety has taken a back seat to the special interests. As a result, many Americans have been exposed to dangerous toys for their children, hazardous household products for their families and even contaminated food, resulting in illness. Now is the time to support consumer advocates across the country by encouraging the new administration to restore the White House Office of Consumer Affairs.

Our country gave the government a clear mandate for change in November. Without question, a new focus on consumer safety should be part of this change. Under President Clinton, consumers had an effective advocate with a long record of commitment to protecting consumers in Ann Brown, former Chairwoman of the U.S. Consumer Product Safety Commission. Unfortunately, staff cutbacks suffered by the Food and Drug Administration and the U.S. Consumer Product Safety Commission have undermined effective efforts to protect consumers.

While bipartisan legislation has attempted to address these challenges, it is clear that more progress is required. We must act now. Americans should have confidence that the products they use are safe and will not pose any dangers to them or their families. The new Administration can make significant progress toward this goal by restoring the Office of Consumer Affairs to its rightful place in the Executive Branch. I strongly encourage President Obama's administration to do so, and I echo the New York Times and their call to action.

The editorial follows.

[From the New York Times, Jan. 4, 2009]

A VOICE FOR THE CONSUMER

The time has come to give the American consumer a much stronger voice in Washington. President-elect Barack Obama has already named what amounts to an energy and environmental czar in the White House, and America's beleaguered consumers deserve no less.

Mr. Obama should restore the White House Office of Consumer Affairs, which vanished during the Clinton years, and appoint a director who has both the president's ear and the authority to rebuild the consumer protection agencies that were undercut or hollowed out by the fiercely anti-regulatory Bush administration.

There is no shortage of agencies ostensibly designed to protect consumers. But without an emergency like killer spinach or lead in children's toys, the Bush administration has mostly failed to hear customers' complaints. The consumer safety net is simply far too weak.

The Food and Drug Administration has suffered cutbacks in expert personnel, and still relies too heavily on industry to police itself. Credit-card holders who have been subject to all kinds of Dickensian tricks and traps were finally told by the Federal Reserve that relief is in sight—in 2011. Not so long ago, there was only one official toy tester at the Consumer Product Safety Commission, and oversight generally was so weak that Congress was forced to step in with new protections, which still could be strengthened.

It will be up to the Obama administration to bring these agencies back to life. In part this means restoring the morale of government workers who have too often been stymied by the anti-regulators at the top. It will also mean stronger consumer protection policies and hiring more skilled people. It will mean giving one official responsibility for coordinating the entire apparatus.

Presidents Johnson and Carter both recognized the need for a strong person to do that job. Both chose Esther Peterson, who during about eight years in office pushed for then-radical ideas like nutritional labeling on food and truth in advertising. As the Reagan anti-government era began, the consumer protection job steadily lost clout until it was shuttered in the late 1990s.

During his campaign, Mr. Obama promised consumers that he would help them get a fairer deal. As the victims of lead toys and predatory lenders can attest, they certainly need one. Restoring the Office of Consumer Affairs and appointing a director as strong and capable as Mrs. Peterson would be an encouraging first step.

LONG-TERM SOLUTION FOR LONG-TERM CARE

HON. ADAM H. PUTNAM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. PUTNAM. Madam Speaker, with an ever aging population, most families at one point or another are forced to make a decision regarding the future of a loved one who needs assistance with everyday living. These decisions are made upon few available options and are very costly- many find themselves struggling between the high price of nursing homes or informal family care. The financial and emotional burden on families is vast and action such as the ''Long-term Care Retirement and Security Act of 2009'' must be taken.

Long-term care is a variety of services that includes medical and non-medical care to people who have a chronic disability or illness. This form of care may be provided at home, in the community, in assisted living or in nursing homes. While long-term care is often used for the elderly, it is important to remember that it could be needed at any age.

It is important to note that families who choose to care for their loved ones are left responsible for otherwise costly services because Medicare does not pay for long-term care. Adult children or grandchildren are cited as the main care givers to the elderly population. According to research conducted by the American Association of Retired People (AARP), two-thirds of older people with disabilities relied solely on ''informal'' help; approximately 75% of which was unpaid care from friends and family. The AARP Public Policy Institute reported that the annual economic value of unpaid long-term care in the United States is approximately $354 billion, based upon an estimation that 34 million adults provided some type of long-term care in 2006.

It is time to address the growing needs of our aging population and motivate younger generations to take the necessary steps toward insuring their long-term care needs. For this reason, I have reintroduced the Long-term Care and Retirement Security Act, H.R. 897.

This legislation would encourage individuals to plan for their own long-term care needs by amending the Internal Revenue Code to allow a tax deduction for eligible long-term care insurance premiums for a taxpayer and the taxpayer's spouse and dependents. This legislation would also establish an applicable tax credit for eligible caregivers caring for individuals with long-term care needs, multiplied by the number of individuals receiving care. The Long-term Care and Retirement Security Act would also permit long-term care insurance to be included in employee benefit cafeteria plans and flexible spending arrangements, resulting in more active employees participating in long-term care policies. Finally, this long overdue measure would establish consumer protections based on the National Association of Insurance Commissioners' recommendations for qualified long-term care policies.

It is my hope that this legislation will encourage more Americans to take personal responsibility for their long-term care needs through these incentives and help families afford long-term care insurance.

TRIBUTE TO MARTHA PUTNEY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. HASTINGS of Florida. Madam Speaker, I rise today to pay tribute and honor the life and legacy of Martha S. Putney, of Washington D.C. Mrs. Putney passed away December 11, 2008, at age 92.

Mrs. Putney was one of the first black women to serve in the Women's Army Corps during World War II. She is also a renowned historian and made strong contributions to the African American history literature.

Martha Settle was born in Norristown, Pa. She attended Howard University in Washington D.C. from which she earned a bachelor's degree in 1939 and a master's degree in history in 1940.

Martha encountered racial barriers when trying to start a teaching career. Unable to find a job, she entered the government's War Manpower Commission as a statistical clerk. In 1943 she was one of the first black women to join the Women's Army Corps, then less than a year old. In the Army, she experienced segregation and racial discrimination.

In 1946, Martha Putney left the women's Army Corps with the rank of first lieutenant. She married William M. Putney in 1948. She eventually began her dreamed teaching career after earning a doctorate in European history from the University of Pennsylvania in 1955. She became a history teacher at Bowie State College in Maryland, where she chaired the history and geography department until 1974. She then taught at Howard University in Washington D.C. until 1983.

Dr. Putney wrote ''Black Sailors: Afro-American Merchant Seamen and Whalemen Prior to the Civil War,'' in 1987 and ''When the Nation Was in Need: Blacks in the Women's Army Corps During World War II'' in 1992. She also published a number of scholarly articles on African American history.

Madam Speaker, Mrs. Putney was an outstanding mother, soldier, teacher and author. I know the Members of the House will join me in expressing our sincere condolences to Mrs. Putney's son, William M. Putney Jr. On behalf of Congress, I thank Mrs. Putney for her great contributions to our nation and for her role in educating our children.

HONORING THE MEMORY OF THE MR. ROBERT C. PETTY SR.

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. BONNER. Madam Speaker, the city of Mobile and indeed the entire state of Alabama recently lost a dear friend, and I rise today to honor him and pay tribute to his memory.

Robert C. Petty Sr. was a musical legend in Mobile.

As the senior member of Mobile's Excelsior Band, Mr. Petty spent more than 50 years with the band, performing its Dixieland and conventional jazz in local Mardi Gras parades, at many Mobile weddings, and other special city events.

Anyone who knew Mr. Petty knew he loved playing the trombone. In addition to the Excelsior Band, which has marched the streets of downtown Mobile for over 100 years, he had been the lead trombonist with the E.B. Coleman Orchestra and the C.T. Jazz Ensemble. He was a longtime member and former president of the Musicians Federation Union as well as a veteran of the U.S. Army, where he also played in the band.

Mr. Petty was a 1937 graduate of Dunbar High School and received his Bachelor of Science degree in history from Morehouse College in 1950. While he was at Morehouse, he played the trombone and was awarded the Morehouse Service ''M'' in band for his outstanding performance. Mr. Petty was also a retiree of the U.S. Postal Service.

Madam Speaker, the Excelsior Band—and Mobile Mardi Gras—will not be the same, and I ask my colleagues to join me in remembering this talented man. Robert C. Petty Sr. will be deeply missed by his family—his wife of more than 50 years, Gloria; his seven children, Phyllis McArthur, Robert Petty Jr., Cynthia Taylor, Sharon Kuttner, Minda ''Carol'' Petty, Kenneth Petty, and Wendell Petty; his 14 grandchildren, and his two great-grandchildren—as well as the countless friends he leaves behind.

Our thoughts and prayers are with them all at this difficult time.

HONORING MAJOR SHELIA FLOWERS FOR HER PROMOTION TO LIEUTENANT COLONEL IN THE UNITED STATES ARMY RESERVE

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. GINGREY of Georgia. Madam Speaker, I rise today to honor a fellow Georgian, Major Shelia Flowers. Major Flowers hails from Robersonville, North Carolina. In 1987, she graduated from North Carolina Agricultural and Technical State University with a bachelor's degree in Business Administration. After graduating, she was commissioned a Second Lieutenant and attended the Adjutant General Officer Basic Course at Fort Benjamin Harrison, Indiana.

Major Flowers has held numerous challenging positions throughout her 21 years of service in the Army Reserve. Her assignments as a drilling reservist have included: (1) Serving as a Civil Affairs Officer with the 407th Civil Affairs Company at Fort Snelling, Minnesota; (2) Platoon Leader with the 342nd Adjutant General Postal Company in Rome, Georgia; (3) and a Lanes Training Observer Controller with the 1st Battalion of the 347th Regiment located at Fort Gillem, Georgia. While in her last drilling assignment, Major Flowers earned a Master of Science degree in Conflict Resolution from Kennesaw State University.

In 2003, she was mobilized in support of Operation Noble Eagle/Enduring Freedom and has spent the last six years of her career on active duty. Her parent command is the U.S. Army Reserve Command Headquarters at Ft. McPherson, Georgia. While mobilized to active duty, she served in the G–1 Directorate in support of Operation Noble Eagle as a Crisis Action Team Leader, Equal Opportunity Officer, Sexual Assault Prevention and Response Program Manager, and Staff Action Officer.

Major Flowers was assigned to directly support Operation Enduring Freedom upon her transfer to OARDEC in November 2007. She has performed myriad tasks with ease including ARB Case Research Officer, CRO, Lead Case Research Officer, and Tribunal Recorder.

Major Flowers' professional military education includes the Adjutant General Officer Advance Course, Combined Arms and Services Staff School, and Command and General Staff College. She has applied to the Naval War College. Her military decorations include the Meritorious Service Medal, Army Commendation Medal and the Army Achievement Medal.

In keeping with one of the tenets that sustains the Reserve Component, Major Flowers serves her community as a member of a 100 year old service organization, the Alpha Kappa Alpha Sorority. She is an 18-year employee of Lockheed Martin Corporation. She is married to LTC Eric Flowers, who is currently deployed to the Horn of Africa, and they have one daughter.

Major Shelia Flowers is being promoted to Lieutenant Colonel today, and I would like to extend her my congratulations on the floor of the United States Congress and thank her for an exemplary record of service to our nation. The United States—and my home state of Georgia—are proud of Lieutenant Colonel Flowers' commendable professional competence, sound judgment, and total dedication to duty. She has reflected great credit upon herself and upholds the highest traditions of the United States Army Reserve. I wish Shelia and her husband all the best in their future endeavors, and I thank them once again for their leadership in serving our nation.

PERSONAL EXPLANATION

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Ms. GRANGER. Madam Speaker, on rollcall No. 57, I was absent from the House. Had I been present, I would have voted ''nay.''

HONORING THE MEMORY OF ALABAMA STATE SENATOR W.H. ''PAT'' LINDSEY

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. BONNER. Madam Speaker, the state of Alabama recently lost a dear friend, and I rise today to honor Alabama State Senator W.H. ''Pat'' Lindsey and pay tribute to his memory.

Considered by many to be a living legend in Alabama politics, Sen. Lindsey was one of the most powerful members of the Alabama Senate. At the time of this death, he held the second longest active tenure in the state Senate.

Born in Meridian, Mississippi, Sen. Lindsey graduated from Choctaw County High School, where he was a five-year letterman in football,

basketball, and baseball. He received his Bachelor of Science degree in geology from the University of Alabama. He served in the U.S. Army and Army Reserves from 1958 until 1963 and in the Alabama Army National Guard's 156th Military Police Battalion from 1963 until he retired with the rank of captain in 1972. In 1963, he graduated from the University of Alabama School of Law and, just three years later, was elected to the Alabama Senate and served two terms until 1974.

Sen. Lindsey returned to the Alabama Senate in 1990 and was reelected in 1994, 1998, 2002, and 2006. He was a longtime member of the Senate Judiciary Committee and was well known for questioning his fellow lawmakers on how their bills would affect everyday people. With his background in geology, Sen. Lindsey was regarded by his colleagues as an expert on oil and natural gas exploration and was often sought out by his colleagues for his advice on related legislation.

Described by the Choctaw Sun-Advocate as a ''champion of education,'' Sen. Lindsey was well-known for his ''staunch support, both financial and otherwise, of K–12 and the college level education.'' He played a key role in securing funds for the construction of the library and adult education center at Alabama Southern Community College in Gilbertown. At the opening of the W.H. ''Pat'' Lindsey Library and Adult Education Community Center in March of 2005, Sen. Lindsey told the crowd, ''There are two things that I have a passion for: kids playing ball and libraries. I've had other things named for me in other places, but this means more because this is home.''

Beginning in 1993, Sen. Lindsey served for 12 years on the board of trustees of the University of South Alabama and, in that capacity, he was instrumental in helping to improve the university's academic and healthcare missions. He was a member of the Alabama Bar Association, the American Bar Association, the Choctaw County Chamber of Commerce, and the University of Alabama Alumni Association. Sen. Lindsey had also represented both the Choctaw County Commission and the town of Butler as chief legal counsel since 1965.

Madam Speaker, I ask my colleagues to join me in remembering a dedicated community leader and friend to many throughout Alabama. Senator W.H. ''Pat'' Lindsey will be dearly missed by his family—his son, Patrick Lindsey; his daughter, Lori Champion and her husband Jamey; his sister, Kay Kimbrough; and his two grandchildren, Kate and Sophie—as well as the countless friends he leaves behind.

Our thoughts and prayers are with them all during this difficult time.

CREATING AWARENESS ABOUT HEART DISEASE

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, In an effort to create awareness about an issue that hits close to home, I want to share with you that February 7–14th is National Congenital Heart Defect Awareness Week.

It is a little known fact that the number of children affected by heart disease is higher than those affected by Autism or Down Syndrome. According to the March of Dimes, congenital heart defect is the number one birth defect. In the U.S. alone, more than 25,000 babies are born each year with a defect, many of which are undetected and life threatening.

Chances are that you or someone you know, including my family, has been affected by a similar circumstance. Although it is a difficult and fearful process, there are a lot of families in our community who have been through it and are willing to offer their support. In South Florida, we are fortunate to have the Holtz Children's Hospital, where our son Cristian was treated for a serious heart condition, among other incredible hospitals. While good medical care is critical, it is also important to have a strong support group. Hospitals often offer guidance in getting families in touch, and there is also the Angel's Pediatric Heart House, which focuses on helping the entire family cope with the diagnosis. Families affected by heart disease do not have to feel alone, because they are not.

OREGON'S NATIVE AMERICANS DURING THE SESQUICENTENNIAL ANNIVERSARY OF OREGON

HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. WU. Madam Speaker, on February 14, 2009 we will mark the 150th anniversary of Oregon's admission to the Union. We have much to reflect upon and celebrate since Oregon became the 33rd state. As we commemorate this occasion, I would like to highlight the role of Indian tribes in Oregon.

We must not forget the original inhabitants of what we now call Oregon. Native Americans have been living in this region for well over 12,000 years. During this time tribes developed strong cultures and economies, many of which were well documented first via oral histories, and later by white settlers. Many of the tribes were formally recognized by the United States when treaties were signed in 1855, four years before Oregon became a state.

We must not attempt to overlook the loss of lives, culture, and well-being that tribes have experienced during the last several hundred years. However, what we can do, and must do, is remember and celebrate the first Oregonians; their history before Oregon; and their cultural, economic, and political contributions during the last 150 years.

Nine federally recognized tribes exist in Oregon. Each tribe has its own history that is interwoven with the history of Oregon. Today many tribes are experiencing economic development and cultural revitalization through self-determination. For others, more work needs to be done. Poverty in Indian country continues to be greater than in the rest of the United States. But as we move into the next 150 years of Oregon's history, it is my hope that the federal government, the state of Oregon, and the tribes can work together to improve the lives of tribal members and others in their communities.

So on the occasion of Oregon's sesquicentennial, I recognize the Indian tribes for their historical, cultural, political, and economic contributions to the state of Oregon.

CONGRATULATING GEORGE WERNETH ON THE OCCASION OF HIS RETIREMENT FROM MOBILE'S PRESS-REGISTER

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. BONNER. Madam Speaker, it is with both pride and pleasure that I rise today to honor George Werneth on the occasion of his retirement from Mobile's Press-Register.

Over the course of his career, George has played an influential role in honoring the service and actions of our nation's servicemen and women. After nearly four decades of reporting issues ranging from maritime operations to military news, George has become the trusted voice for the news of Alabama's veterans.

In honor of his efforts, George was recently made an honorary member of the Marine Corps League at the American Legion Post 88 in Mobile. One of George's latest accomplishments was a series of stories he wrote profiling a veteran from Eight Mile, Alabama, who struggled to receive disability care after having been ''waterboarded'' in a 1975 Navy survival course. Due in large part to George's spotlight highlighting the oversight, the veteran soon received his benefits.

Madam Speaker, George Werneth's distinguished career in journalism has provided a great service to the people of southwest Alabama, and I know his colleagues, family, and friends join with me in praising him for his years of hard work.

George will surely enjoy the well deserved time he now has to spend with family and loved ones. On behalf of a grateful community, I wish him the best of luck in all his future endeavors.

INTRODUCTION OF THE ILLEGAL, UNREPORTED, AND UNREGULATED FISHING ENFORCEMENT ENHANCEMENT ACT OF 2009

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Ms. BORDALLO. Madam Speaker, today I have introduced a bill to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated (IUU) fishing. The difficulties of managing fish stocks that migrate across political boundaries are exacerbated by the increased fishing power now available as a result of modern technology. While the United States is recognized for its commitment to domestic fisheries conservation and as an international voice in science-based ocean conservation, the failure of other nations to adopt similar approaches has both economic and conservation implications for U.S. industry and management. Additional action is needed from Congress if we are to be successful in combating IUU fishing and the depletion of fish stocks worldwide.

Recent reports have documented that IUU fishing accounts for between 11 and 19 percent of the reported global fish catch, or $10–25 billion in gross revenues each year (MRAG, 2005, Sumaila et al., 2006 and

Agnew et al., 2008). This undermines the United States' conservation focused approach to fisheries management and the efforts of its fishermen, and has implications for sustainable international fisheries that benefit the world's marine ecosystems. Unsustainable fishing practices by foreign fishing fleets adversely affect stocks that migrate between the U.S. Exclusive Economic Zone (EEZ) and the high seas. This problem can be particularly acute in places like Guam, where the EEZ is vast, and where the United States Coast Guard, despite its best efforts, will never have sufficient resources to patrol all of our waters.

There are many ways to address the issue of IUU fishing, including depriving fishers of the economic benefits of illegal fishing, increasing leverage on nations to effectively monitor and control their fishing vessels, and building capacity for enforcement and good governance in developing countries, all of which were addressed with the 2006 reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act (MSA). The January 13th release of the National Oceanic and Atmospheric Administration's (NOAA) biennial report to Congress of identified IUU nations was a positive first step in addressing IUU fishing. Notwithstanding these and other efforts by NOAA, the Department of State, and the United States Coast Guard, further enforcement authorities could enhance the ability of these agencies to address IUU fishing.

The ''Illegal, Unreported, Unregulated Fishing Enforcement Enhancement Act of 2009'', which I have introduced today, will further enhance the enforcement authority of NOAA and the United States Coast Guard to regulate IUU fishing. This bill would amend the High Seas Driftnet Fishing Moratorium Protection Act (HSDFMPA) and other international and regional fishery management organization (RFMO) agreements to incorporate in them the civil penalties, permit sanctions, criminal offenses, civil forfeitures and enforcement sections of the MSA. It would also strengthen the enforcement authority of NOAA and the United States Coast Guard to inspect conveyances, facilities, and records involving the storage, processing, transport and trade of fish and fish products, and to detain fish and fish products for up to five days while an investigation is ongoing.

In addition, this bill makes technical adjustments to allow NOAA to more effectively carry out current IUU identification mandates, including extending the duration of time of identification of violators from the preceding two years to the preceding three years. This bill also broadens data sharing authority to enable NOAA to share information with foreign governments and to clarify that all information it collects may be shared with international organizations and foreign governments, particularly for the purposes of conducting enforcement. These amendments promote the conservation and sound management of fish stocks internationally and in a manner that is consistent with the expectations placed on U.S. fishermen.

Finally, this bill would establish an international cooperation and assistance program to provide funding and technical expertise to other nations to help them address IUU fishing. It authorizes $5 million annually from 2010 to 2015 to carry out this program oriented towards establishing a coordinated and effective global system to combat IUU fishing.

IUU fishermen are ''free riders'' who benefit unfairly from the sacrifices made by U.S. fishermen and others for the sake of proper fisheries conservation and management. I look forward to working with my colleagues on both sides of the aisle to advance this important bill through the legislative process.

HONORING RALPH GRANT

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Ms. LEE of California. Madam Speaker, I rise today to honor the extraordinary life of Mr. Ralph Grant. An Oakland icon, loving father, husband, friend, and compassionate soul, he will be dearly missed by all who knew him. Ralph passed away on February 2, 2009.

Ralph was my accountant but, more importantly, he was my friend; he was my brother. Like many, I could totally trust him with my private business and I benefitted from his ''tough love.'' As his client, he gave me solid advice on my personal matters. My former company, the W.C. Parish Co., Inc., survived many ups and downs thanks to Ralph's genius, his patience and his wise counsel.

Mr. Grant was a graduate of McClymonds High School in Oakland, CA. His educational experiences included earning both his Bachelor of Arts (Accounting) and Masters of Business Administration (MBA) degrees from San Francisco State University, and his Doctor of Jurisprudence (JD) degree from Golden Gate University.

Mr. Grant's professional accomplishments are extremely impressive and span the areas of law, accounting, taxation, investment banking, real estate, and professorship. Mr. Grant was a J.D. as well as a CPA. He founded Grant & Smith, LLP, a certified public accounting and management-consulting firm, located in Oakland, California which has serviced the San Francisco Bay Area for over thirty years.

Prior to establishing Grant & Smith, LLP, Mr. Grant's professional experiences included five years as an Internal Revenue Service Agent with the United States Treasury Department, and three years as an instructor in taxation and small business management at San Francisco State University. He was also a real estate broker, an officer of RVS Realty & Mortgage Corporation, and a member of RVS Investment Advisors of California, LLC, a registered investment advisory firm.

Mr. Grant was licensed with the California State Bar, the California State Board of Accountancy, the Supreme Court of the State of California, the United States Tax Court, California Department of Insurance, and the California Department of Real Estate. Mr. Grant also passed the Series 7 and 66 examinations.

Mr. Grant's organizational affiliations included memberships with the National Association of Black Accountants, American Institute of Certified Public Accountants, California Society of Certified Public Accountants and Charles Houston Bar Association. Mr. Grant was elected to and served as the 2004–2005 Western Region Representative and San Francisco Bay Area Chapter Director for the National Association of Black Accountants Division of Firms.

With all of these professional accomplishments, Mr. Grant's deep commitment to the community was unparalleled. Mr. Grant was a philanthropist who cared deeply about youth and education. He regularly provided volunteer services as a board member to entrepreneurial and youth focused not-for profit organizations such as the Marcus Foster Educational Institute, Oakland African American Chamber of Commerce, Eddie Walker Memorial Scholarship Fund, Donald McCullum Youth Court and the Oakland Private Industry Council. With all of these activities, one of Mr. Grant's favorite pursuits was coaching in the Oakland Metropolitan Babe Ruth Baseball League, and he often joked that this occupied his ''spare time.''

Several years ago I had the opportunity to work with Ralph to take the team to Cuba. My official duties prevented me from going, but Ralph and I enjoyed many conversations about his experience in Cuba. He was truly a Renaissance man who had dreams and worked to make them come true.

Ralph showed us how to live life to its fullest and he showed us how to die with dignity and with grace. For that we are deeply grateful. Although we will miss him in our daily lives, his spirit will be kept alive by embracing his mantle of service, mentorship, strength, commitment and compassion.

Today, California's 9th Congressional District salutes Ralph Grant, honoring his incredible life and inspiring legacy. We thank his family for sharing this amazing human being with us, especially his wife, Gloria Grant, his two children, Casey Grant and Kimberley Henderson, his son-in-law Lee Henderson, and a host of additional family members and friends. May the Grace of God reassure his family that his soul is resting in eternal peace.

TRIBUTE ON THE 100TH YEAR PASSING OF GOYATHLAY

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. GRIJALVA. Madam Speaker, I rise today to commemorate the 100th year passing of Goyathlay.

Goyathalay or Goyaalé, also known as Geronimo, was a Chiricahua Apache leader that leader that led the Apache people through some of the roughest times they would experience.

Goyathlay is a strong figure in the history of the Apache people. He was considered by many a great spiritual and intellectual leader and is recognized throughout the country as a military leader during the late 1800s.

On this anniversary Apache Tribes from Arizona, New Mexico, and Oklahoma will join in San Carlos, Arizona to begin a healing process.

Next week's gathering will be a search for answers for some and a healing for others.

For all present it will be a reflection of what the Apache people endured and the strength that lies within them. The Apache have overcome great adversity, but they are strong as a culture, as a people and in what their future holds.

The Apache people are working to connect families, tribal members, and communities that were separated while Goyathlay was alive.

Goyathlay was a strong believer in the sovereignty of his nation, a struggle he had regularly with the representatives of the US Government at the time that did not understand the Apache ways or homelands.

Madam Speaker, I would hope that our country has learned and corrected its ways since the passing of Goyathlay. That we as a nation commit to ensuring families are kept together, not separated. And that we as a nation do not negate the culture and tradition of others.

I believe that we all join with the Apache people in working to find answers and heal.

I commend the Apache people for their strength and work in uniting. We must care for our elders and provide them peace. We must remind our children of our past and educate them to pursue a just future of respect and to not allow atrocities to occur anywhere.

RECOGNIZING THE LIFE AND PUBLIC SERVICE OF JUAN LUJAN PANGELINAN

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Ms. BORDALLO. Madam Speaker, I rise today to honor the life and service of Juan Lujan Pangelinan, who passed away on January 23, 2009. Juan was a dedicated public servant who served as a Commissioner of Agana Heights, an elected position now called Mayor.

Juan was born on May 18, 1922 to Francisco Borja and Natividad Lujan Pangelinan in Anigua, a district of Hagatna, Guam's capitol. Experience he gained working with his family businesses in Sumay, the pre-war economic center of Guam, paved the way for his entrepreneurial spirit and establishment of his own commercial ventures after World War II.

He co-founded Kotla's Store, and as one of the island's first village retail stores, Kotla's Store prospered for over forty years as a community corner store and laundromat. He established the ''Villa Kotla'' where many of his family members reside today. He was known for using his personal resources to help families in his village during their time of need.

For his commitment to his village, the community of Agana Heights elected Juan as Guam's first write-in village commissioner in 1952 and re-elected him to four consecutive four-year terms. As the elected leader of his village, Juan avidly involved himself in various community organizations. He founded the Agana Heights Drum and Bugle Corps, Majorettes and Armed Drill Team to provide the youth of the village the spirit and pride of community. In the aftermath of the devastation of Super typhoon Karen in 1962 Juan helped in finding shelters for families whose homes were destroyed.

Juan's community spirit extended beyond his village as a member of the Helping Hands of Guam, the Young Men's League of Guam, the Agana Heights Holy Name Society, and the Agana Heights Association. Juan retired after thirty years of dedicated public service to our island community.

With a passion for family genealogy, Juan published two books, Familian Kotla and Familian Haniu and began working on Familian Lujan and Familian Untalan. Today, these genealogies provide accurate histories, not only of the families of which Juan Pangelinan was a part of, but also of the communities of Agana, Agana Heights, Anigua, Sumay and other villages on Guam.

My thoughts and prayers are with his surviving siblings Sister Mary Alma, RSM, and Luisa and Antonio, his children, Frank, Toni, Tita, Loling, John, Gerianne, and Joseph and his grand children and great grand children. We honor his life's work as a civic leader and his contributions to our community. Most of all, he will be remembered by many as a generous and giving man. We are grateful for his public service and we will miss him dearly.

LEE V. CHARLTON PRESENTED WITH THE MARTIN LUTHER KING JR. DISTINGUISHED SERVICE AWARD

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. FRANK of Massachusetts. Madam Speaker, while I very much enjoyed attending the Democratic Retreat and found it very valuable, it did have one downside for me: It meant that I had to miss the ceremony held at the Public Library in New Bedford on Saturday, February 7th, recognizing Lee V. Charlton for the great work he has performed on behalf of equality for all in Southeastern Massachusetts, and indeed for all that he has done in a wide variety of ways to improve the quality of life in the Greater New Bedford area.

In recognition of his leadership role, including his longtime presidency of the New Bedford branch of the NAACP, his work in the YMCA, his efforts on behalf of United Front Housing, the leadership he has shown in our community action agency, People Acting in Community Endeavors, and many other areas, he was presented with the Martin Luther King Jr. Distinguished Service Award by Bridgewater State College at this year's Martin Luther King Breakfast. I very much regret the fact that the Inauguration of our new President also kept me from attending that event, because I would very much have liked to have been there to pay a very well-deserved tribute to Lee Charlton. As a Member of Congress representing New Bedford since 1993, I have benefitted enormously from Lee Charlton's commitment, wisdom and thoughtful approach to public policy.

Madam Speaker, as a dedicated public servant, serving as plant engineer at New Bedford High School and the Greater New Bedford Regional Vocational Technical High School, and as a citizen activist, Lee Charlton has been a source of strength on whom others have relied.

It is entirely fitting that he was given the Martin Luther King Award, and that the people of his home city of New Bedford honored him on February 7th. Lee Charlton is an example of the kind of citizenship we should be promoting and I ask that the information about Mr. Charlton and the award he won be printed here.

THE MARTIN LUTHER KING JR. DISTINGUISHED SERVICE AWARD

MR. LEE V. CHARLTON

Mr. Charlton has been president of the New Bedford branch of the National Association for the Advancement of Colored People (NAACP) since 1983, He has also held office on the regional level, representing 20 NAACP branches in Massachusetts, New Hampshire, Maine, Rhode Island and Vermont.

His affiliations are numerous as he has served on boards of directors for the Greater New Bedford YMCA, the Salvation Army of New Bedford, United Front Housing, South Shore Minority Business Circle, People Acting in Community Endeavors, New Bedford Historical Society, South Center Community Development Corp. and New Bedford Economic Development Council, among many others.

Prior to his retirement, he was plant engineer at both New Bedford High School and later at Greater New Bedford Regional Vocational Technical High School. Previously, he was employed with IBM and at the Job Corps Center of New Bedford. He served for eight years in the United States Air Force in civil engineering in the field of steam engineering, HVAC and plumbing.

He has earned numerous professional and community awards in recognition and appreciation of his service and contributions, especially in the arena of social justice.

A native of West Virginia, he is the husband of Francisca (Britto) Charlton. They have two children, Kenneth L. Charlton, and Karen L. Charlton, and a great-grandchild, Lee V. Charlton II. Mr. Charlton is a graduate of Huntington High School in Huntington, WVa, the Steam Engineering/Utilitiesman School of the United States Air Force and the United States Navy in Oxnard, CA; Customer Engineering School at IBM in Boston; and the Refrigeration/Air Conditioning Services Engineers in Boston.

LEE V. CHARLTON

Lee V. Charlton was born in Coalwood, West Virginia, the son and grandson of bituminous coal miners. Charlton attended all-black segregated schools until 1956 when he transferred from Frederick Douglass High School to his neighborhood school, the predominantly white, Huntington High School in Huntington, West Virginia. Charlton made local history by being the first African to show up and play for the school's football team. While stationed in at Keno Air Force Station in Klamath Falls, Oregon, Charlton and two other airmen from Kingsley Field requested the assistance of the local NAACP. The Klamath Falls Branch of the NAACP met in private homes and was at least 60% white. The Klamath Falls Branch inspired Charlton to ''pay back the support whenever possible.'' Charlton was quoted as saying ''because the NAACP and the state of Oregon upheld my civil rights, while the military denied three career airmen the right to wear their military uniforms to the discrimination hearing. I will forever grateful and indebted to the cause of the NAACP.

Charlton's expressed indebtedness to the NAACP proved to be no idle declaration. Charlton served as 2nd Vice and 1st Vice President from 1978–1982. In 1983 Lee V. Charlton began the first of twelve consecutive terms of President of the New Bedford Branch, twenty four years of stellar leadership to the organization that he held so dear to his heart. In addition to service to the New Bedford Branch, he has served in numerous capacities with the NAACP New England Area Conference of Branches. This including being elected three times as 1st Vice President to NEAC/NAACP. His contributions and impact have been realized throughout the region. During those twenty four years Charlton served with distinction, raising the stature, stability, and accomplishments for and through the Branch.

In 1996, Lee Charlton joined with former City Councilor, George Rogers to move the

City of New Bedford to pay proper tribute to one its greatest historical figures, the slave abolitionist, feminist, and champion of universal human rights, Frederick Douglass, who formerly lived in New Bedford. Charlton and Rogers were instrumental in getting a marvelous monument to Frederick Douglass erected in front of City Hall. More than erecting the monument, the effort served to bring greater attention and awareness of people of New Bedford to the historical contributions of New Bedford's people of color. To enhance his effectiveness as President of the NAACP Carlton has volunteered to serve on many community executive boards or Committees. The following is a partial list: Chairman; New Bedford Title I Parents Advisory Council, Moby Dick Boy Scouts/OLOA Church; Chairman, webelo Leader, Scoutmaster, Executive Boards; SouthCoast YMCA, Salvation Army, People Acting in Community Endeavors (PACE), United Front Homes Board of Directors, New Bedford Economic Development Council, Cooperator Compass Bank, Garden Of Peace (Boston), New Bedford District Wide School Improvement Council, South Central Community Development Corporation, First Vice President; South Shore Minority Business Circle.

TRIBUTE TO DOMINICAN HERITAGE MONTH ON THE 165TH ANNIVERSARY OF THE INDEPENDENCE OF THE DOMINICAN REPUBLIC

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. RANGEL. Madam Speaker, today I join with the hundreds of thousands of Dominican residents of my congressional district and across our Nation to commemorate February 27th, the 165th anniversary of the Dominican Republic's Day of Independence. This celebration comes at the tail end of Dominican Heritage Month.

Dominican Heritage Month gives us the opportunity to acknowledge and applaud the economic, cultural, and social contributions Dominican Americans have made to this great nation. Dominicans living in our shores have been motivated by the value of hard work and the bonds of family—the same pillars of our society that have built this great Nation for over 230 years.

It also gives us an opportunity to consider the many Dominican achievements, on the island and in the United States. Many of our hemisphere's first institutions were established on the shores of Quisqueya, including the first cathedral and the oldest university.

Since the initial wave of Dominican migration in the 1960s to the most recent arrivals of today, Dominicans have worked hard to contribute to our national identity, educating us all on their culture and traditions and enriching the quality of our shared futures. Their contributions can also be found in every facet of U.S. life—from the many baseball stars in our national pastime, to fashion legend Oscar de la Renta to the thousands of professionals that do battle as soldiers, doctors, lawyers, journalists, educators, and public servants.

This past year, the Dominican community and I shared the loss of our fallen soldier, Army SGT Jose E. Ulloa, who lost his life tragically in Sadr City on August 9, 2008, in support of Operation Iraqi Freedom. We also shared the grief of Hurricanes Gustav and Hanna, the deadliest storms of the 2008 hurricane season, along with hurricanes Ike and Fay responsible for approximately 14 deaths and the displacement of more than 20,000 people in the Dominican Republic.

The Dominican people are known to triumph in the face of tragedy. They first began their campaign for the independence of the Dominican Republic in 1831 under the leadership of Juan Pablo Duarte, who formed a secret society named The Trinity. Thirteen years later, he succeeded in commanding a decisive uprising, which resulted in independence for the Dominican Republic. After the long and hard campaign for freedom had ended, a ceremonial musket shot fired on February 27, 1844, marked the Dominican Republic's first official Independence Day.

Madam Speaker, I ask that you and my distinguished colleagues join me in marking this celebration of not just the independence and triumphs of the Dominican people, but also the invaluable impact that this small island nation has had on our country and the world.

HONORING THE LIFE AND ACHIEVEMENTS OF JOSEPH C. MURPHY

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Ms. BORDALLO. Madam Speaker, I rise today to honor the life and achievements of Joseph C. Murphy, who passed away on February 5, 2009. Joe will be remembered as a former editor of the Pacific Daily News and as a sharp-witted columnist.

Joe was born on February 23, 1927, in Appleton, Wisconsin. At the age of 17 he joined the United States Navy and spent a year in combat during World War II. He returned home to finish high school and later obtained a degree in journalism from the University of Wisconsin at Madison. After graduation, Joe worked as a reporter, editor and columnist in Wisconsin, Oregon, and California before moving to Guam in 1965.

Joe was the editor of the Guam Daily News, the precursor to the Pacific Daily News, a Gannett newspaper. He wrote an insightful column called ''Pipe Dreams'' which made us laugh, think and debate. His writings were observations and musing on island life, our unique community, and local politics.

Over the years he developed the concept of ''OOG'', ''Only On Guam'', a phrase that became synonymous with island life and oddities about our community. His humorous OOG anecdotes were later consolidated into two publications, Guam Is a Four Letter Word and Son of a Four Letter Word.

Joe loved Guam and his columns often urged our community and our leaders to tackle the challenges of a developing island. He often wrote retrospective pieces where he observed the progress and changes that our island has undergone since his arrival forty four years ago.

My thoughts and prayers are with his wife Marion, their children, Colleen, Maureen, Shannon, Kerry, Tim, Erin, Megan, and Joey and their extended family and friends. We honor his life's work as a journalist and his contributions to our community. Most of all, he will be remembered by many as a gifted writer who had an enormous impact in our island community. We are grateful for his contributions and we will miss him dearly.

RECOGNIZING THE FOOD BANK OF CENTRAL AND EASTERN NORTH CAROLINA

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. BUTTERFIELD. Madam Speaker, I rise to recognize the dedication and labors of the people at Greenville branch of the Food Bank of Central and Eastern North Carolina. The Greenville branch of the Food Bank has distributed more than 50 million pounds of food to people in 10 counties since 1999. While this reflects a tremendous amount of success and effort, it also highlights the intensity of hunger facing families in eastern North Carolina.

The Food Bank of Central and Eastern North Carolina was established in 1980 to provide food to people at risk of hunger in 34 counties in central and eastern North Carolina. In 2006–07, the Food Bank distributed over 32.6 million pounds of food through 870 partner agencies including soup kitchens, food pantries, shelters and afterschool programs for children.

Nearly 30 percent of the people served by the Food Bank's network are children, and another 18 percent are elderly. Thirty-eight percent of the families served are the ''working poor''—people who work hard and still have to choose between eating and other basic necessities such as medicine and housing.

Even before this severe economic downturn, families were struggling to put food on the table. And as the crisis deepens, it is intensifying the struggle for millions of Americans to keep from going hungry.

Food banks across the country are seeing appreciable increases in requests at a time when the U.S. Department of Agriculture reports that more than one in ten American households are struggling to get enough food.

In the nation with the safest, most abundant food supply in the world, it is unconscionable that so many people go hungry. There is a moral obligation and a necessary responsibility we have as Americans to ensure a strong country for future generations. I am proud that the good people at the Food Bank of Central and Eastern North Carolina have answered that call.

Madam Speaker, today I ask that my colleagues join me in celebrating and acknowledging the efforts of the Food Bank of Central and Eastern North Carolina, which embodies the essence of what we believe in: local citizens and businesses pulling together to help solve a local problem.

THE INTRODUCTION OF THE KEEP OUR PACT ACT

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. VAN HOLLEN. Madam Speaker, it is with a sense of urgency that I reintroduce the Keep Our Promises to America's Children and Teachers Act at the beginning of the 111th Congress.

I offer the Keep Our PACT Act today to help meet the aspirations of our nation's school children—and to help provide all of their teachers and schools with the resources they need to help them achieve those aspirations. Additionally, I offer this bill as a reminder to those of us in government of the importance of keeping our promises and of truly making education a priority.

Put simply, the Keep Our PACT Act would put Congress on a fiscally responsible path to fully funding the No Child Left Behind Act and the Individuals with Disabilities Act—on a mandatory basis, once and for all.

Madam Speaker, since 2002, Title I of NCLB—the funding that goes to our highest-need students—has been funded at $54.7 billion below its authorized level. Currently, approximately 4.3 million students are not getting the extra Title I help they were promised.

Furthermore, since IDEA's reauthorization in 2004, IDEA Part B has been funded at $20.3 billion below its authorized level and funding has never reached even half of the 40 percent average per pupil expenditure the government originally promised states more than 30 years ago.

We need to keep our commitments to education, support our schools and provide all of our students with resources they need to succeed.

Madam Speaker, once again I am proud to make the Keep Our PACT Act the very first piece of legislation I introduce this Congress. Additionally, I want to thank my colleagues joining me as original cosponsors on this bill today. We pledge to stand for the fundamental values this bill represents and invite Members from both sides of the aisle to embrace those values and get this bill passed.

TRIBUTE TO OFFICER JASON D. VIA

HON. STEVE AUSTRIA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. AUSTRIA. Madam Speaker, I rise today to congratulate Officer Jason D. Via, who was named the 2008 Springfield Police Patrolman's Association Patrolman of the Year.

Officer Jason D. Via began his career with the Springfield Police Division on November 17, 2003. After completing his recruit training, he was assigned to the uniform patrol, where he continues to serve today. He is an extremely dependable, well respected officer who is a person his fellow officers and citizens can rely upon. Jason was nominated for the Patrolman of the Year Award for 2008 because of these exceptional traits.

During 2008, Officer Via was selected to participate in the Safe Streets Task Force with three other officers. During his service in the Task Force, he took a subject who was arrested for trying to solicit another officer and turned this person into a confidential informant. Using this information, he was able to make several arrests of street-level drug dealers. From these arrests, he was able to "flip" some of them and arrest several suppliers.

Upon making his last arrest, he seized over seven ounces of crack cocaine, as well as at least $5,000 in cash. Due to his diligence and hard work, approximately nine mid-level dealers and suppliers were arrested, making our streets safer.

For these reasons Officer Via deserves our gratitude and special thanks.

INTRODUCTION OF A RESOLUTION CONCERNING MEMBERSHIP OF THE UNITED STATES IN THE INTERNATIONAL RENEWABLE ENERGY AGENCY

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. MARKEY. Madam Speaker, I am introducing a resolution expressing the sense of the House of Representatives that the United States seek membership in the International Renewable Energy Agency because our energy security, the health of our planet, and the strength of our economy have reached a critical juncture. With volatile energy prices, emissions of heat-trapping gases continuing to climb to dangerous levels, and the U.S. economy in turmoil, two things have become clear. First, a fundamental change is needed in the way we generate and use energy here at home. Secondly, the rest of the world must be also part of this new energy future. The resolution I am introducing today calls for the United States to seek membership in the International Renewable Energy Agency (IRENA) to address both of these challenges.

On January 26, 2009, 75 countries signed the statute to establish IRENA, marking a promising step towards international collaboration and mitigating climate change. This collaboration was a good start, but the urgency of global warming and our dependence on fossil fuels require that we take the lead in the permanent international agency to drive the development and deployment of renewable energy in all countries, including ours. The United States still has a chance to be a founding member of the body if it signs on by April 30th of this year. As a founding member country, the United States would be eligible to nominate a Director General and bid to host the IRENA headquarters on American territory.

Despite the enormous strides renewable energy and energy efficiency technologies have made over the last several years, hurdles remain to major and rapid scale-up on the level needed to meet the world's need for energy while also addressing global warming. IRENA is the first international organization to focus solely on renewable energy and include a broad constituency of industrialized and developing countries. It will provide the institutional support needed to address the technological, financial, informational, and policy barriers that keep renewable energy and energy efficiency technologies from reaching their full potential.

Renewable energy has the potential to reduce global warming pollution while also creating millions of green jobs, reducing our dependence on foreign sources of energy, and spurring the technological development that will fuel the global economy over the coming century.

In 2007, new investment in clean energy technology worldwide increased 60 percent over 2006, but vast markets remain untapped and not included in the green economy. Over the next two decades, greenhouse gas emissions from developing countries are projected to grow at more than twice the rate of those in developed countries. Encouraging growth of renewable energy in developing countries reduces the extent and likelihood that these economies will follow a carbon-intensive, fossil energy development path. It also opens a valuable market for the clean energy companies that developed economies will rely on for growth over the coming century, a market that American businesses and American workers can benefit from. The International Renewable Energy Agency will have the independence, credibility, and expertise necessary to assist governments at the national, state, and local level implement renewable energy policies and projects.

Other international energy agencies were formed to address narrow problems. The International Energy Agency (IEA): oil security and fuel supply disruptions. The International Atomic Energy Agency (IAEA): nuclear proliferation and safety. With the aid of institutional support, these energy resources became foundations of modern economies. An International Renewable Energy Agency is needed to support the unique problems facing renewable energy: marketplace failures, political inertia, and information gaps. Our membership in the organization will allow us to help shape the direction of this agency. To this end, IRENA will:

Support governments in drafting policies and programs for the promotion of renewable energy and energy efficiency measures.

Assist governments in conducting studies that analyze the potential of renewable energies and the appropriateness of different technologies.

Provide long-term projections and scenarios based on existing data and policy in order to identify opportunities as well as gaps, barriers, and failures in markets and policies.

Organize training programs, information campaigns, and courses for civil servants, scientists, businesses, and non-government organizations.

Supply curriculum for schools and universities on relevant renewable energy topics.

Work with financial institutions to support innovative financing mechanisms for renewable energy projects.

Develop international norms and quality standards.

Gather and disseminate data, statistics, and reports on renewable energy deployment, policy approaches, and technology development.

The status quo is not working for America or the planet. The environmental, energy, and economic problems we are facing are largely due to a failed energy policy. The International Renewable Energy Agency represents an opportunity for America to change its energy path and confront global warming while reestablishing its leadership role and reputation in the international community.

HONORING THE LIFE AND PUBLIC SERVICE OF ALFRED SAN NICOLAS FLORES

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Ms. BORDALLO. Madam Speaker, I rise today to honor the life and service of Alfred San Nicolas Flores, a former Guam Senator who passed away on February 6, 2009 at the age of 93. Alfred, known as ''Davy Crockett'' to family and friends, was devoted to his community and will be remembered for his public service and his love of farming.

Born on June 20, 1916 to Jose Duenas Flores and Rafaela San Nicolas, Alfred was raised by his step-mother Margarita Flores in the village of Inarajan. He became a Lancheru, or ''rancher,'' farming his family's land and raising cattle. He later established the Flores Poultry Farm which became a major supplier of fresh eggs to Guam's civilian and military communities.

Alfred entered public service, first as an Assemblyman in the Guam Congress, and later as a six term Senator in the Guam Legislature. He promoted agriculture by establishing a special water rate for farmers and establishing a crop insurance program. He also authored legislation to create low and moderate income housing subdivisions. In 1976 he was elected to the office of Commissioner (Mayor) of Inarajan. Senator Flores was a founding member of the Democratic Party of Guam and he was known for his fiery campaign speeches.

Alfred Flores served on the Selective Service Board, the Guam Housing and Urban Renewal Authority Board of Directors, the Guam Farmers Cooperative Association, and the Soil and Water Conservation District. He was active in his village church, St. Joseph's Parish in Inarajan. He also mentored young men by volunteering with the Boy Scouts of America.

Senator Alfred Flores was a dedicated public servant who made many lasting contributions to our community. He was recognized later in life as a Master Lancheru for his contributions to preserving traditional farming. My heartfelt condolences are with his wife Ester, their children Lucille, May, Fred, and Roy and his extended family and friends. He will be dearly missed.

DAUGHTERS OF THE AMERICAN REVOLUTION CELEBRATE LINCOLN'S 200TH BIRTHDAY

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mrs. McMORRIS RODGERS. Madam Speaker, I rise today to recognize the efforts of the Esther Reed Chapter of the Daughters of the American Revolution. In honor of the 200th anniversary of the birthday our Sixteenth President these women will conduct a wreath laying ceremony at the base of a statue of President Lincoln in downtown Spokane, WA.

This 12-foot bronze statue was dedicated in Spokane on November 11, 1930 before a crowd of 40,000 people and depicts the Sixteenth President as Commander in Chief reviewing the Union Army. This statue is a valued part of the landscape of Spokane and acts as a steady reminder of the trials our country has faced and our ability to overcome them.

As part of their long and continuing efforts to preserve and celebrate our history, the Esther Reed Chapter of Daughters of the American Revolution has organized a week long celebration to honor this great man. The celebrations will include several lectures by prominent Lincoln historians, a concert, and an ongoing art show featuring Lincoln-related works.

Madam Speaker, I believe the dedication shown by the Daughters of the American Revolution and their ongoing efforts to celebrate our leaders and history is worthy of recognition before this body. I invite my fellow members in joining with me to honor a past president's birthday and the efforts by the Daughters of the American Revolution to observe it.

ABILITYONE, FORMERLY JAVITS-WAGNER-O'DAY, PROGRAM

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Ms. FOXX. Mr. Speaker, for the past 70 years the AbilityOne formerly Javits-Wagner-O'Day (ABILITYONE) Program has empowered Americans who are blind or severely disabled by providing them with a diverse set of employment opportunities. Today over 40,000 disabled Americans are realizing their potential by working in their local communities across the country under this program. These Americans are proud to provide federal and military customers with a wide array of SKILCRAFT and other ABILITYONE products and services. The ABILITYONE Program prides itself on delivering high quality products and services at a competitive price in the most convenient way possible.

Some of the product categories offered by the ABILITYONE program include office supplies, military specific, safety, maintenance, repair, medical-surgical, janitorial-sanitation, and customization. The services that are provided to the federal and military customer include but aren't limited to call center and switchboard operation, military base and federal office building supply centers, CD-Rom duplication-replication, data entry, document imaging and grounds care. I rise today in support of the AbilityOne Program and the opportunities it provides for an underemployed population of hard working Americans. Furthermore, I urge my colleagues to purchase SKILCRAFT and ABILITYONE products from the House-Senate Stationary stores not only because of their quality and value, but also because of the socioeconomic benefits that can come from supporting the program. By purchasing these products and using these services we are enabling more disabled Americans to have the opportunity to become taxpayers.

Today in Winston Salem, North Carolina 156 blind Americans are employed under the ABILITYONE Program and are producing high quality items or services for us. The ABILITYONE Program is administered by the Presidentially-appointed Committee for Purchase From People Who Are Blind or Severely Disabled, with much assistance from National Industries for the Blind (NIB) and NISH, which serves people with a wide range of disabilities. More than 650 local nonprofit agencies associated with NIB and NISH employ people who are blind or disabled to produce the quality products and offer the services authorized for sale to the federal government under the ABILITYONE Program.

The ABILITYONE Program is a great illustration of a successful partnership that has the ability to continuously grow with the changing procurement environment within the federal government. This is a Program that works for America.

PERSONAL EXPLANATION

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Ms. WASSERMAN SCHULTZ. Madam Speaker, on Tuesday, February 10, 2009, I missed Rollcall Vote 55, Supporting the goals and ideals of National Girls and Women in Sports Day, because I was attending to official events in my home state of Florida. If present, I would have voted ''aye.''

RECOGNIZING THE LIFE AND SERVICE OF MONIQUE YVE'TTE PORTUSACH-CEPEDA

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Ms. BORDALLO. Madam Speaker, I rise today to recognize and honor the life and service of Monique Portusach-Cepeda, a dedicated community leader who continually gave back to the people of Guam. Monique passed away on January 3, 2009 after a battle with cancer. She is survived by her husband, Nathaniel Fejeran Ulloa, her mother Frances Portusach Hudgens, and her father Anthony Calvo Cepeda.

Monique graduated from George Washington High School as valedictorian in 1996. Monique enrolled in Brown University in Providence, Rhode Island and in 2001 graduated with a degree in American Civilization and Bio-Medical Community Health. While at Brown University, Monique was awarded the President Harry S. Truman Fellowship before continuing her education at Harvard University. In 2002, Monique graduated from Harvard University with a Master's Degree in Public Policy. Monique was also selected as a Presidential Management Fellow, a program for individuals dedicated to promoting sound policy and programming in government agencies.

Monique worked with the Social Security Administration on Guam as a Federal Disability Examiner where she helped residents of Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa through the disability claims process. She continued to give back to her community through participation in organizations such as Youth for Youth, Democrats for a Better America, and Young Government Leaders. Monique

was also a representative for the San Diego area to the Pacific Asian Advisory Council.

My prayers are with Monique's family and friends whose hearts she so deeply touched. Her contributions towards our island community will be remembered and honored always.

HONORING COACH GENE PINGATORE OF ST. JOSEPH HIGH SCHOOL ON HIS RECORD-BREAKING 827TH WIN IN ILLINOIS

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. LIPINSKI. Madam Speaker, I rise today to honor Coach Gene Pingatore for his outstanding and inspirational career as head coach of the St. Joseph High School boys basketball team in Westchester, Illinois, as well as to recognize his achievement as the all-time winningest boy's basketball coach in Illinois high school history.

Always considered one of the most fabled coaches in the storied history of Illinois basketball, Coach Pingatore's legacy reached a new level on January 16th, 2009 when his St. Joseph's squad faced Carmel Catholic High School. Their 49–26 victory gave Pingatore his record-breaking 827th win as a head basketball coach in Illinois.

What especially sets Gene Pingatore apart, however, is not his incredible record but rather his winning philosophy and his perseverance. His legendary program was not built overnight. In 1969–1970, Pingatore only managed three wins in his first season as a coach. The next year St. Joseph's managed seven wins, and Coach Pingatore only enjoyed 3 winning seasons in his first 7 seasons. Coming through that difficult stretch, however, Pingatore's work ethic and undeniable coaching ability spawned a dynasty. Since 1976, St. Joseph's has only suffered once losing season.

Only two other coaches in Illinois men's basketball history have passed the elusive 800 win barrier. Even before setting the all-time wins mark, Pingatore's outstanding accomplishments were recognized by the East Suburban Catholic Conference as they made him a member of their inaugural Hall of Fame class in 2006.

Madam Speaker, I rise to honor Gene Pingatore for the positive role model that he is to the young men of St. Joseph High School and for his continuing commitment to excellence from his players, both on and off the court. As the Representative of the 3rd District of Illinois, I would like to say that we are proud to be home to the state's winningest coach, in every sense of the word.

THE INTRODUCTION OF THE ''BUSINESS ACTIVITY TAX SIMPLIFICATION ACT''

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. GOODLATTE. Madam Speaker, I rise today in strong support of the Business Activity Tax Simplification Act. I joined my good friend RICK BOUCHER of Virginia to introduce this legislation in order to provide a ''bright line'' test to clarify state and local authority to collect business activity taxes from out-of-state entities.

Many states and some local governments levy corporate income, franchise and other taxes on out-of-state companies that conduct business activities within their jurisdictions. While providing revenue for states, these taxes also serve to pay for the privilege of doing business in a state.

However, with the growth of the Internet, companies are increasingly able to conduct transactions without the constraint of geopolitical boundaries. The growth of the high tech industry and interstate business-to-business and business-to-consumer transactions raises questions over where multi-state companies should be required to pay corporate income and other business activity taxes.

Over the past several years, a growing number of jurisdictions have sought to collect business activity taxes from businesses located in other states, even though those businesses receive no appreciable benefits from the taxing jurisdiction and even though the Supreme Court has ruled that the Constitution prohibits a state from imposing taxes on businesses that lack substantial connections to the state. This has led to unfairness and uncertainty, generated contentious, widespread litigation, and hindered business expansion, as businesses shy away from expanding their presence in other states for fear of exposure to unfair tax burdens.

In order for businesses to continue to become more efficient and expand the scope of their goods and services, it is imperative that clear and easily navigable rules be set forth regarding when an out-of-state business is obliged to pay business activity taxes to a state. Otherwise, the confusion surrounding these taxes will have a chilling effect on e-commerce, interstate commerce generally, and the entire economy as tax burdens, compliance costs, litigation, and uncertainty escalate.

Previous actions by the Supreme Court and Congress have laid the groundwork for a clear, concise and modern ''bright line'' rule in this area. In the landmark case of Quill Corp. v. North Dakota, the Supreme Court declared that a state cannot impose a tax on an out-of-state business unless that business has a ''substantial nexus'' with the taxing state. However, the Court did not define what constituted a ''substantial nexus'' for purposes of imposing business activity taxes.

In addition, fifty years ago, Congress passed legislation to prohibit jurisdictions from taxing the income of out-of-state corporations whose in-state presence was nominal. Public Law 86–272 set clear, uniform standards for when states could and could not impose such taxes on out-of-state businesses when the businesses' activities involved the solicitation of orders for sales. However, like the economy of its time, the scope of Public Law 86–272 was limited to tangible personal property. Our nation's economy has changed dramatically over the past fifty years, and this outdated statute needs to be modernized.

The Business Activity Tax Simplification Act of 2008 both modernizes and provides clarity to an outdated and ambiguous tax environment. First, the legislation updates the protections in P.L. 86–272. This legislation reflects the changing nature of our economy by expanding the scope of the protections in P.L. 86–272 from just tangible personal property to include intangible property and services.

In addition, our legislation sets forth clear, specific standards to govern when businesses should be obliged to pay business activity taxes to a state. Specifically, the legislation establishes a ''physical presence'' test such that an out-of-state company must have a physical presence in a state before the state can impose corporate net income taxes and other types of business activity taxes.

In our current, challenging economic times, it is especially important to eliminate artificial, government-imposed barriers to small businesses. Small businesses are crucial to our economy and account for a significant majority of new product ideas and innovation. Small businesses are also central to the American dream of self-improvement and individual achievement, which is why it is so vital that Congress enact legislation that reduces the tax burdens that hinder small businesses and ultimately overall economic growth and job creation.

Unfortunately, small businesses are often the hardest hit when aggressive states and localities impose excessive tax burdens on out-of-state companies. These businesses do not have the resources to hire the teams of lawyers that many large corporations devote to tax compliance, and they are more likely to halt expansion to avoid uncertain tax obligations and litigation expenses.

The clarity that the Business Activity Tax Simplification Act will bring will ensure fairness, minimize litigation, and create the kind of legally certain and stable business climate that frees up funds for small businesses to make investments, expand interstate commerce, grow the economy and create new jobs.

At the same time, this legislation will protect the ability of states to ensure that they are fairly compensated when they provide services to businesses that do have physical presences in the state.

I urge my colleagues to support this important legislation.

IN RECOGNITION OF SHERIFF MARGARET MIMS AND SUPERVISOR JUDY CASE

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. COSTA. Madam Speaker, I rise today to recognize Fresno County Sheriff Margaret Mims and County Supervisor Judy Case for their heroic actions taken on Wednesday February 11, 2009, to save the life of a heart attack victim in the Capitol South Metro stop.

When Sheriff Mims and Supervisor Case came upon the victim who had collapsed on the floor of the Metro station, they immediately leapt into action by organizing an emergency response from the surrounding onlookers. Sheriff Mims who is trained in first aid and Supervisor Chase, a registered nurse, then began giving chest compressions and breaths to the victim for fifteen minutes until paramedics arrived. Their heroic efforts were captured by Fresno news stations as well as The Fresno Bee and McClatchy newspapers.

While the life-saving actions of Sheriff Mims and Supervisor Chase were both courageous and heroic, they were not unfamiliar—in both their careers, they have never hesitated to help those in need. While the victim remains anonymous to them, Margaret and Judy have touched the life of an individual in a most profound way and I commend them for it.

HONORING COMMANDER CONSTANTINE TSOUKATOS OF OAK LAWN, ILLINOIS

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. LIPINSKI. Madam Speaker, I rise today to honor Commander Constantine Tsoukatos on the occasion of his promotion to Commander of the 314th Maintenance Operations Squadron.

Commander Tsoukatos was raised by his parents Helen and Emanuel Tsoukatos in Oak Lawn, IL. In Oak Lawn, Constantine attended Richards High School, before moving on to the University of Illinois where he studied Engineering Mechanics. Upon receiving his Bachelor's degree, Constantine continued his schooling and obtained his Master's degree in Human Resource Development from Webster University in 1999.

Constantine began his service in 1997 when he was commissioned as a second lieutenant following Officer Training School. Serving as an aircraft maintenance officer, he has held a variety of flightline and backshop positions. His first tour began at Scott AFB, on the C–9 Aircraft. Commander Tsoukatos then taught in the Reserve Officer Training Corps as an Assistant Professor of Aerospace Studies at Detachment 560, Manhattan College in Bronx, New York, where he also served as the Commandant of Cadets. He was next stationed at Osan AB, ROK, serving both as maintenance flight commander and then as the A–10 AMU IOC. Commander Tsoukatos spent the following 3 years at RAF Mildenhall with the 100th Air Refueling Wing, before moving to his current position within HQ AFMC in June of 2006.

Commander Tsoukatos has been recognized previously with the following commendations: the Meritorious Service Medal, the Air Force Commendation Medal with two oak leaf clusters, the Air Force Outstanding Unit Award with three oak leaf clusters, the National Defense Service Medal, the Global War on Terrorism Service Medal, and the Korean Defense Service Medal.

Aside from his military service to our nation, Commander Tsoukatos is dedicated to his family as a loving father and husband. He and his wife, Jazmin, have two sons, Manuel and Joaquin and one daughter, Gabriela.

Today, I ask my colleagues to join me in recognizing the outstanding service and achievements of Commander Constantine Tsoukatos. We acknowledge his accomplishments and express our gratitude for his dedicated service.

CONGRATULATING HAMILTON STEPHENS WINTER

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. ALEXANDER. Madam Speaker, I rise today to congratulate Hamilton Stephens Winters, who was recognized as the Overall Middle School Student of the Year by the Ouachita Parish School System.

Hamilton was nominated by his school, West Ridge Middle, to compete in the annual competition.

It is always outstanding to see the diligence with which the young students of Louisiana work to better their schools and communities. I have the highest confidence that Hamilton will succeed in whatever endeavor he pursues.

Earning this recognition is a tremendous honor, and I am grateful the 5th Congressional District can list Hamilton among our own.

I ask my colleagues to join me in congratulating Hamilton Stephens Winters for receiving this remarkable recognition.

RECOGNIZING LAYTON ROY FAIRCHILD, SR.

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. WITTMAN. Madam Speaker, I rise today to recognize Layton Roy Fairchild, Sr., of Spotsylvania, Virginia on his achievements and contributions to his community. Mr. Fairchild was born March 22, 1927 to the late master carpenter Alfred Linwood Fairchild and homemaker Rose Anna Lewis Fairchild. He is part of the second generation of Fairchilds born in Spotsylvania. His father, Alfred Linwood Fairchild, was the second individual and first generation Fairchild born in Spotsylvania, and the first to remain in the county, start a family and a very successful carpentry business.

Mr. Fairchild is a U.S. Army veteran of World War II. While on duty in Japan, he was the captain of the baseball team that traveled the country playing against native teams in an effort to develop goodwill after the bombing of Hiroshima and Nagasaki.

Mr. Fairchild worked for 33 years at FMC, the largest industry employer in Fredericksburg, Virginia. For the first 15 years, he was a machine operator. He was promoted in 1957 to control lacquer operator-inspector. During his more than 30 years at the FMC plant, he worked all three shifts. After his shift, regardless of which shift it was, he would come home and farm. Many days his wife brought his meals out to the field for him to eat while he was on his tractor.

He started his own business, Fairchild Trucking Inc. in 1975. For more than 30 years, he provided employment and benefits for county citizens. Showing appreciation for his two longest working employees, he recently purchased two 24-ton trucks for each to use to earn a living on their own.

Mr. Fairchild was the first mortgage lender to numerous individuals and families who were unable to receive traditional financing, allowing them to purchase and maintain a home of their own. His belief was that honest people with limited opportunities could indeed thrive if they had help.

He is very active in his local church, Sylvannah Baptist Church, in Spotsylvania. One example of his philanthropy is the brick enclosure of the church's cemetery. It was designed, constructed and donated in honor of his parents.

Mr. Fairchild married the former Bertha Pratt in 1945 and together they had four daughters and one son. Mr. and Mrs. Fairchild are also the foster parents of three boys they raised and provided for as their own.

Madam Speaker, I ask you to join me and countless others as we recognize the many contributions of Layton Roy Fairchild, Sr.

COMMEMORATING ABRAHAM LINCOLN ON THE BICENTENNIAL OF HIS BIRTH

SPEECH OF

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 2009

Mr. HENSARLING. Madam Speaker, it is with profound admiration and respect that I commemorate the 200th anniversary of President Abraham Lincoln's birth. From humble beginnings in a one room log cabin in the backwoods of Kentucky, Lincoln, a self-taught lawyer, went on to win a narrow victory in 1860 to become our 16th president.

Not long after he took office, our country was plunged into a war between the states that threatened to destroy everything our Founding Fathers had fought so hard to establish. As the war raged, Lincoln led the Union through the maelstrom to save our Republic. At the same time, he paved the way to freedom for millions who had never known it. Sadly, an assassin's bullet stole Lincoln from his people just days after the Civil War ended.

Madam Speaker, as we commemorate his 200th birthday, I reflect upon the life of President Lincoln and the sacrifices he made to protect the principles of freedom we cherish so deeply. A man of great wisdom and courage who guided our country through some of its darkest hours, President Lincoln embodies the true meaning of what it is to be an American.

While, in the words of Secretary of War Edwin M. Staunton, Lincoln "belongs to the ages," he lives in the hearts of freedom loving people in the United States and around the world.

HONORING THE CENTENNIAL ANNIVERSARY OF EAST NORRITON TOWNSHIP

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. GERLACH. Madam Speaker, I rise today to honor an outstanding southeastern Pennsylvania municipality celebrating its centennial anniversary.

East Norriton Township, Montgomery County, is a 6.1-square mile municipality that was established on March 9, 1909. However, East Norriton's roots can be traced back to the early days of the Commonwealth of Pennsylvania.

The vast tract where East Norriton is located was one of William Penn's early manors known as Williamstadt. The Township's long history includes a direct connection to America's courageous fight for independence. George Washington visited his wounded troops at Bartle Bartleson's Tavern along Germantown Pike during the Revolutionary War, according to historians.

As the region grew, a number of additional municipalities did as well. Eventually, East Norriton was formally incorporated in 1909 when it was carved out of the larger municipality known as Norriton Township.

Residents have been commemorating the 100th anniversary with events throughout the past year and will continue their celebration on Friday, February 20, 2009 with a Centennial Celebration Dinner.

Madam Speaker, I ask that my colleagues join me today in congratulating the Township on its momentous anniversary and extending best wishes for continuing prosperity, harmony and quality of life.

TRIBUTE TO PRIVATE FELIX LONGORIA

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. BACA. Madam Speaker, I stand here today to honor the 60th Anniversary of WWII Private Felix Longoria, the first Mexican American to be buried at the Arlington National Cemetery in Washington, DC.

Private Felix Z. Longoria was drafted into the United States Army on November 11, 1944, at the age of 25 from Three Rivers, Texas.

While on a voluntary patrol on June 1945, Private Longoria was killed in action by a Japanese sniper in Cagayan Valley, Luzon, Philippines. He posthumously received the Purple Heart, the Bronze Star, the Good Conduct Medal, and the Combat Infantryman Badge for his service and sacrifice.

Sadly in 1945, when the remains of Private Longoria were finally identified and returned back to the United States, Beatrice Longoria, the widow of Private Felix Longoria, was turned away and unable to hold a funeral service for her deceased husband at a private funeral home in Three Rivers, Texas. At the time, the city of Three Rivers' sole cemetery was divided by a barbed wire fence, into two sections, one for whites and another for nonwhites.

This act of discrimination moved Beatrice Longoria to contact Dr. Hector P. Garcia a surgeon general of the area, and the founder of the newly created American GI Forum.

Dr. Hector P. Garcia sent out seventeen telegrams to elected and government officials, which stated ''the denial was a direct contradiction of those same principles for which this American soldier made the supreme sacrifice in giving his life for his country, and for the same people who deny him the last funeral rites deserving of any American hero regardless of his origin''.

Just recently founded during that time on March 26, 1948, the American GI Forum and its founder, Dr. Hector P. Garcia launched a civil rights movement to help the Longoria family.

Then a junior United States Senator, Lyndon B. Johnson, on January 11, 1949, sent a telegram to Dr. Hector P. Garcia that read ''. . . I have today made arrangements to have Felix Longoria buried with full military honors in Arlington National Cemetery here in Washington where, the honored dead of our nation' war rest. . .This injustice and prejudice is deplorable. I am happy to have a part seeing that this Texas hero is laid to rest with the honor and dignity his services deserve''.

Thanks to the AGIF, Dr. Garcia and Senator Johnson, Private Felix Longoria became the first Mexican American serviceman to be awarded this honor. On February 16, 1949, Private Felix Longoria was given a full military burial with honors in Arlington National Cemetery. The Longoria family was joined at the service by United States Senator Lyndon B. Johnson, Lady Bird Johnson, Congressman John Lyle and President Harry Truman's' military aide, General Harry H. Vaughan.

The work and legacy of the late Dr. Hector P. Garcia and the American GI Forum that he founded, still continues to this day, in the name of all Veterans and Hispanics in the United States.

February 16, 2009 marks the 60th anniversary of the burial of Private Felix Longoria, the first Mexican American servicemen to be awarded this honor. On this day, I encourage all Americans to remember the great sacrifices made by our American heroes in all the conflicts in the history of the United States.

IN THAT MOMENT

HON. DIANE E. WATSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Ms. WATSON. Madam Speaker, to commemorate the heroism of the Captain and crew of US Airways Flight 1549, as well as the emergency personnel of the New York fire and police departments, Congresswoman DIANE E. WATSON would like to submit this poem to the CONGRESSIONAL RECORD.

This poem is dedicated to the valor and heroism of Captain Chesley B. Sullenberger III; First Officer Jeffrey B. Skiles; flight attendants Sheila Dail, Doreen Welsh, and Donna Dent; the fine men and women of the New York fire and police Departments; the Coast Guard; ferry boat captains; and the citizens of New York.

IN THAT MOMENT

In . . .
In that moment . . .
When who lives or dies!
But, to see another sunrise . . .
All in their hand's which lies . . .
All of those most precious lives . . .
Whose loved ones, upon them rely
Who will be left to cry . . .
When high above, up in those blue skies . . .
With just seconds to react . . .
Just moments from the black . . .
With eminent death approaching, the facts . . .
With only a few choices . . .
Listening, to their most inner voices . . .
A lifetime of training . . .
All for this one moment counting . . .
With the time to live or die, so waning
Most precious moments in time which lie . . .
Now remaining . . .
Determining, who lives and dies . . .
With but no room for error . . .
As born, all in this moment such heroes . . .
While, all around them crisis looms . . .
As they must keep their cool . . . as their fine hearts must swoon . . .
While, against all odds . . . they give to this our world this jewel . . .
This gift, which will now forever over our hearts so rule . . .
This moment, when they stood strong . . . with hearts full . . .
Full of courage and might, to win the day . . . to win that night . . .
To carry with us until we grow old . . .
As God was with them on that day, in this miracle on 48th street in so many ways . . .
On A Wings of A Dove, as he helped bring them down so safe . . .
As City, once again must unite . . .
Police Officers, Firefighters, Citizens, Coast Guard, Ferry Boat Captains bringing the light . . .
As the echoes of a past were all heard in their hearts that night . . .
A Gotham City, with Gotham Hearts . . . as on this day, all did their part . . .
And what child will be born?
Who might save the world, or upon it such great things unfurled . . .
Because of that moment!
And what loves will be worn? Given that second chance now to now continue on . . .
For only a future knows . . .
From these moments as time will tell us . . . will show . . .
When in that moment . . . Quiet Heroes so . . .
We would discover, the true meaning of that word heroes . . . our new lovers . . .
Bless them, bless them all . . .
For each and everyday, our lives on them so depend so all . . .
For we will long remember . . .
This winter day, all in the embers . . . of our hearts . . .
When, in the moment of truth . . .
A Magnificent Captain and Crew gave us the proof . . .
That miracles do come true . . .
And how courage can come shining through . . .
In That Moment . . .

HONORING EASTERN MICHIGAN UNIVERSITY AS A RECIPIENT OF THE 2008 COMMUNITY ENGAGEMENT CLASSIFICATION

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. DINGELL. Madam Speaker, I rise today to honor Eastern Michigan University for being selected by the Carnegie Foundation for the Advancement of Teaching to receive its 2008 Community Engagement Classification.

The Carnegie Foundation for the Advancement of Teaching, founded by Andrew Carnegie in 1905, is a highly regarded, independent higher education policy and research center. Of the 217 institutions who declared an

interest in applying for the classification, Eastern Michigan University was one of the select few institutions to receive this high distinction.

As an institution receiving this Carnegie classification, EMU is recognized as a national model for community engaged campuses. Eastern Michigan University has always promoted and supported involvement in the community and this is evident in their mission, as they seek to "extend our commitment beyond our campus boundaries to the wider community through service initiatives and partnerships of mutual interest addressing local, regional, national, and international opportunities and challenges."

Eastern Michigan University and its students reach out a helping hand to the community in so many different ways, from fundraising for Habitat for Humanity, Relay for Life, and St. Jude's Hospital to the students' partnerships with Ypsilanti Meals on Wheels, S.O.S. community services, and Upward Bound. Even with all their academic commitments, students at EMU still managed to provide over 38,000 volunteer hours in the community through VISION and student organizations. This is a testament to the great students and community outreach programs at Eastern Michigan University.

Madam Speaker, the Carnegie Foundation of Advancement of Teaching has bestowed its 2008 Community Engagement Classification upon Eastern Michigan University because of its remarkable work to interact with, aid and improve its surrounding community. This is a tremendous honor and it speaks to the fine character and great dedication of the university's faculty, administration, and students. EMU truly serves as a model for community engagement between this nation's higher education institutes and their respective communities. I ask that you and all of my colleagues join me in congratulating EMU on this remarkable accomplishment.

THE INTRODUCTION OF THE YOUTH PROMISE ACT

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. SCOTT of Virginia. Madam Speaker, I rise today, along with the gentleman from Delaware, Mr. CASTLE, to introduce the "Youth Prison Reduction through Mentoring, Intervention, Support and Education Act", or "Youth PROMISE Act," a bill we believe will greatly reduce crime and its associated costs and losses. Companion legislation to this bill is also being filed today in the Senate by Senator CASEY of Pennsylvania, and Senator SNOWE of Maine.

The Youth PROMISE Act implements the best policy recommendations from crime policy makers, researchers, practitioners, analysts, and law enforcement officials from across the political spectrum concerning evidence- and research-based strategies to reduce gang violence and crime. Under the Youth PROMISE Act, communities facing the greatest youth gang and crime challenges will be able to enact a comprehensive response to prevention and intervention of youth violence through a coordinated response that includes the active involvement of representatives from law enforcement, court services, schools, social services, health and mental health providers, foster care providers, Boys and Girls Clubs and other community-based service organizations, including faith-based organizations. These key players will form a council to develop a comprehensive plan for implementing evidence-based prevention and intervention strategies. These strategies will be targeted at young people who are involved, or at risk of becoming involved, in gangs or the juvenile or criminal justice system to redirect them toward productive and law-abiding alternatives. The Youth PROMISE Act will also enhance state and local law enforcement efforts regarding youth and gang violence.

Title I: Federal Coordination of Local and Tribal Juvenile Justice Information and Efforts. Sec. 101 creates a PROMISE Advisory Panel. This Panel will assist the Office of Juvenile Justice and Delinquency Prevention in selecting PROMISE community grantees. The Panel will also develop standards for the evaluation of juvenile delinquency and criminal street gang activity prevention and intervention approaches carried out under the PROMISE Act. Sec. 102 provides for specific data collection in each designated geographic area to assess the needs and existing resources for juvenile delinquency and criminal street gang activity prevention and intervention. This data will then facilitate the strategic geographic allocation of resources provided under the Act to areas of greatest need for assistance.

Title II: PROMISE Grants. Sec. 201 establishes grants to enable local and tribal communities, via PROMISE Coordinating Councils, PCCs, Sec. 202, to conduct an objective assessment, Sec. 203, regarding juvenile delinquency and criminal street gang activity and resource needs and strengths in the community. Based upon the assessment, the PCCs then will develop plans that include a broad array of evidence-based prevention and intervention programs. These programs will be responsive to the needs and strengths of the community, account for the community's cultural and linguistic needs, and utilize approaches that have been proven to be effective in reducing involvement in or continuing involvement in delinquent conduct or criminal street gang activity. The PCCs can then apply for federal funds, on the basis of greatest need, to implement their PROMISE plans, Sec. 211–213. Title II also provides for national evaluation of PROMISE programs and activities, Sec. 222, based on performance standards developed by the PROMISE Advisory Panel.

Title III: PROMISE Research Center. Sec. 301 establishes a National Research Center for Proven Juvenile Justice Practices. This Center will collect and disseminate information to PROMISE Coordinating Councils and the public on current research and other information about evidence-based and promising practices related to juvenile delinquency and criminal street gang activity and intervention. Sec. 302 provides for regional academic research partners to assist PCCs in developing their assessments and plans.

Title IV: Youth-Oriented Policing Services. Sec. 402 provides, within the office of Community Oriented Policing Services, for the hiring and training of Youth Oriented Policing, YOPS, officers to address juvenile delinquency and criminal street gang activity in coordination with PCCs and other local youth services organizations. Sec. 403 also establishes a Center for Youth Oriented Policing, which will be responsible for identification, development and dissemination of information related to strategic policing practices and technologies to law enforcement agencies related to youth.

Title V: Enhancing Federal Support of Local Law Enforcement—Mynisha's Law. Mynisha's Law provides appropriate federal coordination and collaboration by requiring the placement of an interagency task force—consisting of representatives from the Departments of Justice, Labor, Education, HUD and HHS—to prevent and address gang activity in specific designated high intensity gang areas. The interagency task force would be responsible for identifying and coordinating access to federal gang prevention resources, such as afterschool programs, Job Corp programs, and low income affordable housing.

Sec. 511 authorizes the COPS Office to make grants to local and tribal governments with a PROMISE Council to develop community-based programs that provide crime prevention, research, and intervention services designed for gang members and at-risk youth. Sec. 522 authorizes the Attorney General, in consultation with the Secretary of Health and Human Services to award grants to partnerships between a state mental health authority and one or more local public or private entities to prevent or alleviate the effects of youth violence in urban communities with a high or increasing incidence of such violence by providing violence-prevention education, mentoring, counseling, and mental health services to children and adolescents. Priority is given to grant applicants that agree to use the grant in communities that lack the resources to address youth violence.

Title VI: Precaution Act. To coordinate the volumes of data and research on crime prevention and intervention, this Title creates a national commission on crime prevention and intervention strategies to identify those programs that are most ready for replication around the country, and to provide guidance in a direct and accessible format to state and local law enforcement on how to implement those strategies. The commission also would identify those promising areas of crime prevention and intervention programming that would benefit from further research and development, and would report to federal, state, and local law enforcement on the outcomes of a grant program administered by the National Institute of Justice to pilot programs in these areas and test their effectiveness. The use of this information would ensure that the criminal justice community is investing its limited resources in the most cost-effective way possible.

Title VII: Additional Improvements to Juvenile Justice. Sec. 701 provides additional improvements to current laws affecting juvenile delinquency and criminal street gang activity, including support for youth victim and witness protection programs. Sec. 702 provides for an expansion of the Mentoring Initiatives program for system-involved youth. And Sec. 703 calls for a study on adolescent development and the effectiveness of juvenile sentences in the Federal system.

During my more than 30 years of public service, I have learned that when it comes to crime policy, we have a choice—we can reduce crime or we can play politics. For far too

long, Congress has chosen to play politics by enacting so-called ''tough on crime'' slogans such as ''three strikes and you're out'' , ''mandatory minimum sentencing'', ''life without parole'', ''abolish parole'' or ''you do the adult crime, you do the adult time''. My personal favorite is ''no cable TV.'' You can imagine the cable guy disconnecting the cable and then waiting for the crime rate to drop. As appealing as these policies may sound, their impacts range from a negligible reduction in crime to an increase in crime.

However, over the past two decades, we continued to enact slogan-based sentencing policies. As a result, the United States now has the highest average incarceration rate of any nation in the world. At over 700 persons incarcerated for every 100,000 in the population, the U.S. far exceeds the world average incarceration rate of about 100 per 100,000. Russia is the next closest in rate of incarceration with about 600 per 100,000 citizens. Every other major incarcerator is much below that. Among countries most comparable to the U.S., Great Britain is 146 per 100,000, Australia is 126, Canada is 107, Germany is 95, France is 85, and Japan is 62. India, the world's largest Democracy, is 36 per 100,000 and China, the world's largest country by population, is 118 per 100,000. Since 1970, the number of individuals incarcerated in the U.S. has risen from approximately 300,000 to over 2 million.

All this increase in incarceration does not come for free. Since 1982, the cost of incarceration in this country has risen from $9 billion annually to over $65 billion a year.

And the U.S. has some of the world's most severe punishments for crime, including for juveniles. Of the more than 2400 juveniles now serving sentences of life without parole, all are in the U.S. Some were given their sentence as first-time offenders under circumstances such as being a passenger in a car from which there was a drive-by shooting.

The impact of all this focus on tough law enforcement approaches falls disproportionately on minorities, particularly Blacks and Hispanics. While the average incarceration rate in the United States is 7 times the international average, for Blacks the average rate is over 2200 per 100,000, and the rate in some jurisdictions exceeds 4,000 per 100,000 Blacks, a rate 40 times the international average. For Black boys being born today, the Sentencing Project estimates that one in every three will end up incarcerated in their lifetime without an appropriate intervention. These children are on what the Children's Defense Fund has described as a ''cradle-to-prison pipeline.''

Despite all of our concentration on being tough on crime, the problem persists and reports suggest that it is growing in some jurisdictions. While nothing in the Youth PROMISE Act eliminates any of the current tough on crime laws, and while it is understood that law enforcement will still continue to enforce those laws, research and analysis, as well as common sense, tells us that no matter how tough we are on the people we prosecute today, unless we are addressing the underlying reasons for their developing into serious criminals, nothing will change. The next wave of offenders will simply replace the ones we take out and the crimes continue. So, just continuing to be ''tough'' will have little long term impact on crime.

There is now overwhelming evidence to show that it is entirely feasible to move children from a cradle to prison pipeline to a cradle to college, or jobs, pipeline. All the credible research and evidence shows that a continuum of evidenced-based prevention and intervention programs for youth identified as being at risk of involvement in delinquent behavior, and those already involved, will greatly reduce crime and save much more than they cost when compared to the avoided law enforcement and social welfare expenditures. There are programs for teen pregnancy prevention, pre-natal care, new parent training, nurse home visits, Head Start, quality education, after-school programs, Summer recreation and jobs, guaranteed college scholarships, and job-training that have been scientifically proven to cost-effectively reduce crime. And the research reveals that these programs are most effective when provided in the context of a coordinated, collaborative local strategy involving law enforcement, social services and other local public and private entities working with children identified as at risk of involvement in the criminal justice system. This is what the Youth PROMISE Act provides for.

Aside from reducing crime and providing better results in the lives of our youth, many of these programs funded under the Youth PROMISE Act will save more money than they cost. The state of Pennsylvania implemented in 100 communities across the state a process very similar to the one provided for in the Youth PROMISE Act. The state found that it saved, on average, $5 for every $1 spent during the study period.

The bill is supported by 69 original co-sponsors. A coalition of over 200 national, state and local organizations, listed below, supported the Youth PROMISE Act last Congress, and we expect that list to continue to grow this Congress. We know how to reduce crime and we know that we can do it in a way that saves much more money that it costs. Our children, victims of crime, taxpayers and our economy can no longer afford for us to delay adoption of the Youth PROMISE Act. So, I ask my colleagues to join me in passing and this bill and seeing to it that it is quickly enacted into law.

ORGANIZATIONS SUPPORTING THE YOUTH PROMISE ACT

NATIONAL ORGANIZATIONS

Alliance for Children and Families
American Civil Liberties Union (ACLU)
American Correctional Association
American Council of Chief Defenders
American Federation of School Administrators, AFL-CIO
American Federation of Teachers (AFT)
American Jewish Congress
American Psychological Association
Asian American Justice Center
ASPIRA, Inc.
Bazelon Center for Mental Health Law
Campaign for Youth Justice
Catholic Charities USA
Center for Children's Law and Policy
Child Welfare League of America
Children's Defense Fund
Citizens United for the Rehabilitation of Errants (CURE), International
Coalition for Juvenile Justice
Coalition on Human Needs
Correctional Education Association
Council for Educators of At-Risk and Delinquent Youth
Council for Opportunity in Education
Council of Juvenile Correctional Administrators (CJCA)
Covenant House International Headquarters
Federal CURE
Fight Crime: Invest in Kids
Girls Inc.
Human Rights Watch
Immigrant Justice Network
Institute for Community Peace
International Community Corrections Association
Justice Policy Institute
Juvenile Justice Trainers Association
Legal Action Center
Lutheran Immigration and Refugee Service
Mennonite Central Committee Washington Office
Mental Health America
Mexican American Legal Defense & Educational Fund (MALDEF)
National Advocacy Center of the Sisters of the Good Shepherd
National African-American Drug Policy Coalition, Inc.
National Alliance to End Homelessness
National Alliance for Faith and Justice
National Association for the Advancement of Colored People (NAACP)
National Association of Blacks in Criminal Justice
National Association of Criminal Defense Lawyers
National Association of Juvenile Correctional Agencies
National Association of Secondary School Principals
National Black Caucus of Local Elected Officials (NBC–LEO)
National Black Police Association
National Center for Youth Law
National Consortium of TASC (Treatment Accountability for Safer Communities) Programs
National Council for Community Behavioral Health
National Council of La Raza
National Council on Crime and Delinquency
National Council on Educating Black Children
National Council for Urban (Gang) Peace, Justice and Empowerment
National Education Association
National Federation of Families for Children's Mental Health
National Head Start Association
National Hire Network
National Immigration Project of the National Lawyers Guild
National Juvenile Defender Center
National Juvenile Detention Association
National Juvenile Justice Network
National Network for Youth
National Organization of Concerned Black Men, Inc.
National Partnership for Juvenile Services
National Parent Teacher Association (PTA)
National Trust for the Development of African-American Men
National Urban League
National Women's Law Center
Penal Reform International
Presbyterian Church (USA), Washington Office
Prison Legal News
Prisons Foundation
Southeast Asia Resource Action Center
Southern Poverty Law Center
The Academy of Criminal Justice Sciences, Public Policy Section
The Rebecca Project for Human Rights
The School Social Work Association of America
The Sentencing Project
Therapeutic Communities of America (TCA)
Time Dollar Youth Court
TimeBanks USA
Unitarian Universalist Association of Congregations

United Church of Christ, Justice and Witness Ministries
United Methodist Church, General Board of Church and Society
United Neighborhood Centers of America
VOICES for America's Children
W. Haywood Burns Institute
Washington Office on Latin America
World Vision
Youth Law Center
Youth Matter America

STATE ORGANIZATIONS

ACLU of Illinois (IL)
ACLU of North Carolina (NC)
ACLU of Ohio (OH)
Action for Children North Carolina (NC)
Advocates for Children and Youth (MD)
Alabama Youth Justice Coalition
Alston Wilkes Society (SC)
Archdiocese of Los Angeles, Office of Restorative Justice (CA)
Asian Law Caucus (CA)
ATTIC Correctional Services, Inc. (WI)
Barrios Unidos—Santa Cruz Chapter (CA)
Barrios Unidos—Virginia Chapter (VA)
CASA of Maryland, Inc. (MD)
Center for Community Alternatives (NY)
Central American Legal Assistance (NY)
Chicago Area Project (IL)
Children's Action Alliance (AZ)
Children's Campaign, Inc. (FL)
Citizens for Juvenile Justice (MA)
Columbia Heights Shaw Family Collaborative (DC)
Connecticut Juvenile Justice Alliance (CT)
Contra Costa County Public Defender's Office (CA)
Correctional Association of New York (NY)
Council for Children's Rights (NC)
DC Alliance of Youth Advocates (DC)
DC NAACP Youth Council (DC)
Delaware Center for Justice (DE)
Equal Justice Initiative (AL)
Facilitating Leadership in Youth (FLY) (DC)
Faith Communities for Families and Children (CA)
Families & Allies of Virginia's Youth (VA)
Families & Friends of La.'s Incarcerated Children (LA)
Families Moving Forward (CT)
Florida Public Defender Association, Inc. (FL)
Florida Public Defender, Fourth Judicial Circuit (FL)
Florida Families for Fair Sentences (FL)
Franklin County Public Defender (OH)
Fusion Partnerships, Inc. (MD)
Hispanic Urban Minority Alcoholism and Drug Abuse Outreach Program (OH)
Homies Unidos (CA)
H.O.P.E., Inc (KS)
Identity, Inc. (MD)
John Howard Association of Illinois (IL)
JustChildren (VA)
Justice for DC Youth (DC)
Juvenile Justice Center of Suffolk University Law School (NY)
Juvenile Justice Coalition (OH)
Juvenile Justice Initiative of Illinois (IL)
Juvenile Justice Project of Louisiana (LA)
Kansas CURE (KS)
L.A. Youth Justice Coalition (CA)
Latin American Youth Center (DC)
Leaders in Community Alternatives, Inc. (CA)
Life Pieces to Masterpieces, Inc. (DC)
Law Office of Anthony J. Keber (MA)
Maryland Juvenile Justice Coalition (MD)
Maryland Office of the Public Defender (MD)
Mental Health Association in Pennsylvania (PA)
Michigan Council on Crime and Delinquency (MI)
Mid-Atlantic Juvenile Defender Center, Juvenile Law and Policy Clinic, University of Richmond School of Law (VA)
Midwest Juvenile Defender Center (IL)
Minnesota Juvenile Justice Coalition (MN)
Mississippi CURE (MS)
Mississippi Youth Justice Project (MS)
New Hampshire Association of Criminal Defense Lawyers (NH)
New Jersey Association on Correction (NJ)
New Mexico Council on Crime and Delinquency (NM)
New Mexico Criminal Defense Lawyers Association (NM)
Pacific Juvenile Defender Center (CA)
Parents Who Care Coalition (SD)
Parents, Youth, Children and Family Training Institute (AL)
Partnership for Safety and Justice (OR)
Puerto Rico Association of Criminal Defense Lawyers (PR)
Public Justice Center (MD)
PTA of Illinois (IL)
Southern Juvenile Defender Center (AL)
Texas Criminal Justice Coalition (TX)
The Fortune Society (NY)
The Law Offices of Public Defender Bennett H. Brummer (Miami-Dade Public Defender's Office) (FL)
The Pendulum Foundation (CO)
The Poor People's Alliance, Connecticut Chapter (CT)
The S.T.O.P. Family Investment Center at Oakmont North (VA)
Southern Poverty Law Center (AL)
Tennessee Commission on Children and Youth (TN)
UNC Juvenile Justice Clinic, University of North Carolina at Chapel Hill School of Law (NC)
United Church of Christ, Justice and Witness Ministries (OH)
Virginia Coalition for Juvenile Justice (VA)
Virginia Commonwealth University School of Education (VA)
Virginia Commonwealth University Center for School-Community Collaboration (VA)
Virginia C.U.R.E. (VA)
VOICES for Alabama's Children (AL)
VOICES for Children in Nebraska (NE)
VOICES for Ohio's Children (OH)
Washington Association of Criminal Defense Lawyers (WA)
Washington Defender Association (WA)
Washington Defender Association's Immigration Project (WA)
Youth Advocate Programs, Inc. (PA)
Youth Advocacy Project of the Committee for Public Counsel Services (MA)
Young America Works Public Charter School (DC)

ELECTED OFFICIALS AND ACADEMICS

Donna M. Bishop, Northeastern University (MA)
Susan J. Carstens, Psy.D., L.P. Juvenile Specialist, Crystal Police Dept. (MN)
The Honorable Toni Harp, Connecticut State Senator
The Honorable Alice L. Bordsen, North Carolina State Representatives
Jolanta Juszkiewicz, Ph.D., American University (D.C.)
The Honorable Kelvin Roldán, Connecticut State Representative
Tony Roshan Samara, George Mason University (VA)
Earle Williams, Psy.D. Hampton University, (VA)
Aaron Kupchik, Ph.D., University of Delaware

HONORING THE LIFE AND MEMORY OF CHIRICAHUA APACHE LEADER GOYATHLAY, ALSO KNOWN AS GERONIMO, ON THE 100TH ANNIVERSARY OF HIS DEATH

HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. COLE. Madam Speaker, as the Republican Co-Chair of the Native American Caucus and as the only enrolled tribal member in Congress, I rise today in recognition of the 100th Anniversary of the passing of a Native American hero, Goyathlay, more commonly known as Geronimo.

Born into one of the most dangerous eras in Native American history in 1829, this Apache leader devoted his life to leading his people both spiritually and militarily. Though outnumbered and less armed, Goyathlay valiantly and successfully fought both Mexican and American troops in order to maintain the independence of his own people for decades. Even when his own wife and children were killed by attacking soldiers, his resolve never ended to keep his people free and safe.

In 1886, when the United States government launched an expedition to capture Goyathlay, he never rested. Constantly moving, and exhausted, he demonstrated true leadership and resolve by and preventing his band of Apaches from resigning their sovereignty to the United States government. When Goyathlay and his band were finally captured, they were moved as prisoners of war to several different bases in Florida, Alabama and Oklahoma. Finally, Goyathlay was transferred to Ft. Sill in Lawton, Oklahoma were he is buried today.

On this 100th Anniversary of his death, it is my sincerest hope, that his descendants might find healing and peace as they heal from the tragedies suffered by their ancestors. Today, Goyathlay can serve as an example for all of Indian Country. Though the United States policy toward Indian Country has drastically improved since the time of Goyathlay, the fight for tribal sovereignty is far from over. His strong dedication to this principle as well as his determined leadership is truly inspirational for all those fighting for Native Americans today.

Again, Madam Speaker, I am proud to speak today to honor one of the greatest Native American heroes in history. As the San Carols Apache Tribe and others throughout Indian Country gather to honor the life of this great leader, I wish them all the best and hope that this anniversary is a marker of healing for the Apaches and all Native peoples.

202ND ANNIVERSARY OF THE WESTERN STAR

HON. JEAN SCHMIDT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mrs. SCHMIDT. Madam Speaker, I rise today to honor the oldest weekly newspaper in Ohio. The Western Star, published in Lebanon, Ohio is celebrating its 202nd anniversary today. This newspaper also holds the

proud record of being the second oldest newspaper of any kind to be published in Ohio, and the oldest newspaper bearing its original name west of the Appalachian Mountains.

The Newspaper was first published on February 13, 1807 by John McLean, a former member of this great body. Mr. Mclean also served our nation as United States Postmaster General, and an Associate Justice on the Ohio and United States Supreme Courts.

Currently, the paper is owned and published by Cox Communications, which was founded by James Middleton Cox, who also served as a Member of this House.

Madam Speaker, The Western Star is an award winning weekly newspaper that exemplifies the ideal of a free press, one of this nation's greatest rights. Today, I ask my colleagues to join me in recognizing the 202 year tradition of the Western Star and in wishing the newspaper continued success in the future.

TRIBUTE TO THE DAUGHTERS OF SUNSET

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mrs. EMERSON. Madam Speaker, I rise today to commend the Daughters of Sunset, an active group of leaders in Sikeston, Missouri, devoted to the improvement of our community. The Daughters of Sunset were founded in 1984, and this year they celebrate their 25th anniversary.

In southern Missouri, we are very fortunate to have many organizations that serve their neighbors and create opportunities for young Americans. One of the cornerstones of the Daughters of Sunset is a scholarship program that enables young people in Sikeston to achieve the dream of attending college. It's truly a program that opens doors to talented students that would never be available to them otherwise. Even better, the recipients of the Daughters of Sunset scholarship often take the lesson of this local support to heart; they stay in southern Missouri to put their educations to work and give back to the community that sent them to college.

The philosophy of the Daughters of Sunset is grounded in community service. They seek out opportunities to recognize the service of others, and they are recognized throughout the community as a reliable friend to any neighbor in need of a helping hand.

We are fortunate to have the Daughters of Sunset in Sikeston, and I am very proud to congratulate them on 25 years of service to the Eighth Congressional District and to commend them to the U.S. House of Representatives for all of their good works.

TRIBUTE TO MRS. EDITH LOVELL

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. TOWNS. Madam Speaker, on February 8, 2009, Mrs. Edith Lovell, a resident of Brooklyn, New York, celebrated her 105th birthday. She was born on February 8, 1904 in Barbados, West Indies. She migrated to the United States in 1924 and resided with family in Harlem. A few years later, she married Samuel Lovell and relocated to Brooklyn, New York.

Mrs. Lovell is the mother of the late Muriel Lovell Sealy and the mother of Dr. Alvin Lovell. She has three grandchildren, Angela Graham and Kelley Sealy and Alison Lovell; two great grandchildren, Philip and Amanda Graham; one great great granddaughter, Angelique; nephews, nieces and cousins, including New York State Supreme Court Justice Valerie Brathwaite Nelson.

She enjoys reading, history, the company of family and friends and participating in lively social and political discussions. She was a strong supporter of Barack Obama during the recent campaign and was proud to witness the historic occasion and celebrated his Inauguration as the 44th President of the United States.

Mrs. Lovell was an avid gardener until recently; she was the recipient of the 2003 Award for the Greenest Block in Brooklyn.

As we celebrate the various events honoring African Americans during the month of February, I truly believe we should include the name of Ms. Edith Lovell. I am proud to join the United States Congress and our nation in honoring this great trailblazer.

TRIBUTE TO LIBBY GREER

HON. ALLEN BOYD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. BOYD. Madam Speaker, I rise today with mixed emotions to pay tribute to my departing Chief of Staff, Libby Greer. Libby has spent the last 7½ years with my office, where she has served as my trusted advisor, my right arm, and my friend.

As people who know her will tell you, Libby has a knowledge of policy and a political acumen that have made her a compelling force. She has been a steadfast leader in both my office and within the Blue Dogs, while serving as a mentor to countless folks. Her contribution to my public service and commitment to the people of North Florida have made a lasting impression from Washington, D.C. all the way down to Florida.

It is with immense gratitude that I thank Libby for her years of service and friendship. Words simply cannot express how much she has meant to me, to my family, and to my public service efforts for the past 7½ years. Today, I join my wife, Cissy, in wishing her much happiness and the best of luck in this new chapter of her life.

IN CELEBRATION OF THE 50TH ANNIVERSARY OF MONROE/LENAWEE COUNTY AFL–CIO CENTRAL LABOR COUNCIL

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. DINGELL. Madam Speaker. I rise today to honor the 50th anniversary of the Monroe/Lenawee County AFL–CIO Central Labor Council (CLC). On January 28, 1959, nine local unions from the American Federation of Labor, known as the Monroe Central Labor Union, and sixteen local unions from the Congress of Industrial Organizations, known as the Monroe County CIO Industrial Union Council, held a merger convention in the historic Philip Murray Building in downtown Monroe, Michigan.

The purpose of this convention was to dissolve their Charters of the Monroe Central Labor Union and the Monroe County CIO Industrial Union Council and adopt a new constitution under which the two organizations would merge and form one new organization. On February 9, 1959, the National AFL–CIO granted a charter to the Monroe County AFL–CIO Central Labor Council

The Central Labor Council has worked for 50 years to secure a united action of union Locals to protect, maintain and advance the interest of all working people. These efforts include building support and advocacy for worker friendly legislation, furthering the acceptance of collective bargaining in the workplace and educating the general public on the importance of the American Labor Movement. The CLC's commitment to the betterment of their community has never waivered, and their unselfish willingness to lead by example has undoubtedly contributed to a higher standard of living for—not only union members, but for all people in Monroe, Lenawee, and the surrounding communities.

The Monroe County AFL–CIO Central Labor Council mission statement has not strayed from its original purpose and remains committed to education, organizing, mobilizing and creating activities for the common good and welfare of their community.

Madam Speaker, I ask that my colleagues rise and join me in commending the Monroe/Lenawee County AFL–CIO Central Labor Council on 50 years of advocacy for workers and tremendous service to the community.

HONORING THE 250TH ANNIVERSARY OF AMHERST, MASSACHUSETTS

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. OLVER. Madam Speaker, I rise today to celebrate the founding of Amherst, Massachusetts 250 years ago on February 13, 1759. The following history provided by the Amherst Historical Society paints a fascinating picture of a town I have been honored to represent my entire legislative career.

Two hundred fifty years ago, a section of Hadley, Massachusetts became the district of Amherst when local men petitioned the government of Massachusetts Bay to incorporate Hadley's Second Precinct (as Amherst was officially called) as a district which could hold town meetings and govern itself. On February 13, 1759, a bill was passed and the royal governor, Thomas Pownall, named the new district ''Amherst'' to honor his friend General Jeffery Amherst, who had recently led a successful military expedition against the French in Canada.

Hadley famers, who had been grazing their cattle on Amherst lands since the late 1600s,

called this land by many names—Hadley Farms, East Farms, Hadley Outer Commons, East Hadley, New Swamp, and event Foote's Folly Swamp. Hadley farmers didn't think much of Amherst's soil as compared with the richer soils closer to the Connecticut River, but the Amherst land was fertile enough and, during a brief peaceful period in the late 1720s, a few farmers ventured to establish Amherst homesteads.

In the 1750s, more farms sprang up and the population of ''East Hadley'' topped that of the original settlement, but inhabitants were still required to travel to Hadley to conduct town business and pay taxes, for which they received little in return. This led, naturally, to the locals desire to govern themselves.

But Amherst's history goes back much farther. About 1,000 years ago, native peoples who lived and fanned all over Southern New England, including the area that became Amherst, met regularly at sites along the Connecticut River for fishing, feasting, and socializing. The Norwottucks, one of those groups, traveled through Amherst and probably set up temporary campsites along the Fort and Mill Rivers. They used two major trails, a path that later became Bay Road and one in the area of Pulpit Hill and East Leverett Roads.

The beginnings of the town we know today were not only built by those original farmers from Hadley and surrounding communities but by Africans who were brought here as slaves, torn from their homelands and families. Up through the 1770s, slaves were bought, sold, leased, and traded in Amherst. They worked on their owners' houses and farms and were always subject to being sold away from their families. During this same period, several free blacks also lived in Amherst.

Today, descendants from every group representing Amherst's ''First Comers'' can be found living in town and throughout the Connecticut River Valley.

What distinguished Amherst from other Connecticut Valley farming towns was an early interest in education. Between 1814 and 1821, Amherst citizens established both Amherst Academy and Amherst College. As early as 1847, Massachusetts citizens began thinking about the need for agricultural education, which paved the way for the founding of the Massachusetts Agricultural College in Amherst in 1863. In this same period, Amherst boasted small-scale manufacturing (and later large-scale hat factories) but without a large, powerful river, manufacturing never blossomed as it did in other Massachusetts communities. Amherst remained an agricultural and educational community.

It was the establishment of the University of Massachusetts in 1947 and its post-World War II expansion, the opening of Hampshire College in 1970, and the attendant population increase and development boom that threatened Amherst's small town character and natural beauty. Citizens responded with local laws to preserve agricultural land and to limit development. By the late 1960s, the town was noted for being progressive and socially conscious, with outspoken citizens bringing national and international issues to the local level. This independent spirit, combined with good schools, open spaces, and a vibrant intellectual life, has made Amherst a magnet for newcomers.

There are also other Amhersts: a home to immigrants from all over the world; a place where machinists and shop owners work and goods are made and sold; a place where people struggle to make ends meet amid social services spread then; and a town caught between residents' high expectations for schools and services and a tax base largely funded by property tax on private residences. Slightly more than half of Amherst's land is in use by the colleges and university or remains under conservation or agricultural restriction. Townspeople watch and wait as the resolutions to these economic issues evolve and define Amherst's future.

Once again, I am proud and honored to represent this town rich in history and community. Please join me in congratulating the Town of Amherst as it celebrates its 250th Founders Day.

TRIBUTE TO TRUMAN BENEDICT

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. CALVERT. Madam Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to the community of San Clemente, California are exceptional. San Clemente has been fortunate to have dynamic and dedicated community leaders who willingly and unselfishly give their time and talent and make their communities a better place to live and work. Truman Benedict is one of these individuals. On February 19, 2009, the San Clemente Chamber of Commerce will honor Truman with their ''Outstanding Lifetime Achievement Award.''

Truman Benedict moved to San Clemente in 1949, along with his wife Betty. A credentialed teacher educated at Whittier College in Los Angeles, Truman first began teaching seventh graders at Las Palmas. A Superintendent who had originally come to the ''village,'' as San Clemente was known, in 1944, selected Truman for the job of seventh grade teacher.

While renting a place on Avenida Pelayo, Truman continued for five years to teach at Las Palmas School where he worked for $180 a month. Truman Benedict became Principal of Las Palmas School, and in 1956 was named Superintendent of the San Clemente Elementary School District, which included Las Palmas and Concordia schools.

In 1965 when the Capistrano Unified School District, encompassing San Juan Capistrano, Capistrano Beach and San Clemente, was formed, Truman was named Assistant Superintendent in charge of curriculum and the certifying of teaching personnel. He eventually became Superintendent, then Deputy Superintendent of the district. From there Truman went on to serve as a San Clemente City Councilman, City Mayor and member of and volunteer for many civic groups.

Teaching came natural to Truman Benedict. As the smallest person in Los Angeles to ever play varsity basketball, Truman expected a lot of himself, and said that he was inspired by teachers who expected a lot out of him in return. Truman became a teacher because he enjoyed school and working with kids. It follows that in his career he was most often called upon to handle the older and brightest children.

In addition to his distinguished career as an educator and public servant, Truman is also a patriot; he served four years in the U.S. Armed Forces as P38 pilot. He was married to his wife Betty for 45 years until she passed away. Truman and Betty have two daughters, Sally and Nancy, and four grandchildren. The Truman Benedict School is named after him and Truman was named the 1990 San Clemente Citizen of the Year.

Truman's tireless passion for community service and education has contributed immensely to the betterment of the community of San Clemente, California. I am proud to call Truman a fellow community member, American and friend. I know that many community members are grateful for his service and salute him as he receives the ''Outstanding Lifetime Achievement Award.''

IN REMEMBRANCE OF TOM CLIFFORD, PRESIDENT EMERITUS OF THE UNIVERSITY OF NORTH DAKOTA

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. POMEROY. Madam Speaker, Tom Clifford was the most influential leader of the University of North Dakota in its entire history. I feel fortunate that he was president during my years there. I had the opportunity to work with him as a student senator, state legislator and member of the U.S. Congress. He was one of the finest people I've ever known.

Tom Clifford was a giant in every aspect of his life, from his service as a decorated Marine Corps veteran during World War II to his lasting legacy at the University of North Dakota.

During his 21-year tenure at the helm of UND, President Clifford oversaw a period of tremendous growth, in everything from enrollment—from 8,400 to more than 12,000 students—to research grants and contracts—from $6.4 million to $40 million—to evolving the university through the amazing growth of the aerospace program and the Center for Innovation.

Tom Clifford's influence extended far beyond education. When it came to diversifying the region's economy and creating new high paying jobs and rewarding careers, Tom Clifford was viewed by all parties as North Dakota's ''wise man.'' His counsel was often sought and freely given. His creative contribution will live on in our region through the new opportunities he helped grow.

Tom Clifford never stopped being an excellent athlete and the number one fan of the Fighting Sioux. When I was a student he was the best handball player at the university—turning back challengers decades younger than he was.

One particularly fond memory I cherish came from a trip I took with Tom to the NCAA Division H national championship in Alabama in 2001. The Fighting Sioux slugged it out for 4 quarters but trailed by 4 points with time almost done. The Sioux connected on a short pass, but suddenly the runner broke free and scampered nearly 80 yards for the winning touchdown. Although Tom was seated in the president's box along side the president and a few boisterous alumni from the other team, Tom didn't shout or say much, but his deep

grin and twinkling eyes revealed the thorough happiness and pride he felt.

With Tom Clifford it was never about the talking. It was all about getting the job done successfully. He lived long. He lived well, and his own success created in turn generations of success in the lives of his students and the ongoing economic activity he helped create in our region.

President Tom Clifford was one of the greatest North Dakotans we have ever known. I am proud to have been his friend, and I will never forget his sterling example of integrity and strong leadership.

RECOGNIZING THE ACCOMPLISHMENTS OF CLAUDIA S. KNOTT

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. MORAN of Virginia. Madam Speaker, I rise today to honor the accomplishments of Ms. Claudia ''Scottie'' Knott, who will retire from the Defense Logistics Agency, Fort Belvoir, Virginia, on March 1, 2009. Ms. Knott's distinguished government career spans 31 years, and her record of achievement during this period reflects greatly upon herself and upon the organizations with which she has served.

Ms. Knott has served as DLA's Senior Procurement Executive/Component Acquisition Executive (SPE/CAE) since 2001. Under this position Ms. Knott was responsible for the development, application, and oversight of DLA acquisition, policy, plans, programs, functional systems and operations. She has overall acquisition management responsibilities for the Agency including an annual Agency acquisition program exceeding $38 billion.

Born in Petersburg, Virginia, Ms. Knott has followed a wide-ranging career of increasing responsibility culminating in her appointment as Director of Acquisition Management. In 1978, she entered the Federal service as a program assistant for the Department of Agriculture and in 1981 was selected into the Defense Logistics Agency Intern Program. In 1993 she was accepted into the Industrial College of the Armed Forces (ICAF), Defense Acquisition University. After ICAF Ms. Knott went to work for the Assistant Deputy Under Secretary of Defense (Acquisition Reform/Electronic Commerce). In 1997, Ms. Knott became the Assistant Executive Director, Procurement at the Defense Logistics Agency.

In 2003, Ms. Knott was selected by the Director, Defense Logistics Agency, to be the Deputy Director, Logistics Operations. As the deputy, she was responsible for DLA's supply, distribution and reutilization and marketing business areas which resulted in over $30 billion in sales and services to the United States military and federal customers. Ms. Knott served as the Deputy Director, Logistics Operations until her appointment to Director, Acquisition Management in 2007, a principal staff code in DLA, as part of a reorganization to elevate contracting and contract management.

Ms. Knott attended Florida Institute of Technology, Chapman College and the National Defense University and is the recipient of numerous special achievement and performance awards including the Distinguished Civilian Service Award in September 2008. Ms. Knott was selected as one of the Federal Computer Week Top 100 IT Professionals in 1999 and 2001. She is an honorary lifetime faculty member of the Army Logistics Management College. Ms. Knott has also received the Vice President's ''Hammer Award'' for business reengineering in 1996 and has been confirmed into the Distinguished Order of Saint Martin, the patron saint of Logistics.

Madam Speaker, I wish to commend Ms. Claudia S. Knott on her retirement from Federal civil service. She epitomizes the dedication and professionalism that make our Federal government a model all over the world.

A TRIBUTE TO A.V. JONES, JR.

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. NEUGEBAUER. Madam Speaker, I would like to take this time to recognize A.V. Jones, Jr. for his dedication to the West Central Texas Municipal Water District. A.V. retired last year after 46 years of continuous service to the District, which includes the cities of Abilene, Albany, Anton, and Breckenridge.

A.V. Jones, Jr. was born in Wichita Falls, Texas in 1932 and moved shortly after to Albany, Texas, where he has lived ever since. After graduating from Oklahoma University with a Bachelors of Science in Petroleum Geology, A.V. settled in Albany with his wife, Pat. They have two children, Patti Holloway of Abilene, Texas and K.C. Jones of Albany, Texas.

A.V. joined the West Central Texas Municipal Water District in 1962. During his nearly half-century of service, A.V. served twice as President of the District. Under his leadership, the District oversaw and completed the construction of the Hubbard Creek Reservoir and its pumping system and pipeline that provides water to the District's four member cities. A.V. worked to maintain and preserve the Hubbard Creek Reservoir as a secure long-term water source for the District by exploring and pursuing alternate sources for the cities.

A successful entrepreneur in the oil and gas industry, A.V. and his family founded several oil and gas exploration companies. He is a Vice President of the Texas Oil and Gas Association, is on the Board of Directors of the American Petroleum Institute, and is a past President of the Independent Petroleum Association of America. Moreover, A.V. is a former President of the Board of Trustees of the Albany Independent School District.

A.V. brought his spirit of leadership and his knack for success from the oil and gas industry to the Water District. As a Director and Officer, A.V. had a profound impact on reaching the District's goal of providing a safe and reliable source of water through the management of existing resources and the pursuit of additional sources of water.

Many people in West Texas can attribute the running water in their homes to the hard work and commitment of A.V. Jones. Those in District 19, including myself, would like to thank him for a job well-done and extend to him our best wishes for his future endeavors.

IN REMEMBRANCE OF DON ALEXANDER

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. POMEROY. Madam Speaker, I rise today to remember a good man and a great American, the Honorable Donald C. Alexander. Don's recent passing was a great loss to those who loved him and to our Nation as a whole. He was a man of dignity and integrity whose brilliance was exceeded only by his kindness and generosity of spirit.

Don is perhaps best remembered for his distinguished tenure as head of the Internal Revenue Service (IRS) in the 1970s. Don always stood firmly on the side of right, and famously resisted President Nixon's attempts to use the IRS to persecute his political enemies. This was utterly in character for Don—he hated injustice in any form, and fought against it his entire adult life. He was a dedicated public servant, and served on numerous Federal commissions, including the Martin Luther King, Jr., Federal Holiday Commission.

Don never bragged about his distinguished military service, but he was a true American patriot who loved his country deeply. He was a twice-decorated veteran of World War II who served in Europe as a forward artillery observer and received the Silver Star and the Bronze Star.

Don was an honors graduate of Yale and Harvard Law School and one of the smartest tax lawyers our country has ever seen. His wise counsel on tax policy was sought by Members of Congress across the political spectrum, including myself. Don believed that the tax code could be an instrument of justice, and worked his entire adult life to make it more simple and more fair for every American.

Don never quit trying to make this country better. He came to work every day well into his eighties. His thorough knowledge of the tax code on a technical level, the legislature process on a practical level, and the context of the times on a historic level made his counsel and guidance second to none.

In addition to his many professional accomplishments, Don was a loyal and loving friend. He was the consummate gentleman, and his unstinting generosity and courtesy were widely admired. Don had a sharp wit, a ready charm, and a perpetual twinkle in his eye. He was always humble, kind, and loving to those around him. He will be dearly missed, but never forgotten.

BIPARTISAN RESOLUTION CONDEMNING IRAN'S PERSECUTION OF BAHA'IS

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

''In Germany, they first came for the gypsies, and I didn't speak up because I wasn't a gypsy. Then they came for the Bolsheviks, and I didn't speak up because I wasn't a Bolshevik. Then they came for the Jews, and I didn't speak up because I wasn't a Jew. Then they came for the trade unionists and I didn't speak up because I wasn't a trade

unionist. Then they came for the Catholics. I didn't speak up then because I was a Protestant. Then they came for me, and there was no one left to speak up.''

—Martin Niemoller, a Lutheran pastor arrested by the Gestapo in 1937.

Mr. KIRK. Madam Speaker, then they came for the Baha'is.

The Baha'i Faith is the youngest of the world's independent monotheistic religions. Founded in Iran in 1844, it now claims more than 5 million adherents in 236 countries and territories. Gathering worshipers from nearly every national, ethnic and religious background, the Baha'is preach tolerance, diversity and equality.

To an Islamic dictatorship that denies its people basic political and human rights, this religion founded in Iran on the tenets of religious tolerance remains an anathema to the Supreme Leader. And the world is standing by as Iran's state-sponsored persecution of its Baha'i minority nears its final stages.

In 2006, Iran's Armed Forces Command Headquarters ordered the Ministry of Information, the Revolutionary Guard, and the Police Force to identify members of the Baha'i Faith in Iran and monitor their activities.

In that same year, we saw the largest roundup of Baha'is since the 1980s. The Iranian Interior Ministry ordered provincial officials to ''cautiously and carefully monitor and manage'' all Baha'i social activities. The Central Security Office of Iran's Ministry of Science, Research and Technology ordered 81 Iranian universities to expel any student discovered to be a Baha'i.

In 2007, the situation worsened. More than two-thirds of the Baha'is enrolled in universities were expelled once identified as Baha'is. Police entered Baha'i homes and businesses to collect details on family members.

Twenty-live industries were ordered to deny licenses to Baha'is. Employers were pressured to fire Baha'i employees and banks were instructed to refuse loans to Baha'i-owned businesses. Baha'i cemeteries were destroyed.

In November 2007, three Baha'i youths were detained for educating underprivileged children.

The following month, the Iranian Parliament published a draft Islamic penal code, requiring the death penalty for all ''apostates''—a term applied to Baha'is and any convert away from Islam.

On May 14. 2008, seven members of Iran's national Baha'i coordinating group were arrested. This is reminiscent of the mass disappearance and assumed murder of all the members of the National Spiritual Assembly of the Baha'is of Iran in August, 1980.

On August 1, 2008, the U.S. House of Representatives passed H. Res. 1008, condemning the persecution of Baha'is in Iran and calling for the immediate release of all Baha'is imprisoned solely on the basis of their religion.

Our bipartisan voice bought the Baha'i leadership some time—but it appears only 6 months.

This week, the Government of Iran charged the seven Baha'i leaders with ''espionage for Israel, insulting religious sanctities and propaganda against the Islamic republic.'' Deputy Tehran Prosecutor Hassan Haddad declared, ''The charges against seven defendants in the case of the illegal Baha'i group were examined . . . and the case will be sent to the revolutionary court next week.''

It is time for the international community to act.

Today, along with my colleagues JIM MCGOVERN and BRAD SHERMAN, I am introducing a bipartisan resolution calling on the Government of Iran to immediately release the seven Baha'i leaders and all others imprisoned solely the basis of their religion.

I urge President Obama and Secretary Clinton, in concert with the international community, to publicly condemn Iran's persecution of its religious minorities and demand the release of these seven community leaders.

PERSONAL EXPLANATION

HON. CHRISTOPHER JOHN LEE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. LEE of New York. Madam Speaker, I regret that I do not have the opportunity to participate in today's debate due to the need to be back in my district. I sincerely appreciate the Members of the House engaging in a moment of silence to honor the memory of those who lost their lives in last night's tragic accident in Clarence, NY.

America's current economic crisis has hit western New York hard, and from the outset of this debate, I have expressed the need for a timely, fiscally responsible recovery plan that provides the economy with the jumpstart it needs to create jobs.

This new Washington spending plan simply fails to meet this common-sense standard of economic growth. It is far more focused on growing Washington than it is on stimulating job creation and had I been present I would have voted no.

In many ways, this spending bill is inferior to its predecessor. It creates nearly just as many and expands more government programs while severely limiting tax relief for small businesses, which create most of our economy's new jobs. In fact, for every one dollar this spending bill devotes to small-business tax relief, Washington gets to keep more than 32 dollars for itself to create new government programs.

Creating jobs in western New York has been at the top of my ''to-do'' list since before I ran for Congress, when I was helping run a family manufacturing business.

That's why I helped craft a timely, fiscally responsible economic recovery plan that creates twice the jobs at half the cost of this Washington spending bill. Additionally, my recovery plan creates 184,000 more jobs for New Yorkers than this spending bill.

The plan I helped put together spurs job creation right now by providing relief for 100 percent of income taxpayers, preserving ''net operating loss carryback'' reforms that help small business weather tough economic times, and implementing a tax deduction equal to 20 percent of income for those small businesses with 500 or fewer employees.

Washington's refusal to reform its spending habits and focus its efforts on job creation puts significant taxpayer dollars at risk. In fact, the massive spending in this plan is enough to create budget deficits 2.5 times the size of President George W. Bush's deficits over the same 8-year period.

EXPRESSING GROWING CONCERN WITH THE RECENT RISE IN ANTI-SEMITISM IN SOUTH AMERICA

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Mr. HASTINGS of Florida. Madam Speaker, I rise today to introduce a resolution expressing growing concerns about the recent rise of anti-Semitism in South America, and the accompanying acts of violence and hatred against members of the Jewish community there.

Throughout my life, and throughout my tenure in Congress, I have always condemned the unconscionable spread of anti-Semitism wherever it has raised its ugly head. There is never an excuse to single out members of the Jewish community for attack, to destroy their sacred property, to boycott their businesses, or to perpetuate physical harm.

From Asia to Africa to Europe to the Middle East, too many leaders have too often used anti-Semitism to deflect attention from their own failings, or to stir up their domestic populations for political gain.

We see the pernicious tidings of anti-Semitism, this time in South America. In Venezuela, Bolivia and Argentina, Jewish communities in recent weeks and months have been the subject of vicious attacks, verbal abuse, and government-supported expressions of extreme intolerance and intimidation. My resolution highlights some of these recent attacks, including the January 30th assault on the Tiferet Israel synagogue in Caracas, Venezuela, in which armed men using tear gas violently ransacked this house of worship.

While I am pleased that eleven suspects have been arrested, I am disturbed to learn that a majority of these men are police officers. Indeed, the Venezuelan government of late has fostered a climate of hatred, openly questioning the loyalties of Venezuela's Jewish community, and using recent events in Israel to score cheap political points by assailing members of the Jewish community.

Madam Speaker, I could tell a similar story about events in Bolivia and Argentina, where Jewish children have arrived at their schools to find swastikas painted on walls and graffiti admonishing Jews to leave the country.

These attacks are not isolated incidents of a few bad apples, but rather reflect the systematic use of violence and intimidation in the place of dialogue and debate. Anti-Semitism is not a legitimate form of public protest. It never has been and it never will be. We cannot, in good conscience, allow these acts of hatred to go unnoticed and unreported. I ask my colleagues to support this resolution to condemn these acts of violence and to encourage the Venezuelan, Bolivian, and Argentinean governments to take all necessary steps to ensure that anti-Semitism is not tolerated in South America.

PERSONAL EXPLANATION

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 13, 2009

Ms. GRANGER. Madam Speaker, on rollcall Nos. 54, 55, 56, 58, and 59, I was absent from the House. Had I been present, I would have voted ''yea.''

HONORING JOHN D. DINGELL FOR HOLDING THE RECORD AS THE LONGEST SEVING MEMBER OF THE HOUSE OF REPRESENTATIVES

SPEECH OF

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 2009

Mr. ETHERIDGE. Mr. Speaker, I rise in honor of JOHN D. DINGELL's distinguished service in the House of Representatives, and in support of H. Res. 154. As many of the other speakers have noted, we do not just honor him for this longevity in this institution, but for what he has done while he has served here. For more than 50 years, he has represented the interests of working Americans from across this country, and particularly from his home district in Michigan. He has been a strong defender of rights: a strong voice for civil rights and civil liberties, and a leader in environmental protection. He has brought his intellect and passion to bear to address the challenge of health care access, helping establish Medicare in 1965, the Children's Health Insurance Program in 1997, and many other health initiatives since and between. He understands the urgency that remains on this issue, and I can think of no person better positioned to make expanding health coverage for all Americans a reality.

One of the things I really respect about JOHN, beyond his commitment and dedication to this country, is his honesty. When he says something, his word is his bond. It says a lot about this institution when the Dean of the House is reliable like that, and whether he is with you or against you know where you stand. I have appreciated working alongside him throughout my own service in this distinguished House.

I salute Congressman DINGELL's long commitment to public service, his impressive record of accomplishment, and his defense of working Americans. I urge my colleagues to join me in honoring his service by voting for H. Res. 154.

HONORING THE NAACP ON ITS 100TH ANNIVERSARY

SPEECH OF

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. DAVIS of Illinois. Mr. Speaker, as we recognize February as Black History Month, I wish to take a moment to celebrate the NAACP on the occasion of its 100th anniversary. Over the past century, the National Association for the Advancement of Colored People, or NAACP, has played a vital role in the progress of the African American community. This organization has advocated faithfully for decreasing racial disparities in the areas of healthcare, education, employment, criminal justice, and poverty.

The NAACP is the Nation's largest and oldest civil rights organization. Through grass root efforts, the organization has influenced policy from the homes and communities of citizens to the voting booths and the classrooms around America. The NAACP has involved many, from children and ordinary citizens, to our Nation's elected officials and Presidents. The dedication of the NAACP and its fight for social justice has involved great leadership.

The NAACP has played a significant role in many civil rights victories. Its persistent protests and steadfast support for anti-lynching legislation was critical to making this horrible practice illegal. Similarly, its members championed the Voting Rights Act of 1965 that guaranteed that no person could be denied the right to vote because of his or her race. It also has served as a strong watchdog to uphold the spirit and letter of these laws at the State and local levels. Clearly, the NAACP's involvement politically has contributed to the progress of America by saving lives and empowering minority communities.

Ida B. Wells, a prominent civil rights activist and resident of Illinois, was the co-founder of the NAACP. Wells is most known for her journalism. Her writing received the interest of both blacks and whites. After being banned from the South for speaking out about lynching and the government's refusal to stop the violence, Ms. Wells moved to Chicago. While in Chicago, she married Ferdinand Barnett and together they had four children. Her nickname, ''the Constant Star'' provides a testament to her relentless fight for social justice and equality. The NAACP has embodied her nickname by remaining constant in its efforts in promoting equality for all.

The NAACP has grown considerably since its inception. Today, the NAACP has over 500,000 members with more than 1,300 national and international branches, and over 45 branches in the State of Illinois.

Recently, three students from the Chicago Westside Branch, located in the Seventh Congressional District, won at the 2008 National ACT–SO competition. The ACT–SO program, founded by the NAACP, is a year-long program that is used to enrich African American high school students' lives by encouraging high academic and cultural achievement. This program allows students to compete in various areas ranging from the sciences to visual and performing arts. Thus, I would like to recognize Terrence George, Eric Clark, and Aeriel Robinson for their brilliance and hard work.

I commend the NAACP on its commitment to the African American community and its political, economic, social, and educational efforts in promoting social change. I tip my hat to the first centennial anniversary and look forward to its second.

Daily Digest

HIGHLIGHTS

Senate agreed to the conference report to accompany H.R. 1, American Recovery and Reinvestment Act.

Senate agreed to H. Con. Res. 47, Adjournment Resolution.

The House agreed to the conference report to accompany H.R. 1, American Recovery and Reinvestment Act of 2009.

Senate

Chamber Action

Routine Proceedings, pages S2257–S2348

Measures Introduced: Seventeen bills and three resolutions were introduced, as follows: S. 434–450, S. Res. 49–50, and S. Con. Res. 7. **Page S2322**

Measures Reported:

S. Res. 50, authorizing expenditures by the Committee on Small Business and Entrepreneurship. **Page S2322**

Measures Passed:

National Association for the Advancement of Colored People 100th Anniversary: Senate agreed to H. Con. Res. 35, honoring and praising the National Association for the Advancement of Colored People on the occasion of its 100th anniversary. **Page S2347**

Adjournment Resolution: Senate agreed to H. Con. Res. 47, providing for an adjournment or recess of the two Houses. **Page S2347**

Measures Considered:

District of Columbia House Voting Rights Act—Cloture: Senate began consideration of S. 160, to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives. **Page S2347**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Friday, February 13, 2009, a vote on cloture will occur at 11 a.m., on Tuesday, February 24, 2009. **Page S2347**

Subsequently, the motion to proceed was withdrawn. **Page S2347**

A unanimous-consent agreement was reached providing that if the cloture is invoked on the motion to proceed to consideration of the bill, all post-cloture time be yielded back, the motion to proceed to consideration of the bill be agreed to, and Senate then proceed to consideration of the bill. **Page S2347**

A unanimous-consent agreement was reached providing that Senate resume consideration of the motion to proceed to consideration of the bill following the reading of Washington's Farewell Address on Monday, February 23, 2009. **Page S2348**

Conference Reports:

American Recovery and Reinvestment Act—Conference Report: By 60 yeas to 38 nays (Vote No. 64), Senate agreed to the conference report to accompany 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. **Pages S2288–S2313**

During consideration of this measure today, Senate also took the following action:

By 60 yeas to 38 nays (Vote No. 63), three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to the motion to waive Section 204(a) of S. Con. Res. 21, FY08 Congressional Budget Resolution, with respect to Section 5(a) of the conference report. Subsequently, a point of order that the emergency designation provision in the conference report was in violation of section 204(a) of S. Con. Res. 21, FY08 Congressional Budget Resolution, was not sustained. **Page S2312**

Appointments:

Commission on Security and Cooperation in Europe (Helsinki): The Chair, on behalf of the Vice President, pursuant to Public Law 94–304, as amended by Public Law 99–7, appointed the following Senators as members of the Commission on Security and Cooperation in Europe (Helsinki) during the 111th Congress: Senators Burr and Wicker. **Page S2347**

Nomination—Agreement: Senate began consideration of the nomination of Hilda L. Solis, of California, to be Secretary of Labor. **Page S2347**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Tuesday, February 24, 2009. **Page S2347**

Messages from the House: **Page S2319**

Measures Referred: **Page S2319**

Executive Communications: **Pages S2319–21**

Petitions and Memorials: **Pages S2321–22**

Additional Cosponsors: **Pages S2322–23**

Statements on Introduced Bills/Resolutions: **Pages S2323–46**

Additional Statements: **Pages S2318–19**

Authorities for Committees to Meet: **Page S2346**

Record Votes: Two record votes were taken today. (Total—64) **Page S2312**

Adjournment: Senate convened at 10 a.m. and adjourned, under the provisions of H. Con. Res. 47, at 11:03 p.m., until 2 p.m. on Monday, February 23, 2009. (For Senate's program, see the remarks of the Majority Leader in today's Record on pages S2347–48.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Small Business and Entrepreneurship: Committee ordered favorably reported an original resolution authorizing expenditures by the Committee.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 46 public bills, H.R. 1058–1103; 1 private bill, H.R. 1104; and 11 resolutions, H. Con. Res. 54; and H. Res. 169–178, were introduced. **Pages H1604–07**

Additional Cosponsors: **Pages H1607–08**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Tauscher to act as Speaker Pro Tempore for today. **Page H1523**

Question of Consideration: The House agreed to consider the conference report to accompany 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, by a yea-and-nay vote of 232 yeas to 195 nays, Roll No. 68. **Page H1537**

American Recovery and Reinvestment Act of 2009—Conference Report: The House agreed to the conference report to accompany 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, by a yea-and-nay vote of 246 yeas to 183 nays with 1 voting ''present'', Roll No. 70. **Pages H1536–88**

Rejected the Miller (MI) motion to recommit the bill to the committee of conference by a yea-and-nay vote of 186 yeas to 244 nays, Roll No. 69. **Pages H1586–87**

H. Res. 168, the rule providing for consideration of the conference report, was agreed to by a yea-and-nay vote of 231 yeas to 194 nays, Roll No. 67, after agreeing to order the previous question by a yea-and-nay vote of 234 yeas to 194 nays, Roll No. 66. **Pages H1524–36**

A point of order was raised against the consideration of H. Res. 168 and it was agreed to proceed with consideration of the resolution by voice vote. **Pages H1524–26**

Moment of Silence: The House observed a moment of silence in honor of the victims of the airplane crash in New York on February 12, 2009. **Page H1588**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Thursday, February 12th:

Commemorating the life and legacy of President Abraham Lincoln on the bicentennial of his birth: H. Res. 139, to commemorate the life and legacy of President Abraham Lincoln on the bicentennial of his birth, by a ⅔ yea-and-nay vote of 403 yeas with none voting "nay", Roll No. 71; **Pages H1588–89**

Congratulating the National Football League champion Pittsburgh Steelers for winning Super Bowl XLIII and becoming the most successful franchise in NFL history with their record 6th Super Bowl title: H. Res. 110, to congratulate the National Football League champion Pittsburgh Steelers for winning Super Bowl XLIII and becoming the most successful franchise in NFL history with their record 6th Super Bowl title; **Page H1589**

Supporting the goals and ideals of American Heart Month and National Wear Red Day: H. Res. 112, to support the goals and ideals of American Heart Month and National Wear Red Day; and **Page H1589**

Yvonne Ingram-Ephraim Post Office Building Designation Act: 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". **Page H1589**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 10 a.m. on Tuesday, February 17, 2009, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 47, in which case the House shall stand adjourned pursuant to that concurrent resolution. **Page H1589**

United States Group of the NATO Parliamentary Assembly—Appointment: The Chair announced the Speaker's appointment of the following Member of the House of Representatives to the United States Group of the NATO Parliamentary Assembly: Representative Tanner, Chairman. **Page H1596**

Quorum Calls—Votes: Six yea-and-nay votes developed during the proceedings of today and appear on pages H1535–36, H1536, H1537, H1586–87, H1587–88, and H1588–89. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 4:13 p.m.

Committee Meetings

HOT-SPOTS BRIEFING; COUNTER INTELLIGENCE BRIEFING

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Hot-Spots. The Committee was briefed by departmental witnesses.

The Committee also met in executive session to receive briefing on Counter Intelligence. The Committee was briefed by departmental witnesses.

Joint Meetings

No joint committee meetings were held.

Next Meeting of the **SENATE**

2 p.m., Monday, February 23

Senate Chamber

Program for Monday: Senator Johanns will be recognized to read the traditional reading of Washington's Farewell Address; following which, Senate will resume consideration of the motion to proceed to consideration of S. 160, District Of Columbia House Voting Rights Act.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

2 p.m., Monday, February 23

House Chamber

Program for Monday: To be announced.

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