Across Pennsylvania this issue comes up all the time when I talk to people in our State. If you look at it in terms of the Nation, there are nearly seven times the number of Americans without health insurance today as there were in 2000. Families USA is an organization that analyzes health care in the country, and then they focus specifically on a particular State. The most recent report of Families USA finds that nearly 3 million Pennsylvanians under the age of 65 were uninsured for some period of time in 2007 and 2008. The overall number of Pennsylvanians without health insurance is growing faster than the nationwide average.

So we have a major challenge on our hands with regard to health care, and the President has been very focused on making sure health care is a major component of this budget. We are going to be talking about the specifics of that in the days ahead.

The President also made a strong commitment to energy independence. We all know it is important. We know it is an urgent priority, and we have talked a lot about it—year after year of talking and not acting, year after year of explaining the problem instead of putting the solutions into law, into the budget, into the programs we know can work.

Energy independence is not just a nice thing to do, it is not just another way to go about heating our homes and powering our economy. Energy independence is essential for our national security. The more we ignore it, the less safe we are. The more we ignore energy independence, the more the terrorists have an increasing advantage over us. We have to deal with this this year as well. We are dependent for oil on some of the most politically unstable areas of the world. We know that, but we can't just acknowledge that, we have to act on it.

This budget addresses the need for investments in clean energy that will help us combat global warming and create the new green jobs of the future—not just any jobs, the green jobs that will pay wages on which you can sustain a family.

This budget, with regard to energy, builds on the investment we made through the recovery and reinvestment bill we passed not too long ago, for renewable energy, energy efficiency and conservation, electric grid modernization, and low-carbon coal technology, which is so important for our transition to this new energy economy.

I wish to conclude today by addressing the issue of education. We know that the challenge we have with regard to education is a lifetime of challenges, and we have to think about education as a continuum, a continuing series of challenges we have to face as Americans.

We cannot say we want a growing economy or higher GNP growth or a skilled workforce to compete in the world economy—we cannot really say that with any degree of truth or integrity unless we are willing to make investment in children in the dawn of their lives. As Hubert Humphrey said a long time ago—he talked about how the test of government is how we treat those in the dawn of life, the shadows of life, and those in the twilight of life. When he spoke of the dawn of life, of course he was speaking of our children.

The United States of America today has no prekindergarten education policy beyond the important program of Head Start. But we have to not just make the funding commitment to Head Start, which has been so important to our economy and to our children and our families, we have to do more than Head Start. We need a full commitment to prekindergarten education—early learning. President Obama understands that. He campaigned on it. He promised the American people he was going to work on it, and he put it in his budget. It is so critically important to make this a priority in our budget. But he knows that making sure a child has access to early education and health care and the promise of a bright future will not reach fulfillment unless we invest in higher education as well. Access to higher education and the opportunities it affords is one of the fundamentals of what makes this country strong. I really believe his commitment on higher education is a seminal part of his budget.

But I really believe also that when President Obama talks about education, he is not just talking about it in some abstract form. When he focuses on the needs of our children, it is not an abstraction—not only because he is a husband and a father but because President Obama believes, as I believe, that every child in America, no matter where they live, no matter who they are, no matter who their parents are, every child in America is born with a bright, scintillating light inside them. It is up to us, those of us who are elected officials, who are given power to help people, who are given power to get things right in this country as best we can, it is up to us to make sure that whatever that light is inside a child, it burns ever brighter, that that child's full potential—if it is unlimited or if it is much more limited—whatever that potential is, whatever the brightness of that light is, we have an obligation here to make sure that potential, that light burns brightly. I really believe what President Obama has tried to do on education speaks directly to that obligation we have as Members of the Senate or Members of Congress.

We have a lot more to talk about in the days ahead. We have a lot more challenges to face as we face the challenge not only of passing a budget but of making sure these programs work for people. But in the end, this is about people. It is about Trisha Urban and families who face the impossible challenge of having health care for their family. It is also about a lot of families in Pennsylvania and across the country who lost their homes, may have lost their jobs, and have lost their hopes and their dreams.

I believe with all my heart that this budget is one of the ways we speak to their concerns, one of the ways we do our best to speak to the worries they have about their own future, one of the ways we give integrity to the promise we have when we say we are working here to make sure the families of America can reach their potential: that children's lives will be better than their parents' lives. There are many people worried about that basic feature of American life.

This budget is not perfect. We will continue to work on it. I and others will have amendments, but President Obama has put us on a path to make the investments in health care, education, and energy; to cut the deficit in half; to provide tax relief; and also by making those investments to put us on a path not just to getting our economy out of the ditch and back on the road but making sure we are making the investments to grow our economy in the future—to create jobs, to create opportunity, and to create a future for our families and especially for our children.

We have a long way to go, but I really believe President Obama—working with leaders such as Chairman CONRAD here in the Senate and others in the House as well to make sure we are on that path to fiscal responsibility—is on the path to investing in priorities such as health care, education, and energy. If we work together, we can reestablish the kind of economy we used to have and reestablish and reenergize the priorities the American people elected us to work on. I know we can do that together, but it is not going to be easy. We look forward to the challenge. We look forward to working with President Obama.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call roll.

Mr. ENZI. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. GILLIBRAND). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATIONAL SERVICE REAUTHORIZATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 1388, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1388) to reauthorize and reform the national service laws.

Pending:

Mikulski amendment No. 687, in the nature of a substitute.

Thune amendment No. 716 (to amendment No. 687), to express the sense of the Senate regarding the Federal income tax deduction for charitable giving.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, I rise in support of the Serve America Act. I haven't been here for the debate. Wyoming has been under snow, particularly the part of Wyoming I happened to be in. I thank the people who made it possible for me to get back as soon as I have. It has kept me from this very important legislation. I am grateful for the leadership of Senator HATCH in the management of this bill and keeping the process moving. He has played a tremendous role in the drafting of this bill, and it is appropriate that he manage the bill and continue to do so.

I also thank Senator MIKULSKI for defending the bipartisan process. I know it has not been easy. I am sorry I missed my friend Senator KENNEDY's appearance on Tuesday evening. I look forward to his quick return to the day-to-day business of the Senate.

Let me turn to the issue of the national service reauthorization before us. My mother always told me service to others is the rent we pay for the space we take up. This bill will help millions of Americans fulfill that rent payment. After 16 years, we finally have the opportunity to take a hard look at the law surrounding national service and making necessary changes to improve accountability, reduce bureaucracy, and ensure we get the maximum return on the investment we are making.

Although the process we took to reach this point was rushed, it was bipartisan throughout. It is not a perfect agreement, but it includes key Republican concepts such as eliminating waste, and it addresses serious concerns about the management and operations of the AmeriCorps program. Senators HATCH and MCCAIN have been stalwarts in keeping us focused on the importance of national service. Each of them has given back to their communities and country through their individual sacrifices and commitment to service. Without their leadership, we would not be here today.

I also congratulate Senator MIKULSKI on the work she has done to ensure this bipartisan process and her willingness to focus on the 80 percent we can agree on to get this bill done. We do need to get it done.

Finally, I cannot proceed without acknowledging our friend and colleague, Senator KENNEDY, and his lifelong commitment to the issue of national service. He is dedicated to making sure everyone who is called to national service has the opportunity to serve in programs that address the needs of their communities. We look forward to his speedy recovery and return to the Senate.

A comprehensive reauthorization of our national service programs is long overdue. Congress has not given these programs a hard look for 16 years. Working across the aisle and with our colleagues in the House, we have been able to identify areas where we can enact reforms, eliminate waste, and expand our national service efforts responsibly. This bill strengthens the management, oversight, and fiscal accountability of these Federal programs while it expands accessibility and streamlines bureaucracy, which is particularly critical for smaller and rural programs.

As the Senate's only accountant, I am particularly concerned about how these programs have struggled to get their financial house in order. I am pleased that the bill before us strengthens the role of the chief financial officer and the inspector general at the Corporation for National and Community Service and moves to fixed price grants that will streamline these programs. This bill now requires the Corporation's board of directors to review the national service budget submission before it goes to OMB.

Additionally, when the inspector general recovers misspent national service funds, the bill requires that those funds go back into the national service trust. With these changes, I believe we are creating tools that will allow the corporation to better safeguard taxpayer dollars.

I hear from Wyoming constituents about the need to make these programs more responsive to the challenges facing small grantees and rural communities. In this bill, we have taken steps to reduce Federal bureaucracy and improve access for small grantees. By giving the corporation the flexibility to use fixed price grants, we are reducing the significant paperwork and administrative burdens that have plagued these programs in the past. We will really see the impact of streamlining access to these programs as the corporation reaches out to more effectively help Native American communities and tribal governments.

In the past, a significant portion of the 1 percent set-aside for programs serving Native American communities has not been used. Too often, these are communities that experience the most extreme needs for education, health, and workforce services. I am encouraged that the corporation has recently brought on board a strategic adviser for Native American affairs. They are bringing to the table the kind of focused expertise that can help improve the ability of tribes to access the programs in the National and Community Service Act and the Domestic Volunteer Service Act.

These opportunities are critically important. One of the ways youth in Wyoming engage in service is through the Congressional Award Council which connects them to service opportunities and sponsors an award ceremony. In Cheyenne, young people are conducting CPR and first aid classes, improving disaster preparedness training in the community. That is all on a completely volunteer basis. They get a little medal for doing a lot of hours of service. Each year the council sponsors an award ceremony where members of the congressional delegation award certificates and bronze and silver medals. Gold medal recipients have a special opportunity to travel to Washington, DC, in June to receive their medals.

I am also pleased this bill creates a veterans corps that provides veterans with an opportunity to use their skills and leadership abilities after they leave the military. Participating in this corps is a way for Americans to provide the essential support that military families need while their husbands, wives, sons, and daughters are deployed.

An opportunity corps has been included to address challenges in disadvantaged low-income communities, which is particularly fitting in this time of economic uncertainty. As part of this corps, we have emphasized the need many Americans have for financial literacy education and job placement assistance. I am very supportive of provisions in this bill that build connections to the needs of our workforce.

I thank Senator MIKULSKI for working with me to find a third way to resolve the issue of how best to introduce competition into the senior corps program. In Wyoming, over 1,000 people a year participate as senior companions, foster grandparents, or community volunteers. They perform services such as conducting safety patrols and participating in environmental cleanup projects. The original proposal around competition would have seriously disrupted the important services provided by these programs. In this bill, we have arrived at a workable solution that will improve the good work being done in these programs through technical assistance and responsible competition.

I also thank Dr. COBURN for his thoughtful contribution to the establishment of metrics to be used in evaluating the performance of our national service programs. We reached quick agreement around his proposal between committee markup and today, and we will be able to incorporate his suggestions into this bill.

I want to focus on that a little bit more because this is a committee that has been one of the most contentious and is now one of the most productive because of this working together, working through the process, and then working after the process. Dr. COBURN brought up these important changes that he thought the bill needed. We looked at them. They were good ideas. We were able to get the language right and get it incorporated into this bill so we will have a better idea of how each of these programs is working.

I understand the concern that we are going too far in expanding these programs. I agree it is not a perfect bill.

We took out a number of programs and put in some ideas that were important to Senator HATCH and to Senator KENNEDY. It has held the line and focused on what needs to be done.

By being at the table and working in a bipartisan way, we have been able to limit the number of new programs and control the proposed increases in discretionary spending. We have also added accountability and performance measures at every step of the way for each program.

I also would like to clarify further what this bill does. In exchange for an education award and small stipend, we are supporting Americans who have made a commitment to mobilize their neighbors to address the pressing needs of their communities. We are leveraging the efforts of a few to mobilize millions. I am pleased we have worked in a bipartisan way to negotiate a bill we can support in the Senate. It should receive strong support in the House. The 80 percent we have agreed upon is good policy. It reinforces both Democratic and Republican principles, and it will benefit disadvantaged communities across the country.

I am confident the House will concur with the bill ultimately passed off of the Senate floor. This bill will then reach the President's desk quickly. I do hope we can get finished in an expedited manner. I am pleased with the cooperation and the work that people who were not even on the committee have done. That will make a difference in getting this very important bill to the finish line.

As I mentioned, it has been 16 years since we took a hard look at these programs. The committee, particularly Senator HATCH and Senator MIKULSKI, worked through this bill, along with Senator KENNEDY and myself. We made some very strong improvements that will make this a very workable program and one that we will be proud to move forward.

I ask Members to restrain amendments and help us get this bill finished today.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Madam President, I believe we need to take a moment to recognize the support the Serve America Act has received from leaders and organizations throughout the country.

I actually have in my possession a copy of a letter to the Senate leadership signed by 21 Governors from around the country, including Gov. Haley Barbour from Mississippi, Gov. M. Jodi Rell from Connecticut, and Gov. Arnold Schwarzenegger from California. In the letter, these State leaders express their support for the Serve America Act and give solid testimony regarding the value of national service, particularly of the States' role in our national service programs.

Madam President, I ask unanimous consent to have the Governors' letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MARCH 23, 2009.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.
Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.
Hon. JOHN BOEHNER,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SENATOR REID, SENATOR MCCONNELL, SPEAKER PELOSI, AND REPRESENTATIVE BOEHNER: We write in support of reauthorizing and expanding AmeriCorps and other national service and volunteer programs that the Corporation for National and Community Service administers. Accordingly, we support the passage of the House Generations Invigorating Volunteerism and Education (GIVE) Act and the Senate Serve America Act. In this difficult time for our country, service remains an enduring American value that brings communities together and reminds us of the strength of our common bond.

As Governors, we witness firsthand the positive effects that national service and volunteerism have in communities throughout our states. Through outstanding state-federal partnerships, we have a unique opportunity to support service and volunteering through Corporation for National and Community Service programs. Additionally, Governor-appointed state commissions oversee and administer AmeriCorps, promote national service and volunteering, and develop innovative volunteer opportunities to meet the needs of our communities and our states.

As Governors, we recognize the value of national and community service as a tool in meeting important needs and addressing pressing challenges, and we request the following provisions in the final reauthorization legislation:

Increase administrative funding to enhance the capacity of state commissions' infrastructure. The proposed legislation will dramatically increase the programming commissions oversee, and additional administrative funding is critical in ensuring appropriate oversight and thoughtful program expansion.

Streamline the AmeriCorps funding allocation, and at the same time, allow Governors and state commissions to set priorities and indicators. Current legislation revises the program funding allocation model to ensure more effective distribution of funds and coordination at the local level. This revised model will assist our efforts to target national service resources to the most pressing needs of our communities,

Fully implement fixed amount grants to reduce the burden on programs. This provision will allow AmeriCorps to become more accessible to smaller organizations, especially small faith-based programs and those in rural parts of the country. Fixed amount grants will also focus resources on program development, delivery and quality, all while maintaining grantee accountability.

We strongly embrace the effort of both President Obama and a bi-partisan group of Congressional leaders to improve and expand national and community service opportunities. We support the effort to enhance the capacity of state service commissions and ensure that national service is mission-oriented, efficient, and effective. We therefore respectively request your support for the reauthorization and expansion of these vital national service programs.

Sincerely,

Governor Arnold Schwarzenegger, California; Governor David A. Paterson, New York; Governor Mike Beebe, Arkansas; Governor Bill Ritter, Colorado; Governor M. Jodi Rell, Connecticut; Governor Jack Markell, Delaware; Governor Pat Quinn, Illinois; Governor Chester J. Culver, Iowa; Governor Steven L. Beshear, Kentucky; Governor John E. Baldacci, Maine; Governor Martin O'Malley, Maryland.

Governor Deval Patrick, Massachusetts; Governor Jennifer M. Granholm, Michigan; Governor Jon Corzine, New Jersey; Governor Bill Richardson, New Mexico; Governor Ted Strickland, Ohio; Governor Donald Carcieri, Rhode Island; Governor Christine 0. Gregoire, Washington; Governor Joe Manchin III, West Virginia; Governor Jim Doyle, Wisconsin; Governor Haley Barbour, Mississippi.

Mr. HATCH. Madam President, I also have a copy of a letter sent by the ServiceNation coalition. It is signed by 441 nonprofit and charitable organizations—all of which support this legislation. They vary from faith-based groups such as Catholic Charities to local groups such as Volunteer Florida and the Volunteer Center of Kalamazoo. Local United Way and Boys & Girls Club chapters have also signed on, as have a number of colleges and universities. These are the kinds of groups we will be empowering with passage of this legislation. They have built-in connections to their communities and know the needs of the people they serve. The Serve America Act will help them put even more boots on the ground in order to provide much needed services to people all over the country.

Madam President, I ask unanimous consent to have the ServiceNation letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MARCH 9, 2009

Hon. HARRY REID,
Hart Senate Office Building,
Washington, DC.
Hon. MITCH MCCONNELL,
Russell Senate Office Building,
Washington, DC.

DEAR MAJORITY LEADER REID AND MINORITY LEADER MCCONNELL: Thank you for your leadership as our nation faces unprecedented economic challenges. We are convinced that as the current crisis deepens—intensifying needs in the nation's most economically vulnerable communities and forcing greater and greater numbers of Americans out of their jobs and homes—it is absolutely crucial that the nation invest in service, social innovation, and the non-profit sector. We strongly support the Serve America Act (S. 277) for precisely this reason.

The Serve America Act, introduced by Sen. Ted Kennedy (D–MA) and Sen. Orrin Hatch (R–UT), features a number of proposals for using service and social innovation to address pressing challenges in areas such as

education, public health, poverty, and energy efficiency. It also provides much-needed support for the non-profit sector at a time when the demand for the vital services it provides is rising sharply, even as shrinking revenues decrease capacity and threaten debilitating job losses.

The Act will strengthen the non-profit sector, empowering it to respond to rising needs in communities across the nation. The Serve America Act will:

Create four targeted problem-solving corps that will deploy Americans of all ages to increase access to job training and placement resources, help raise high school graduation and college-going rates, enhance energy efficiency and improve natural resources, and improve access to health care;

Establish Community Solutions Funds to invest in and scale the proven, innovative solutions that are having an impact in communities across our nation. The Fund will promote greater innovation in the social sector and evaluate performance based on results;

Found Youth Engagement Zones to involve in-school and out-of-school youth in high-quality service learning projects and recognize ''Campuses of Service,'' institutions of higher learning that engage students in service activities, integrate service and learning, and promote service careers;

Draw upon the unique insights and leadership skills of individuals who have completed military and civilian service through Innovation Fellowships. These fellowships will enable such individuals to establish non-profit organizations that respond to local and national needs. The Act will also call upon Baby Boomers to use their talents to address national challenges through Encore Fellowships;

Honor the long-standing tradition of community volunteering by creating a Volunteer Generation Fund to increase the number of Americans who are able to work with community and faith-based organizations to meet growing needs; and

Mobilize skilled Americans to serve in developing countries around the world to tackle urgent problems, such as HIV/AIDS and malaria through Volunteers for Prosperity.

Notably, the Act also emphasizes the importance of results, accountability and transparency, creates indicators of civic health, and requires that federal investments be matched with significant contributions from private, philanthropic, state, and local sources. In these ways, the Serve America Act ensures that the non-profit sector's response will be both effective and cost-efficient. Moreover, the Act promotes collaboration between the non-profit sector, local government actors, and the State Commissions, which have provided leadership with respect to service since their creation, thereby guaranteeing that programs are tailored to meet state and local needs.

Most importantly the Act will, as President Obama noted in his address before Congress, ''encourage a renewed spirit of national service for this and future generations.'' It will provide Americans of all ages and backgrounds—who are more eager than ever to help shape this nation's future—with opportunities to confront the challenges facing our country.

Thank you for your public service and your leadership in this time of crisis. We hope that you will enable greater numbers of Americans to serve with you to collectively strengthen our nation by supporting and fully funding the Serve America Act.

Sincerely,

Signed by 441 organizations.

Mr. HATCH. I also have a copy of a letter of support sent by the members of the Campus Compact, a group of 1,100 colleges and universities that promote efforts to create civically engaged campuses. The signees to the letter include the presidents from the great schools of my State, including Utah State University, Salt Lake Community College, Utah Valley University, College of Eastern Utah, Weber State University, Dixie State College, Snow College, Brigham Young University, and the University of Utah. I think the administrators of these schools recognize the value of engaging young people in community and volunteer service. I am proud to see so many schools from Utah on the list, and I am quite certain that when this legislation becomes law, many students from these schools will benefit from it and, in turn, help to benefit others in their communities.

Madam President, I ask unanimous consent to have the Campus Compact letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CAMPUS COMPACT,
Boston, MA, March 20, 2009.

DEAR MEMBERS OF CONGRESS, as Members of Campus Compact and leaders in higher education, we wish to express our support of the Serve America Act (S 277) introduced by Senator Edward Kennedy and Senator Orrin Hatch. We feel strongly that investment in community service, service-learning, social innovation and the non-profit sector is a winning strategy at this time.

Campus Compact is a 23 year-old coalition of over 1100 college and university presidents that promote the public purposes of higher education through the creation of civically engaged campuses. We have been involved in the evolution of the Serve America Act, serving as one of the original members of the organizing committee for ServiceNation.

We support the participation of Americans of all ages in innovative service programs that leverage federal funding wisely and bring much-needed relief to our country's most economically vulnerable communities. The Serve America Act strengthens existing national service programs as well as creating new initiatives. These programs include: four new volunteer corps, each focusing on a critical issue facing our nation; designation of up to 30 institutions of higher education as ''Campuses of Service,'' based on their records of student engagement in service and service-learning; and the creation of Youth Engagement Zones to support service-learning partnerships between higher education institutions and local education agencies.

As President Obama said in his speech before Congress on February 24th, the Serve America Act will ''encourage a renewed spirit of national service for this and future generations.'' We ask you to support the Serve America Act, and make it possible for millions of Americans to contribute to the rebuilding of our country in the spirit of service.

Sincerely,

National Campus Compact Board Members: John J. DeGioia, President, Georgetown University, Chair of National Campus Compact Board; Toni Murdock, President, Antioch University, Vice Chair of Campus Compact Board: Jane Karas, President, Flathead Valley Community College, Vice Chair of Campus Compact Board; Richard R. Rush, President, California State University Channel Islands, Vice Chair of Campus Compact Board; Louis Albert, President, Pima Community College—West Campus; Lawrence S. Bacow, President, Tufts University; Warrick L. Carter, President, Columbia College Chicago; James B. Dworkin, Chancellor, Purdue University—North Central; David Giunta, President and CEO, Natixis Global Associates; James T. Harris III, President, Widener University; JoAnn Haysbert, President, Langston University; Teresa Iannaconi, Partner, KPMG LLP; Alex Johnson, President, Community College of Allegheny County; John Keating, Chancellor Emeritus, University of Wisconsin—Parkside; Leo Lambert, President, Elon University; John Sirek, Citizenship Program Director, McCormick Foundation; James Votruba, President, Northern Kentucky University.

Campus Compact Members Stan A. Albrecht, President, Utah State University; Charles M. Ambrose, President, Pfeiffer University; Daniel Asquino, President, Mount Wachusett Community College; Carol Ballantyne, President, Garden City Community College; John Bassett, President, Clark University; Michael S. Bassis, President, Westminster College, Utah, Chair of Utah Campus Compact Board; Michael T. Benson, President, Southern Utah University; Carole M. Berotte Joseph, President, Massachusetts Bay Community College; Daniel Bingham, CEO, The University of Montana-Helena; Laura Bingham, President, Peace College; Cynthia A. Bioteau, President, Salt Lake Community College; Robert J. Birgeneau, Chancellor, University of California, Berkeley; Richard H. Brodhead, President, Duke University; Robert Bruininks, President, University of Minnesota; Jim W. Burnett, President, Western Piedmont Community College; Wayne M. Burton, President, North Shore Community College; Bob Caret, President, Towson University; Richard F. Celeste, President, Colorado College; Carol Christ, President, Smith College; Thomas B. Coburn, President, Naropa University; Joan Coley, President, McDaniel College; Robert Coombe, Chancellor, University of Denver; Robert A. Corrigan, President, San Francisco State University; Carol Cowin, President, Middlesex Community College; Steven Curtis, President, Community College of Philadelphia; George Dennison, President, The University of Montana, Chair of Montana Campus Compact Board; Ray Di Pasquale, President, Community College of Rhode Island, Chair of Rhode Island Campus Compact Board; Rick Dorman, President, Westminster College, Pennsylvania.

Lorna Edmundson, President, Wilson College; Tom Flynn, President, Alvernia University; Daniel Mark Fogel, President, University of Vermont; Geoff Gamble, President, Montana State University; Frank Gilmore, Chancellor, Montana Tech of the University of Montana; Alvin Goldfarb, President, Western Illinois University, Chair of Illinois Campus Compact Board; Mary K. Grant, President, Massachusetts College of Liberal Arts; Rolf Groseth, Chancellor, MSU-Northern; Karen Gross, President, Southern Vermont College; David Hartleb, President, Northern Essex Community College; Robert Hemenway, Chancellor, University of Kansas; Ralph J. Hexter, President, Hampshire College; Stefani Hicswa, President, Miles Community College; Garrett D. Hinshaw, President, Catawba Valley Community College; Elizabeth Hitch, Interim President, Utah Valley University; Jackie Jenkins-Scott, President, Wheelock College; Mike King, Interim President, College of Eastern Utah; Steve Knapp, President, The George Washington University; Karol LaCroix, President, Granite State College, Chair of Campus Compact for New Hampshire; Jay Lemons, President, Susquehanna University, Chair of Pennsylvania Campus Compact

Board; Jean MacCormack, Chancellor, University of Massachusetts Dartmouth; Patricia Maguire Meservey, President, Salem State College; Bette Matkowski, President, Johnson & Wales University—Denver Campus, Chair of Colorado Campus Compact Board; Gene McAllister, President, University of Great Falls; Joe McDonald, President, Salish Kootenai College; Allen C. Meadors, Chancellor, The University of North Carolina-Pembroke; W. Richard Merriman, President, Southwestern College, Chair of Kansas Campus Compact Board; William F. Messner, President, Holyoke Community College; Keith Miller, President, Lock Haven University; F. Ann Millner, President, Weber State University; C.D. Mote, Jr., President, University of Maryland.

Brian Murphy, President, De Anza College; Stephen D. Nadauld, Interim President, Dixie State College; Gloria Nemerowicz, President, Pine Manor College; Kay Norton, President, University of Northern Colorado; James L. Oblinger, Chancellor, North Carolina State University; J. Michael Ortiz, President, California State Polytechnic University, Pomona; Eduardo Padron, President, Miami Dade College; Kenneth E. Peacock, Chancellor, Appalachian State University, Chair of North Carolina Campus Compact Board; William S. Pfeiffer, President, Warren Wilson College; Tom Powell, President, Mount St. Mary's University; Stephen A. Privett, S.J., President, University of San Francisco; Nido R. Qubein, President, High Point University; Judith Ramaley, President, Winona State University, Chair of Minnesota Campus Compact Board; J. Lawrence Richards, President, LDS Business College; Rollin C. Richmond, President, Humboldt State University; Cecil O. Samuelson, President, Brigham Young University; John J. Sbrega, President, Bristol Community College; Joe Schaffer, CEO, MSU—Great Falls; Irving Schneider, President, Johnson & Wales University—Providence; Art Scott, President, Northampton Community College; Ronald Sexton, Chancellor MSU—Billings; Harold Shapiro, President, Emeritus Princeton University; Rev. Michael J. Sheeran, S.J., President, Regis University, Denver; Richard Storey, Chancellor, The University of Montana—Western; Michael Taylor, President, Stanly Community College; H. Holden Thorp, Chancellor, The University of North Carolina at Chapel Hill; Steven Timmermans, President, Trinity Christian College; Baird Tipson, President, Washington College; Tom Trebon, President, Carroll College; Sandy Ungar, President, Goucher College; Jeffrey von Arx, S.J., President, Fairfield University, Chair of Connecticut Campus Compact Board; Charles O. Warren, Interim President, Defiance College; Jon Wefald, President, Kansas State University; Richard L. White, President, Utah College of Applied Technology; A. Hope Williams, President, North Carolina Independent College and Universities; Scott L. Wyatt, President, Snow College; Michael K. Young, President, University of Utah; Tony Zeiss, President, Central Piedmont Community College.

Mr. HATCH. I think these letters show the type of thing we are dealing with here. It is truly a national movement that has gotten behind the bipartisan coalition here in Washington that has been pushing to move this bill forward. Once again, I am proud to be a part of this effort, and I continue to urge my colleagues to support the bill as well.

Madam President, I would like to take a moment to discuss what I think is one of the most important new programs contained in the Serve America Act, the ServeAmerica Fellowship program. The ServeAmerica Fellowships will basically be vouchers, enabling Americans of all ages and interests to work full or part time in service with nonprofit and faith-based groups.

The bill calls for the creation of up to 1,500 fellowships by 2014. Here is how it will work: The Corporation for National and Community Service will make grants to State Service Commissions to allow them to award the ServeAmerica Fellowships. Those receiving the fellowships will work with approved service organizations and nonprofits on projects directed at those areas of national need identified in the bill. Even with these fellowships, we want to make sure our national service efforts are aimed at addressing specific needs and solving specific problems. The ServeAmerica Fellowships will be administered almost entirely at the State level, allowing the States to continue to be 50 State laboratories of innovation for volunteer service programs. The fellowships will be funded by the corporation at 50 percent of the total average annual subsistence allowance provided to VISTA volunteers. The host organizations will contribute the additional funding so that the fellow receives between 70 and 100 percent of the VISTA annual subsistence allowance. Fellows will also receive an educational award identical to that which is awarded to other national service participants.

Now let me explain what we are trying to do with these fellowships. I believe that smaller nonprofit or faith-based organizations lacking large-scale capacity can nonetheless benefit from the efforts and presence of national servicemembers. Indeed, committed individual volunteers at startup nonprofits of faith-based charitable groups can provide the human capital needed to dramatically expand the charities' impact and help them recruit other volunteers. Again, this multiplying effect is the aim of almost every program under the bill. These fellowships will help ensure that faith-based, rural, grassroots, and other smaller nonprofits will benefit from this multiplying effect by having access to national servicemembers, even if they lack large-scale capacity.

In addition, this program will fulfill one of the main goals we had in drafting this legislation, which is allowing the people the flexibility to choose their own paths of service. The fellows under this program will be chosen for their commitment and ingenuity, and I believe we will see some outstanding new service approaches developed as a result of this program.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

AMENDMENT NO. 722 TO AMENDMENT NO. 687

Mr. BURR. Madam President, I send an amendment to the desk and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. BURR] proposes an amendment numbered 722 to amendment No. 687.

Mr. BURR. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To strengthen criminal history checks for participants in national service programs working with vulnerable populations)

On page 213, line 21, strike ''Code.'.'' and insert the following: ''Code.

''(d) SPECIAL RULE FOR INDIVIDUALS WORKING WITH VULNERABLE POPULATIONS.—

''(1) IN GENERAL.—Notwithstanding subsection (b) or any other provision of law, on and after the date that is 2 years after the date of enactment of the Serve America Act, a criminal history check under subsection (a) for each individual described in paragraph (2) shall, except in a case approved for good cause by the Corporation, include—

''(A) a drug test for controlled substances, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802);

''(B) the searches described in subsection (b)(1) and subparagraph (A) of subsection (b)(2); and

''(C) the background check described in subsection (b)(2)(B).

''(2) INDIVIDUALS WITH ACCESS TO VULNERABLE POPULATIONS.—An individual described in this paragraph is an individual who—

''(A) serves in a position in which the individual receives a living allowance, stipend, national service educational award, or salary through a program receiving assistance under the national service laws; and

''(B) as a result of such individual's service in such position, has or will have access, on a recurring basis, to—

''(i) children age 17 years or younger;

''(ii) individuals age 60 years or older; or

''(iii) individuals with disabilities.''.

Mr. BURR. Madam President, I thank you, and I thank the managers of this legislation.

It was my hope I could come to the floor with another amendment that was acceptable on both sides, and I am still anxious and optimistic that we can do it because the spirit of this amendment is not for the purpose of a poison pill to the bill. It was the recognition that when we deal with an expansion of these volunteer efforts that we reach out in a much bigger way and cast a much bigger net to Americans.

Let me say this: To offer this amendment is not to imply that those who work in AmeriCorps today in any way are criminals or nefarious individuals; it is to recognize the fact that we are creating an architecture to take care of the American people, and that includes specifically children, individuals over the age of 60 who are in the senior years of their lives, and individuals who are classified as disabled and have some deficiencies, and we owe it to them and we owe it to the general population to take into consideration as

we, the Federal Government, allow a funding mechanism for people to come in and to participate.

So let me explain for my colleagues simply what this amendment does. What we do is apply this to individuals who, on a continual basis—a recurring basis; let me make that correction—on a recurring basis work with vulnerable populations: kids, the elderly, and the disabled. The amendment allows a 2-year period to ramp up this program before becoming effective. We understand rulemaking will most likely be needed, and we know it doesn't happen overnight in this town. Three, this legislation retains the good cause exemption language.

Now, let me explain. We are asking that individuals who work with vulnerable populations be fingerprinted. We would like them to go through the FBI check process. We would like to know there is no criminal history, that there is not a reason for us to be suspect if they are with our children, our parents, or with a vulnerable person who is disabled.

The good exception clause is there and very broadly written, and I might go to the language. It says ''shall except in a case approved for good cause by the Corporation''—''shall'' not ''will''; it is not mandatory—''shall go through a fingerprint process, good cause exception, for good cause,'' very loosely defined. That could be the size of the corporation, no access to FBI fingerprint check, it could be the size of the entity without the financial capabilities to go through it.

Now, I added something overnight to this bill. I didn't want to do it, but I did. I added drug testing. Drug testing is a very applicable thing, I say to my good friend, the manager on the majority side. This is not in stone for me. It wasn't in my original amendment. I think it shows my frustration that I went through last night, not being able to work out something that made unbelievable common sense to me.

I would think this would be a threshold we would set. I would prefer to do it in a bipartisan way versus just to have a vote because I know today the vote would be on a motion to table, I would lose, and this initiative would not be in place. Although my children aren't old enough, my father is. If, in fact, there was any volunteer who came into the facility he lives in and works with him, I would like to have the comfort of knowing at least somebody said: Let's make sure the individuals, in fact, don't have criminal backgrounds, that they have gone into this with a truly volunteer reason versus for some aspect of criminal intent.

Now, my chief concern and the reason for wanting this is kids, the elderly, and the disabled. It is no more than that. We know a vast majority of folks who work in these programs do it because they believe in it. They want to have an effect, a positive effect on somebody's life, and that is what they have chosen to do. I think it is important for us to realize that it doesn't matter whether it is AmeriCorps for title I schools or childcare centers or an entity that accepts CDBG subsidies. When parents leave their children in the hands of somebody every day while they are at work to look after their kids, they want to know the volunteers who are there meet the threshold, the standard they would expect. We really wouldn't have an investment except we are talking about Federal Government funding, and I think the American people expect us to uphold what their expectations are; and that is, people who shouldn't be there aren't there.

So I say to my colleagues on both sides, it is my hope we can come to an agreement. It is my hope this can be whittled down to FBI checks only. It is my hope we will all understand the full latitude of the clause for the exception and the word ''shall'' versus ''will.'' It is my hope we can pass the bigger bill with an amendment that resembles what I have offered so we can look at every American family and say: We have looked at those who are the most vulnerable, and to the best of our ability we have tried to make sure somebody who shouldn't be there isn't there.

Now, as every American realizes, even the FBI fingerprint check is not perfect. There is no way for us to look at the population and say nothing can ever happen. But I would suggest today that the standard America holds us to is that we should do something, not nothing; that we should attempt, not just roll over and play dead. If, in fact, we come to the tabling of this, we are going to roll over and play dead. We are not going to take it on. I don't think this requirement chases anybody away except the individuals who shouldn't be in the program to start with, who might not pass the threshold, who might be found to be in one of those databases, so that we certainly wouldn't want them to participate in this program.

So at this time, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I wish to respond to the amendment of my colleague from North Carolina and reach out a hand to him as well in terms of seeing if we could come up with a consensus.

First of all, I support the goals of what the Senator from North Carolina wishes to achieve. There is no one from our side of the aisle who would want to expose anyone in a vulnerable population—children, the elderly, those with disabilities—to a sexual predator, to a druggie, to a pill head, whatever terms we want to use, because the whole idea of AmeriCorps is to have people who will volunteer their services, and out of that will be able to help to uplift these vulnerable populations. So we are on the same broadband in terms of that.

Actually, remember: This bill has not been reauthorized in more than a decade, and in reauthorizing the bill, we actually examined these situations. The bill before the Senate actually requires that national service programs to run a background check through either a State criminal registry or send fingerprints to the FBI for a background check. It does not deal with drug testing. That is a new concept introduced by our colleague.

I wish to reiterate that the new legislation, the Serve America Act, already requires a criminal background check for programs serving children, the elderly, disabled individuals, or any other vulnerable population. It requires that every employee and every volunteer undergo a criminal history check in order to participate in federally funded programs.

We also want to go the extra mile in our bill by prohibiting sex offenders from serving as volunteers. No registered sex offender can serve as either a foster grandparent, a senior companion, or participate in any activity involved in exposure to children as a school volunteer. Our approach is consistent with the comprehensive rules promulgated by the corporation in 2007 following extensive consultation with the Department of Justice and public comment. So we took what they did through rule-making and we have codified it in this bill exactly to deal with the deep and grave and authentic concerns voiced by the Senator from North Carolina.

So our comments to the Senator from North Carolina are, No. 1, we don't think the amendment is necessary because we think we have dealt with it in the bill. Also, I am going to suggest that he and I confer off the Senate floor so we can review the bill and see if it accomplishes his objectives and deal with the issue of drug testing which is in the amendment the Senator has offered today.

If staff on our side of the aisle did not respond to the Senator's inquiry, I apologize for that. We are going to have that staff here, supervised by my staff and Senator KENNEDY's staff, to see what we can work out.

I have worked with the Senator from North Carolina on so many issues, including on the Health Committee where he was a stalwart ally in moving the Higher Education Act. We have worked together in the area of intelligence. We do know about bad guys—bad guys and gals over there and possibly bad guys and gals here. We both want to accomplish the same policy objectives. Let's see if we can't have a conversation.

If our failure to respond in some way needlessly triggered an amendment, I again wish to apologize. So what I would like to do is leave the amendment pending, and let's have a conversation and see what we can work out. But I can assure my colleagues on both sides of the aisle that we want to make sure no vulnerable population is exposed to an AmeriCorps volunteer or any other volunteer receiving Federal

funds in this bill who in any way would jeopardize their health, their safety, and their well-being.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Madam President, I thank the Senator from Maryland for her remarks. She is right. I think we can come to a suitable agreement. I can assure her that if I did not think it was necessary to do an amendment, I would not have done it. It might not be the first time I have been wrong, my wife tells me that frequently. But in my understanding of it, the teeth that are in the bill are not the teeth I have in this amendment as it relates to the FBI background check.

Make no mistake about it. I am not married to the drug testing, though I will tell my colleague this: I think a lot of Americans listening to this would probably say: Why not? But I think in the spirit of how I started this negotiation, it is not an area I believe is important to make as a foundation of this amendment. So I accept the Senator's offer. I will bring my staff over immediately, even though I won't be able to stay, and we will both then be briefed by our staffs and know exactly what we are dealing with.

If, in fact, we have misinterpreted what the content of the bill says, and we believe the appropriate protections are in it, I will be the first to ask unanimous consent to withdraw my amendment.

Ms. MIKULSKI. I appreciate that, as we have engaged with each other on so many other occasions. Therefore, I think that is an excellent way to proceed.

I have only two concerns. One is already in the bill, and the other could be onerous costs to very small agencies. I think we can deal with it and approach it the way we always have—rationally, civilly, and with a commitment to get the job done.

Mr. BURR. I hope the Senator will interpret it the same way I have spelled out the exception clause, and that exception clause could be interpreted, and has been interpreted, to mean the lack of financial capability for a company to engage.

I thank the Senator and yield the floor.

Ms. MIKULSKI. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAUCUS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 716

Mr. BAUCUS. Madam President, the amendment offered by the Senator from South Dakota would state the sense of the Senate that the tax law should not be changed in any way that would discourage taxpayers from making charitable contributions and gifts.

This country has a proud tradition of charitable giving. We are proud of that tradition. We are proud that we give to those in need, and we should encourage people to keep on giving. One of the best ways to do that is through the itemized deduction for charitable giving.

We very much support the itemized deduction for charitable giving. But the Senator's amendment is overbroad. It would put the Senate on record as favoring the preservation of incentives for charitable giving over all other priorities.

Let me talk about a few other priorities the Senate might want to consider.

What about cracking down on tax cheats? What about balancing the budget? What about repealing the so-called death tax? The Senator's amendment could be read as conflicting with each of those other priorities.

Let me explain. Let's say a tax cheat sets up a charity that is really a scam. Should the IRS be able to crack down on that scam? Of course it should. But the Senator's amendment says we should preserve the full income tax deduction.

Let's say we want to repeal the estate tax—some call it the death tax. There is pretty wide agreement that it is a disagreeable tax. But studies have also shown that repeal of that death tax would decrease charitable giving. Should we not scale back the estate tax anyway? Of course we should. But the Senator's amendment would put the Senate on record that we always want to encourage charitable giving rather than discourage it, which would put a big limitation on reducing the death tax.

What if we reach a bipartisan budget agreement to limit the deficit and help balance the budget? Might we want to consider limiting the ability of upper income taxpayers to take their full deductions?

This is not so farfetched an idea. Under current law, itemized deductions are already limited for high-income givers—taxpayers with more than $166,800 in income. Congress enacted that change as part of a bipartisan budget agreement, negotiated by OMB Director Dick Darman, and signed into law by the first President Bush. Yet these Americans still give. Americans who itemize deductions, as well as those who don't itemize deductions, continue to give.

According to the CRS, only 30 percent of taxpayers claim a deduction for charitable giving. Yet we know many more give to charity. The group Independent Sector found that 70 percent of households give.

Thankfully, many taxpayers make charitable contributions, even though they are not getting any tax benefit at all. Indeed, one might say the greatest charity is when someone gives from the heart rather than just when it is tax deductible. So we do not need the extreme statement in the Senator's sense-of-the-Senate amendment.

I have offered a side-by-side amendment that emphasizes Congress's continued support of tax incentives for giving. Let's show our support for charitable giving without making the categorical statement in the Thune amendment.

I urge my colleagues to oppose the Thune amendment and support the Baucus amendment.

AMENDMENT NO. 721 TO AMENDMENT NO. 687

Mr. BAUCUS. Madam President, I ask unanimous consent that all pending amendments be temporarily laid aside so that I may call up amendment No. 721.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana (Mr. BAUCUS) proposes an amendment numbered 721 to amendment No. 687.

Mr. BAUCUS. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To express the sense of the Senate regarding the Federal income tax deduction for charitable giving)

At the appropriate place, insert the following:

SEC. —. SENSE OF THE SENATE.

(a) FINDINGS.—The Senate finds the following:

(1) President John F. Kennedy said, ''The raising of extraordinarily large sums of money, given voluntarily and freely by millions of our fellow Americans, is a unique American tradition . . . Philanthropy, charity, giving voluntarily and freely . . . call it what you like, but it is truly a jewel of an American tradition''.

(2) Americans gave more than $300,000,000,000 to charitable causes in 2007, an amount equal to roughly 2 percent of the gross domestic product.

(3) The vast majority of those donations, roughly 75 percent or $229,000,000,000, came from individuals.

(4) Studies have shown that Americans give far more to charity than the people of any other industrialized nation—more than twice as much, measured as a share of gross domestic product, than the citizens of Great Britain, and 10 times more than the citizens of France.

(5) 7 out of 10 American households donate to charities to support a wide range of religious, educational, cultural, health care, and environmental goals.

(6) These charities provide innumerable valuable public services to society's most vulnerable citizens during difficult economic times.

(7) Congress has provided incentives through the Internal Revenue Code of 1986 to encourage charitable giving by allowing individuals to deduct contributions made to tax-exempt charities.

(8) 41,000,000 American households, constituting 86 percent of taxpayers who itemize deductions, took advantage of this deduction to give to the charities of their choice.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should preserve the income tax deduction for charitable contributions through the Internal Revenue Code of 1986 and look for additional ways to encourage charitable giving.

Mr. BAUCUS. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. THUNE. Madam President, if I might, I will speak to the amendment I have filed, which is pending and to which the Senator has now offered a side-by-side.

I want to point out, in terms of the way charitable giving works in the country today, how the deduction applies, if you are in, say, a 35-percent tax bracket, a high-income-tax payer, and if you give $10,000 to a charity, it is actually only costing you $6,500. You are getting a 35-percent tax break.

What the administration's proposed budget would do is reduce the favorable tax treatment an individual who gives to a charitable organization would get in the 35-percent tax bracket down to 28 percent. In other words, if somebody gives $10,000 to a charity—say a religious organization or some university—the benefit they would derive, in terms of tax treatment, would go from $3,500 to $2,800. In other words, instead of costing them $6,500 for that charitable contribution of $10,000, it would cost them $7,200. So you would see an increase of 10.8 percent in the amount it would cost someone to make a $10,000 contribution. After the tax treatment is applied, it would cost them $7,200 under the proposed budget we have seen from the administration.

What my amendment simply does is say we ought to keep current law in place with regard to the tax treatment that is applied to charitable contributions. Here is why it is important—particularly now. We have an economy that is struggling. We have lots of charitable organizations that are noticing a dropoff in their contributions because of the economy. People are seeing a reduction in the values of many of the assets they have had, and people are losing jobs. There are a lot of reasons charitable giving is dropping off, and many of the organizations are faced now with a very difficult challenge in order to be able to keep up and meet the needs they are meeting out there across this great country.

We rely, as a nation, significantly on the good-heartedness of the American people when it comes to contributing to many of these fine organizations that are doing good work. I think we ought to keep that same incentive in place—particularly now more than ever. The timing is critical because you are talking about taking away a tax benefit from people who give to charitable organizations at a time when those organizations are already suffering from a drop off in giving.

So my argument would be—and there is a substantial body of evidence out there that suggests this—that when you reduce the tax benefits for charitable giving, say, by about 10 percent, you get about a 10-percent dropoff in giving. In other words, if you did take the 35 percent that currently would apply—if somebody is in the 30-percent tax bracket and makes a $10,000 contribution and deducts that on their income taxes, they get a 35-percent benefit on that, which means a $3,500 savings or, in other words, the actual $10,000 is only costing them $6,500.

But if you change the tax treatment, as is being proposed by the administration, and make that a 28-percent tax benefit, you then increase the amount the $10,000 contribution is costing the giver, the contributor, to $7,200, which is a 10.8-percent increase in the actual cost of that contribution.

As I said, if the data that is out there is accurate—and I believe it is because I think it is substantial—when you reduce that tax benefit by 10 percent, you also get a 10-percent reduction in the amount that individual would give. I think that is significant, particularly now when you look at the amount the American public gives to charitable organizations. You are talking about anywhere from $8 billion to $16 billion a year in reduced charitable giving in this country. Multiplied over a long period of time—5 to 10 years—you are talking about $160 billion, and potentially over 10, that would not be going into these charitable organizations that are serving great purposes across this country.

I think it is fitting right now to have this discussion. People say: Why don't you do this next week on the budget? We probably will because this is a part of the budget proposal. It is also important to talk about this now because we are talking about expanding programs that the government runs right now, which are designed to do good things out there, and to hire volunteers to do charitable work and perform tasks that are contributing to the greater good. Since that debate is focused on what the government can do, I think it is fitting to talk about what people in this country are already doing in the private sector—individuals who have been blessed by this country and are willing to give something back. I think we ought to encourage more of that not take away from the incentive to do that today.

As I said yesterday in my remarks when I offered this amendment, I don't believe anybody makes a charitable contribution simply because of tax policy. I think people give because they want to give. I do, however, believe tax policy influences the amount of giving an individual makes. The statistics bear that out.

If you have a 10-percent reduction in a tax benefit accorded to somebody who is making a charitable contribution, you are going to see about a 10-percent reduction in the amount of their contribution. That could cost charities significantly all across the country. That is why so many of them have weighed in and suggested that they think it would be a very bad time to go ahead and make this change in tax policy.

My amendment expresses the sense of the Senate—nothing more or less—that puts this body on record saying we ought to keep the full deductibility of charitable contributions as a matter of tax policy in this country.

I think that is a debate that, again, hopefully we will have next week as we debate the President's budget. But I think the President's goal in this is to try to find ways to generate revenue to do other things in their budget. I think this is a bad place to get it. I do not think the savings you are achieving as a result of taking away this tax benefit to charitable giving in the long run is going to in any way offset the decrease we are going to see from people across this country who might otherwise make charitable contributions who, because you take away that tax benefit, are going to see the actual cost of those contributions go up and therefore affect the amount they might otherwise give.

I hope the Senate will go on record. The side-by-side offered by my colleague from Montana affirms the deductibility of charitable contributions from income tax but takes out the word ''full.'' What my amendment does is retains what we have today in terms of tax law, tax policy in its treatment of charitable giving, charitable contributions, and retains the full deductibility of those charitable contributions.

It is important that the sense-of-the-Senate amendment I offered that expresses the view of this body about the deductibility of charitable contributions be the one that we vote on and that we reject the side-by-side that is being offered by the Senator from Montana because it does take away the word ''full,'' which opens the door for changes that will occur in the budget that is going to be offered next week and would reduce the amount—the tax benefit that is accorded to those who make charitable contributions.

I hope when we get to the vote—it does not sound as if it is going to occur until later this afternoon—the Senate will support the Thune amendment, the sense of the Senate affirming support of the Senate for the full deductibility of charitable contributions, and reject the side-by-side offered by the Senator from Montana which does not include the affirmation of full deductibility of that tax benefit. Bear in mind, this is a sense of the Senate. It is not binding, it is not law, but I do think it puts the Senate on record in terms of our full support of full deductibility of charitable contributions.

As I mentioned, timing is important. Right now, with what is happening in the economy and how it is impacting charitable giving to charitable organizations, this is the absolute worst time to be talking about taking away the tax benefit that has produced so much giving and added to the giving people might otherwise do by providing favorable tax treatment. It is an incentive that has worked. It has worked in spades if you look at the amount of giving that occurred in this country in

2007. The number I used in the amendment is $300 billion—2 percent of the GDP—American people contributed to causes greater than themselves. We ought to encourage it, not discourage it. Adopting my sense-of-the-Senate amendment would do that. I hope my colleagues will support it.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Louisiana.

AMENDMENT NO. 705 TO AMENDMENT NO. 687

Mr. VITTER. Madam President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 705.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 705 to amendment No. 687.

Mr. VITTER. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit ACORN, or organizations affiliated or co-located with ACORN, from receiving assistance under this Act)

On page 128, strike line 6 and insert the following:

''(c) INELIGIBLE ORGANIZATIONS.—

''(1) IN GENERAL.—No assistance provided under this subtitle may be provided (including for the participation under this subtitle of a participant in an approved national service position in activities conducted by such an organization) to—

''(A) an organization described in paragraph (2); or

''(B) to an organization that is co-located on the same premises as an organization described in paragraph (2).

''(2) ORGANIZATIONS.—An organization referred to in paragraph (1) means—

''(A) the Association of Community Organizations for Reform Now (ACORN); or

''(B) an entity that is under the control of such Association, as demonstrated by—

''(i)(I) such Association directly owning or controlling, or holding with power to vote, 25 percent or more the voting shares of such other entity;

''(II) such other entity directly owning or controlling, or holding with power to vote, 25 percent of more of the voting shares of such Association; or

''(III) a third entity directly owning or controlling, or holding with power to vote, 25 percent or more of the voting shares of such Association and such other entity;

''(ii)(I) such Association controlling, in any manner, a majority of the board of directors of such other entity;

''(II) such other entity controlling, in any manner, a majority of the board of directors of such Association; or

''(III) a third entity controlling, in any manner, a majority of the board of directors of such Association and such other entity;

''(iii) individuals serving in a similar capacity as officers, executives, or staff of both such Association and such other entity;

''(iv) such Association and such other entity sharing office space, supplies, resources, or marketing materials, including communications through the Internet and other forms of public communication; or

''(v) such Association and such other entity exhibiting another indicia of control over, control by, or common control with, such other entity or such Association, respectively, as may be set forth in regulation by the Corporation.

''(d) NONDISPLACEMENT OF EMPLOYED WORKERS

Mr. VITTER. Madam President, my amendment is very simple and straightforward. While it may on the face of it appear narrow, it actually goes to the center of this debate and to a central concern a lot of folks sincerely have about this bill.

What does my amendment do? My amendment simply states that no money in this program can go to ACORN or any of its affiliate organizations in any way. As I say, on the face of it, that seems like a very specific, very focused amendment, and it is. We are talking about one organization that has done an enormous amount of suspect political activity in the past about which many people in this Chamber—more importantly, many people around the country—have deep reservations.

The amendment also goes to the heart of this debate, and the heart of this debate is whether this new Federal bureaucracy would, in effect, politicize charitable activity around the country, which we certainly do not want. I believe this is a very simple test about that central question, and I encourage all of my colleagues to vote for this amendment—Democrats and Republicans—to pass this simple test and to say: No, this is more proof that we are not going to allow this program to politicize charitable giving and charitable activity around the country.

As I say, this is a very simple, basic test of that question. The proponents of this bill say this is about furthering charitable activity, this is about leveraging charitable activity, expanding that, not politicizing it, not bringing it under Government control. Surely, if we are serious about that, if we are serious about having mainstream consensus support for that, surely ACORN cannot be part of the picture. Surely none of ACORN's affiliate organizations can be part of this funding given recent history.

Some proponents of this bill will immediately jump up and say we don't need this amendment because there cannot be political activity funded in this program. For me, just speaking for myself, that isn't good enough. That assurance does not nearly cover the waterfront of my concerns with regard to ACORN because ACORN has always done both hyperpolitical activity, such as their fraudulent voter registration drives last fall, and has also done what they characterize as pure charitable activity. To fund the latter, to pour millions or even tens of millions of dollars of taxpayer funding into ACORN so-called charitable activity is certainly to underwrite the organization and certainly to support indirectly, if not directly, their very politicized activity with which so many folks in this Chamber and around the country have deep problems.

This is not a theoretical concern. This is proven out in practice that it is a legitimate concern.

First of all, this bill authorizes major Federal spending—$5.7 billion over 5 years.

Second, we know from practice, from history, from clear concrete example that ACORN is in the business of trying to get lots of taxpayer money to underwrite its activity, including through so-called nonpolitical projects. ACORN has received significant funding directly from the Federal Government. Their so-called charitable affiliates have received conservatively over $31 million of taxpayer dollars from 1998 to 2007. In 2008 alone, the next year, ACORN affiliates received almost $10 million in Federal taxpayer funding. This includes numerous subgrants, indirect funding to ACORN from the Federal Government. Over $7 million was awarded to the ACORN Housing Corporation, AHC, in 2008, from the National Foreclosure Mitigation Program administered by NeighborWorks America. Almost $800,000 was awarded to ACORN by the Fannie Mae Foundation from 1992 to 2004. And, of course, these are just two examples. There are many more.

Just speaking for myself, for proponents of the bill to say this is not an issue, this is not a problem because we prohibit political activity in this pot of money, in this Federal program, that is not nearly enough reassurance for me. We have seen from actual practice, from actual history that ACORN can reap millions, tens of millions of taxpayer dollars through their so-called charitable affiliates.

Why do I have a problem with that? Because clearly that money underwrites ACORN in general and supports all of their activities, including their very political and, in many cases, fraudulent voter registration activities.

We all know the stories from the past campaign, the registering of thousands of voters who were either asked to register multiple times by ACORN or who were voters being registered without their knowledge or registering voters who outright did not exist. That was a common and documented practice of this organization. For instance, the St. Petersburg Times in Florida reported that ACORN tried to register Mickey Mouse in that jurisdiction. In July 2008, at least three ACORN workers were convicted of voter fraud in Kansas City. One is awaiting trial. These ACORN workers in Kansas City flooded voter registration rolls with over 35,000 false or questionable registration forms. In March 2008, an ACORN worker was sentenced in Berks County, PA, to 146 days to 23 months for making 29 phony voter registration forms in order to collect a cash bonus. And in Washington, felony charges were filed

against several paid employees and supervisors of ACORN. Over 1,700 fraudulent registrations turned in by the employees were revoked in one of the largest instances of voting fraud in the United States. This is documented. This happened. If we caught these instances, if we prevented these instances of fraud, how many more slipped through the cracks and proceeded on to the voter registration rolls?

The question is very simple: Are we going to create this new Federal program, $5.7 billion of authorization, that could either directly or indirectly fund organizations such as ACORN? Right now, under the current version of this bill, that could absolutely happen. If this bill passes into law, my prediction is it would absolutely happen.

My amendment with regard to ACORN would stop that because it is very simple, it is very direct. There are no ifs, ands, or buts. None of the money could go to ACORN or any of its affiliate organizations. None of the money could support ACORN activities directly or indirectly. That is the reassurance a lot of us need, that this is not an attempt to politicize volunteer activity, this is not an attempt to put the Federal Government and whoever its political masters are at the time in charge of directing volunteer activity across our Nation.

In the 19th century, a Frenchman visited America and wrote a very significant book about it. That was de Tocqueville, and the book was ''Democracy in America.'' The fundamental thing he observed in all of his travels, as documented in that important book, was that America is great because America is good. In saying that, he wasn't talking about Government and he wasn't talking about what we do in Congress or what any level of government does around the country. He was talking about individual citizens banding together in local communities across our land to address real needs to help neighbors, to help feed hungry people, to help meet important community priorities in a purely voluntary way, the civic-mindedness of individual Americans creating these purely voluntary organizations. He said that was the most significant reason for America's greatness, which had to do with the goodness of its people and that activity which is more vital here than in any other country in the world.

I am concerned about putting Government more in charge of that activity. I am concerned about politicizing that aspect of our country which is so fundamental to our historic greatness. My amendment is a very simple but I think important test about whether this bill could threaten that. If we are serious about avoiding that at all costs, then surely a large majority of this body—Democrats and Republicans—will come together, adopt this amendment, and take that threat with regard to ACORN off the table.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I rise in objection to the Vitter amendment No. 705 to single out ACORN, and actually, inadvertently, target other organizations that have no involvement whatsoever with ACORN.

The Senator's amendment prohibits ACORN or organizations affiliated or which are colocated with ACORN from receiving assistance under this act. First, I want to address this colocating. For whatever you feel about ACORN—and I believe it is the one organization being singled out—this amendment would prohibit AmeriCorps funds to any organization simply because they rented space in the same building as ACORN.

Well, in my hometown, many nonprofits are often within the same buildings as other organizations. So there might be a building in Baltimore or Baton Rouge or Fargo, ND, or in New Orleans, where in the very same building that ACORN might be located St. Ambrose Housing Counseling Service might also rent a floor; or it might be the community law center renting another floor in that building; or it might also be the St. Franciscan nuns who might have office space for their outreach to the senior community. So when you are in the same building as ACORN, this amendment would mean you could not get AmeriCorps volunteers.

I am so sorry my rebuttal was considered so insignificant, so trivial, that the Senator didn't even stay to hear it, but maybe everybody listening will hear it. The fact is, in the examples I have given—St. Ambrose Housing Counseling Service might be giving very important financial service counseling to people on financial literacy, and also helping them screen what they can afford or not afford; and on another floor the community law center might be working with our new task force organized by the U.S. attorney to go after mortgage fraud; and the community law center might be working with that task force because so many of our poor, in my community, have been a victim of predatory lending, and we are trying to track down the scams and the schemes and the bums to get rid of them—those organizations might have some AmeriCorps volunteers working with the community to help accomplish our public policies. But simply because they share the same building, they are going to be penalized and not have access to AmeriCorps volunteers.

I think that is wrong, I think it is irrational, I think it is harsh, I think it is punitive, and I think this amendment should be defeated.

The other part of the amendment singles out ACORN for exclusion from AmeriCorps. We want to make it clear that the amendment prohibits funding for one single organization. Whatever you think about ACORN, know that they do work in 110 different cities, and they do a variety of other kinds of things—such as weatherization. The gentleman from Louisiana might be interested to know that after Hurricane Katrina, ACORN volunteers—hundreds of them—went to Louisiana to rehabilitate 3,500 homes.

Now, I know the Senator from Louisiana is concerned that money not go to organizations to conduct voter registration, and I understand that. But this is where the amendment is unnecessary: First, ACORN hasn't received any AmeriCorps funds in a decade. Let me repeat: ACORN hasn't received any AmeriCorps funds in a decade. Also, if ACORN does ever in the future participate in AmeriCorps, they will not be able to use AmeriCorps volunteers to conduct voter registration drives or legislative advocacy. But that is not only ACORN. None of our groups can do voter registration or legislative advocacy.

The other point is that ACORN and any other group would become ineligible if they were ever convicted of a Federal crime. As you know, in the last election, ACORN was viewed in a controversial way. There was an indictment against them. And, by the way, that indictment charge was dismissed, so, therefore, ACORN has never, to my knowledge, been convicted of a Federal crime.

So when we look at the amendment offered by the gentleman from Louisiana, it is punitive toward other organizations that might be in the same building as ACORN, even though it might be a totally different organization. It could be health care for the homeless, it could be a hot line for battered women dealing with violence against women. They would be prohibited from getting AmeriCorps volunteers simply because they are in that building.

As I said, this singles out ACORN, yet ACORN hasn't received any AmeriCorps funds in over a decade. And if AmeriCorps should ever get Federal funds, they would be prohibited from doing any of the activities that would give the other side of the aisle pause or concern. We would have that same pause or concern of, No. 1, no national service participants receiving funds can engage in legislative advocacy and, No. 2, an absolute red light would be if anyone applying for AmeriCorps volunteers—any organization applying for AmeriCorps support—would have been convicted of a Federal crime.

So I oppose the Vitter amendment. Later on today, we will be voting on the Vitter amendment. We expect that vote to occur around 2:30, and I ask my colleagues to reject that amendment.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. HAGAN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, I ask unanimous consent that at 2:30 p.m. today, the Senate resume consideration of amendment No. 721; that upon disposition of that amendment, the Senate resume amendment No. 716; that upon the disposition of that amendment, the Senate then resume amendment No. 705; that prior to a vote in relation to each amendment, there be 2 minutes of debate equally divided and controlled in the usual form; and that no amendments be in order to any of the amendments in this agreement, prior to a vote in relation thereto; that after the first vote in this sequence, the remaining votes be limited to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

Ms. MIKULSKI. To put that in plain English, Madam President, it means that we will be voting on Senator THUNE's sense of the Senate on charitable giving. Senator BAUCUS has an alternative, or a side-by-side, and we will be voting on that. We will also be voting on the Vitter amendment related to ACORN. So those will be the three votes.

For the interest of our colleagues and others as to how this bill is progressing, we are doing very well, and we thank our colleagues for coming down and offering amendments and debating them. All amendments need to be filed by 1 p.m. today. Upon getting that list, we hope to then work down those that can be easily disposed of, but we will also be reaching out to colleagues for them to come and offer the amendments on the floor so at such time later on this afternoon we can have substantive votes.

We want to have substantive debate all afternoon. So if our colleagues could file their amendments by 1 p.m., on both sides of the aisle, we will be expeditiously dealing with them, and then we will be inviting colleagues to offer them and then voting on them later on today.

It would be our hope, and the hope, I believe, of the leaders on both sides of the aisle, that we could conclude the debate and the vote on final passage on this bill today. That would be my goal, and I know the goal of Senator KENNEDY. I know the goal is shared by Senators ENZI and HATCH. With the cooperation of colleagues, we will certainly be able to do it, and we thank them already for their excellent cooperation.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WEBB. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WEBB. I ask consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. WEBB and Mr. SPECTER pertaining to the introduction of S. 714 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. WEBB. Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. SHAHEEN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas is recognized.

Mrs. HUTCHISON. I thank the Chair.

(The remarks of Mrs. HUTCHISON pertaining to the introduction of S. 717 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER (Mr. BENNET). The Senator from Arizona is recognized.

RECONCILIATION

Mr. KYL. Mr. President, I compliment my colleague from Texas for those remarks, but my reaction is, would that it were so, because I have in mind what is happening now in the Budget Committee—which we will all be focused on tomorrow—namely, the passage of a budget out of the committee that we will be taking up in this body next week.

I know it is usual for us to rotate between Republican and Democrat. If my colleague from New York was waiting to speak, I can advise here I will just be about 3 minutes. Let me just make this point.

There are a lot of Democratic colleagues who have said they oppose using the reconciliation process to enact an energy tax or nationalized health care because they rightly want to reach bipartisan agreement on big issues. They emphasize that the Senate version of the budget does not include reconciliation instructions—and that is correct. But all of those Senators and the American people need to know that the House version of the budget does include reconciliation and even includes a placeholder for Senate reconciliation instructions to be inserted in conference.

The House has only one reason to do this. It does not need reconciliation to pass its legislation because, of course, the House operates on a purely majority-rule principle. The only reason to include it is so that the House Speaker and the Senate Democratic leader can force a national energy tax through the Senate, a tax that could cost every household more than $3,000 a year.

Unlike the House, the Senate operates with a supermajority principle. That means anything controversial requires 60 votes. But reconciliation is a special rule, never intended to create new energy or health care policy for our country—issues that are so significant that our regular order should prevail. Indeed, that is the only way to have a bipartisan resolution of these issues. Reconciliation would turn these issues into purely partisan exercises.

If any kind of reconciliation instruction is given to either the Finance Committee or the Environment and Public Works Committee, we can be sure that a new national energy tax, a tax that will hit all American families, is the goal. Reconciliation instructions are, in effect, the Trojan horse for a national energy tax. You don't have to take my word for it. Senator REID said yesterday, in a conference call with reporters, that he would be willing to move a national energy tax through the Senate to pay for sweeping Government health care via reconciliation.

It is easy to say these are just arcane budget rules and technicalities, but we should all be crystal clear about the consequences of reconciliation. If the final budget includes reconciliation instructions for the Senate, Senate Republicans will have no recourse for stopping Democrats from enacting this national energy tax or nationalized health care system. We will be forced to deal with the Democratic majority in a partisan way that I thought the President wanted to avoid. The Senate Parliamentarian has confirmed that if the final budget includes the special budget reconciliation provision, it could be used for any tax increase, regardless of what Democratic leadership promises.

Senate Democrats who have expressed concerns about reconciliation should not take any comfort from statements that there is not reconciliation in the Senate budget. Now, after Senator REID's statement, they are on notice that the special rule will be used for a national energy tax.

I hope they would indicate that they would not support a conference report that included reconciliation.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mrs. GILLIBRAND. Mr. President, I rise today to speak in favor of the Serve America Act. This important legislation will engage hundreds of thousands of Americans, from our young people to our seniors, in a new era of public service. This act represents the best in the American tradition.

I have seen the wonderful work it has already done throughout New York. More than 76,000 New Yorkers are working to meet local needs, strengthen and repair communities, and increase civic involvement through 233 national service projects all across New York. These New Yorkers tutor and mentor children, manage and staff afterschool programs, patrol neighborhoods, provide disaster response, and work to protect our environment and

build nonprofit groups all around our communities.

Just yesterday, I met with 30 nuns who came from Long Island to visit with me, and the work they had done in our community was for those who really need the help the most. They were helping our seniors, and they were helping women who have English as a second language who need to learn English, and they were advocating for world peace.

What is so great about this act is it is for all of us who are not nuns. This act brings a new wave of community activism to bear on our country's needs. It inspires me when I think about all the wonderful diversity of people and projects this will deploy to all parts of our country.

The Serve America Act will provide more than 250,000 opportunities nationwide by investing approximately $6 billion in new service initiatives and existing service programs. These programs include a brandnew national service program to create Youth Engagement Zones to Strengthen Communities program, providing competitive grants to assist programs targeted at high-need, low-income communities and community-based or State entities to engage students and out-of-school youth in service learning and addressing the specific challenges of each of their communities.

The Learn and Serve America Program provides grants to schools, colleges, not-for-profit groups, and it currently engages more than 38,000 New York students in community services linked to academic achievement and the development of civic skills.

Third, we have the Summer of Service Program, which is a national coalition of major youth-serving organizations that is committed to engaging youth in service during summer months.

In this act, we would be allowing our veterans who still want to serve their country the chance to lend a hand in supporting our deployed troops and their families. We also give our seniors, our most experienced citizens, the chance to work with and teach our children. We will improve the opportunities for at-risk urban youth, giving them additional volunteer and educational programs to teach them skills and build their self-confidence. It also gives young people career paths in the professions where we really need their leadership and their time and talents—in math, science, engineering, and health care.

This bill starts a chain reaction of promise, service, achievement, knowledge, and advancement. It is the future of our country.

I have seen so many people in areas around New York where their options are limited. This legislation will provide paths to service and excellence for the young people in these neighborhoods.

Just last month, I was visiting students at Nazareth High School in Brooklyn, NY, and I met with parents who had lost their child to gun violence. I also met with students who lost their classmate. What the students said was: Senator, we have problems with gangs here in our community, and we need an answer to those gangs. We think the best thing you could do is help us with afterschool programming, giving us opportunities to learn new skills, help with our homework, to do arts and crafts, to do sports, to have opportunities to have job training, to learn about public service.

That is exactly what this act does. It authorizes the grants programs that help these kids in these low-income areas to do things after school until their parents come home from work. It gives them the opportunity to work with their seniors, to clean up their neighborhoods, to create new mentoring relationships, to work with YMCAs and girls clubs and faith-based groups. From our urban youth to our most experienced citizens, this legislation will help all of them give more back to their communities.

This legislation helps retirees who are willing to be involved in public service. It will enhance the incentives for our retirees to give a year of service and allow educational awards to be transferred to their children or their grandchildren. It also establishes Encore Fellowships to help our retirees transition to longer term service by helping them work in the not-for-profit sector as a second career.

Our veterans, who have so proudly served this country, also want to continue to give of themselves. This bill allows them to help support our deployed Armed Forces and their families, helping young people at risk, and assists our veterans in developing educational opportunities.

We also are going to fill the needs that are essential for our country's economic future. Everywhere I travel around my State, from Buffalo to Brooklyn, everyone is talking about the need for job creation. This bill allows us to invest in the new areas of renewable fuels, energy independence, technology, and medicine so we can begin to focus our youth on the math, science, engineering, and technology they need to be at the forefront of these new careers. What this act does is provide those opportunities for these students to participate in service projects that help them learn the skills they need in these green jobs and in the health care and technology arenas.

In this time of economic crisis and uncertainty, so many people feel the need to contribute to the greater good. We will harness these millions of hearts and minds to do exactly that, to allow America to reach its potential. It is a critical step in moving forward the promise of our citizens and of our country as embodied in the Serve America act. I encourage all Senators to support it fully.

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.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 690, AS MODIFIED, TO AMENDMENT NO. 687

Ms. MIKULSKI. I now call up the Ensign amendment, No. 690, and I ask that the amendment be modified with the changes at the desk and that the amendment, as modified, be agreed to and the motion to reconsider be laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 690), as modified, was agreed to, as follows:

(Purpose: To improve the provisions relating to erroneous or incorrect certifications)

On page 145, strike lines 4 through 10 and insert the following:

shall assess against the national service program a charge for the amount of any associated payment or potential payment from the National Service Trust. In assessing the amount of the charge, the Corporation shall consider the full facts and circumstances surrounding the erroneous or incorrect certification.

Ms. MIKULSKI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 721

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote on amendment No. 721, offered by the Senator from Montana, Mr. BAUCUS.

The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, the Senate is about to vote on two amendments on the tax treatment of charitable giving. The first is my amendment. My amendment would put the Senate on record supporting charities. It says Congress should look for ways to encourage charitable giving. I hope my colleagues can support it.

The second amendment is the Thune amendment. The Thune amendment favors preservation of full taxing incentives for charitable giving, over all other priorities. That is overbroad. That is extreme. I will have more to say about that in a few minutes.

But the first vote is now on my amendment to state that the Senate's strong support for charitable giving. I encourage my colleagues to support that amendment.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. BAUCUS. I encourage all time to be yielded back.

Mr. KYL. Mr. President, we will yield back the time on the Republican side.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. DURBIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Mr. DORGAN) and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 41, as follows:

[Rollcall Vote No. 112 Leg.]

YEAS—56

Akaka	Gillibrand	Murray
Baucus	Hagan	Nelson (FL)
Bayh	Harkin	Nelson (NE)
Begich	Inouye	Pryor
Bennet	Johnson	Reed
Bingaman	Kaufman	Reid
Boxer	Kerry	Rockefeller
Brown	Klobuchar	Sanders
Burris	Kohl	Schumer
Byrd	Landrieu	Shaheen
Cantwell	Lautenberg	Stabenow
Cardin	Leahy	Tester
Carper	Levin	Udall (CO)
Casey	Lieberman	Udall (NM)
Conrad	Lincoln	Warner
Dodd	McCaskill	Webb
Durbin	Menendez	Whitehouse
Feingold	Merkley	Wyden
Feinstein	Mikulski	

NAYS—41

Alexander	DeMint	McCain
Barrasso	Ensign	McConnell
Bennett	Enzi	Murkowski
Bond	Graham	Risch
Brownback	Grassley	Roberts
Bunning	Gregg	Sessions
Burr	Hatch	Shelby
Chambliss	Hutchison	Snowe
Coburn	Inhofe	Specter
Cochran	Isakson	Thune
Collins	Johanns	Vitter
Corker	Kyl	Voinovich
Cornyn	Lugar	Wicker
Crapo	Martinez	

NOT VOTING—2

Dorgan	Kennedy

The amendment (No. 721) was agreed to.

AMENDMENT NO. 716

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on amendment No. 716, offered by the Senator from South Dakota, Mr. THUNE.

The Senator from South Dakota.

Mr. THUNE. Mr. President, my amendment simply expresses the sense of the Senate that we maintain present law with regard to the deductibility of charitable contributions, that we allow or maintain the current tax treatment practice with regard to charitable contributions, and that is to allow full deductibility. The amendment we just voted on by the Senator from Montana opens the door to something less than full deductibility. I think it is important for the Senate to be on record, particularly in light of the challenges being faced by many charitable organizations these days to keep up with giving.

There was a story in the New York Times this morning that says only 12 percent of charitable organizations expect to end the year with an operating surplus.

Dianne Aviv, president of Independent Sector, a national membership organization of charities, said any decrease in charitable giving caused by Obama's proposal, no matter how small, would be ''seen as a stake in the heart.''

With all other means of income down, the idea that there will be another potential cut to the income of those nonprofit organizations feels catastrophic. It is utterly unacceptable.

We have an opportunity to make a statement here expressing the view of the Senate confirming the current tax treatment for charitable contributions, full deductibility.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, the Thune amendment says: Preserve full tax incentives for charitable giving, over all other priorities.

This is a shot at President Obama's proposal to limit deductions for those making more than a quarter of a million dollars a year.

But the Senator's amendment is broader than that. It is overbroad.

Should the tax law be able to crack down on charities that are actually scams? Of course, it should.

But the Thune amendment says: Preserve the full income tax deduction, no matter what.

Should we scale back the estate tax, even if it would decrease charitable giving? Of course, we should.

But the Thune amendment says: Don't discourage charitable giving.

This amendment is overbroad. I urge my colleagues to oppose the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. BAUCUS. 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 bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Mr. DORGAN) and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

The PRESIDING OFFICER (Mrs. GILLIBRAND). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 48, nays 49, as follows:

[Rollcall Vote No. 113 Leg.]

YEAS—48

Alexander	DeMint	Martinez
Barrasso	Ensign	McCain
Bayh	Enzi	McConnell
Bennett	Graham	Murkowski
Bond	Grassley	Nelson (NE)
Boxer	Gregg	Risch
Brownback	Hagan	Roberts
Bunning	Hatch	Sessions
Burr	Hutchison	Shelby
Chambliss	Inhofe	Snowe
Coburn	Isakson	Specter
Cochran	Johanns	Thune
Collins	Kyl	Vitter
Corker	Lieberman	Voinovich
Cornyn	Lincoln	Webb
Crapo	Lugar	Wicker

NAYS—49

Akaka	Gillibrand	Nelson (FL)
Baucus	Harkin	Pryor
Begich	Inouye	Reed
Bennet	Johnson	Reid
Bingaman	Kaufman	Rockefeller
Brown	Kerry	Sanders
Burris	Klobuchar	Schumer
Byrd	Kohl	Shaheen
Cantwell	Landrieu	Stabenow
Cardin	Lautenberg	Tester
Carper	Leahy	Udall (CO)
Casey	Levin	Udall (NM)
Conrad	McCaskill	Warner
Dodd	Menendez	Whitehouse
Durbin	Merkley	Wyden
Feingold	Mikulski	
Feinstein	Murray	

NOT VOTING—2

Dorgan	Kennedy

The amendment (No. 716) was rejected.

Mr. DURBIN. Madam President, I move to reconsider the vote.

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 705

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on amendment No. 705, offered by the Senator from Louisiana, Mr. VITTER.

The Senator from Louisiana.

Mr. VITTER. Madam President, my amendment is very simple. It says no money under this program could go to ACORN or any of its affiliates. Although it is about that one organization, I think the amendment goes to the heart of this debate.

A lot of us are concerned this bill could politicize and put too much Government involvement in charitable work across the country. Some folks may like ACORN, other folks may not, but nobody can argue that ACORN isn't at its core political and ideological. It should not get money under this program. The language in the bill that says you can't do political activity with the money clearly isn't good enough, because ACORN and other very political and ideological groups would simply have charitable offshoots that could accept the money and be underwritten indirectly in that way.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Maryland.

Ms. MIKULSKI. Madam President, I vigorously, unabashedly, unreservedly

oppose this amendment. This amendment is absolutely not needed.

First, ACORN hasn't received AmeriCorps money in over a decade. Now, we would deny—deny—to groups who happen to be in the same building as ACORN access to AmeriCorps funds. It is harsh, punitive, and I believe makes no sense in terms of being able to deliver a service. It means if the Franciscan nuns had a floor in the building where ACORN operated, they couldn't do outreach to the poor. It means if there is a hotline for battered women to call, and they happen to be in the same building as ACORN, they couldn't get AmeriCorps funds.

I think this is an amendment that has no purpose and has Draconian consequences if passed. I therefore object to this amendment.

Madam President, I yield back my time, and I move to table this Vitter amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from Illinois (Mr. BURRIS), the Senator from North Dakota (Mr. DORGAN) and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

I further announce that, if present and voting, the Senator from Illinois (Mr. BURRIS) would vote ''yea.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 43, as follows:

[Rollcall Vote No. 114 Leg.]

YEAS—53

Akaka	Hagan	Murray
Baucus	Harkin	Nelson (FL)
Bayh	Inouye	Pryor
Begich	Johnson	Reed
Bennet	Kaufman	Reid
Bingaman	Kerry	Rockefeller
Boxer	Klobuchar	Sanders
Brown	Kohl	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Dodd	Lincoln	Warner
Durbin	McCaskill	Webb
Feingold	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Gillibrand	Mikulski	

NAYS—43

Alexander	DeMint	McConnell
Barrasso	Ensign	Murkowski
Bennett	Enzi	Nelson (NE)
Bond	Graham	Risch
Brownback	Grassley	Roberts
Bunning	Gregg	Sessions
Burr	Hatch	Shelby
Byrd	Hutchison	Snowe
Chambliss	Inhofe	Specter
Coburn	Isakson	Thune
Cochran	Johanns	Vitter
Collins	Kyl	Voinovich
Corker	Lugar	Wicker
Cornyn	Martinez	
Crapo	McCain	

NOT VOTING—3

Burris	Dorgan	Kennedy

The motion was agreed to.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

AMENDMENT NO. 722 WITHDRAWN

Mr. BURR. Madam President, I ask unanimous consent to withdraw amendment No. 722.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment is withdrawn.

AMENDMENT NO. 727 TO AMENDMENT NO. 687

Mr. BURR. Madam President, I send to the desk an amendment that I filed on behalf of myself and Senator MIKULSKI.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator in North Carolina [Mr. BURR], for himself and Ms. MIKULSKI, proposes an amendment numbered 727 to Amendment No. 687.

Mr. BURR. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To strengthen criminal history checks for individuals working with vulnerable populations and for other purposes)

On page 213, after line 21, insert the following:

SEC. 1613. CRIMINAL HISTORY CHECKS FOR INDIVIDUALS WORKING WITH VULNERABLE POPULATIONS.

(a) AMENDMENT.—Section 189D, as added by section 1612, is further amended by adding at the end the following:

''(d) SPECIAL RULE FOR INDIVIDUALS WORKING WITH VULNERABLE POPULATIONS.—

''(1) IN GENERAL.—Notwithstanding subsection (b), on and after the date that is 2 years after the date of enactment of the Serve America Act, a criminal history check under subsection (a) for each individual described in paragraph (2) shall, except for an entity described in paragraph (3), include—

''(A) a name-based search of the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.);

''(B) a search of the State criminal registry or repository in the State in which the program is operating and the State in which the individual resides at the time of application; and

''(C) submitting fingerprints to the Federal Bureau of Investigation for a national criminal history background check.

''(2) INDIVIDUALS WITH ACCESS TO VULNERABLE POPULATIONS.—An individual described in this paragraph is an individual age 18 or older who—

''(A) serves in a position in which the individual receives a living allowance, stipend, national service educational award, or salary through a program receiving assistance under the national service laws; and

''(B) as a result of such individual's service in such position, has or will have access, on a recurring basis, to—

''(i) children age 17 years or younger;

''(ii) individuals age 60 years or older; or

''(iii) individuals with disabilities.

''(3) EXCEPTIONS.—The provisions of this subsection shall not apply to an entity—

''(A) where the service provided by individuals serving with the entity to a vulnerable population described in paragraph (2)(B) is episodic in nature or for a 1-day period;

''(B) where the cost to the entity of complying with this subsection is prohibitive;

''(C) where the entity is not authorized, or is otherwise unable, under State law, to access the national criminal history background check system of the Federal Bureau of Investigation;

''(D) where the entity is not authorized, or is otherwise unable, under Federal law, to access the national criminal history background check system of the Federal Bureau of Investigation; or

''(E) to which the Corporation otherwise provides an exemption from this subsection for good cause.''.

(b) FEASIBILITY STUDY FOR A SYSTEM OF CRIMINAL HISTORY CHECKS FOR EMPLOYEES AND VOLUNTEERS.—

(1) FEASIBILITY STUDY ON EFFICIENCY AND EFFECTIVENESS REGARDING CRIMINAL HISTORY CHECK.—The Attorney General of the United States shall conduct a study that shall examine, to the extent discernible and as of the date of the study, the following:

(A) The state of criminal history checks (including the use of fingerprint collection) at the State and local level, including—

(i) the available infrastructure for conducting criminal history checks;

(ii) the State system capacities to conduct such criminal history checks; and

(iii) the time required for each State to process an individual's fingerprints for a national criminal history background check through the Federal Bureau of Investigation, from the time of fingerprint collection to the submission to the Federal Bureau of Investigation.

(B) The likelihood that each State would participate in a nationwide system of criminal history checks to provide information regarding participants to entities receiving assistance under the national service laws.

(C) The number of participants that would require a fingerprint-based national criminal history background check under the national service laws.

(D) The impact of the national service laws on the Integrated Automated Fingerprint Identification System of the Federal Bureau of Investigation in terms of capacity and impact on other users of the system, including the effect on the work practices and staffing levels of the Federal Bureau of Investigation.

(E) The fees charged by the Federal Bureau of Investigation, States, local agencies, and private companies to collect and process fingerprints and conduct criminal history checks.

(F) The existence of model or best practice programs regarding conducting criminal history checks that could easily be expanded and duplicated in other States.

(G) The extent to which private companies are currently performing criminal history checks, and the possibility of using private companies in the future to perform any of the criminal history check process, including the collection and transmission of fingerprints and fitness determinations.

(H) The cost of development and operation of the technology and the infrastructure necessary to establish a nationwide fingerprint-based and other criminal background check system.

(I) The extent of State participation in the procedures for background checks under the National Child Protection Act of 1993 (42 U.S.C. 5119 et seq.).

(J) The extent to which States provide access to nationwide criminal history checks to organizations that serve children.

(K) The extent to which States permit volunteers and other individuals to appeal adverse fitness determinations, and whether similar procedures are required at the Federal level.

(L) Any privacy concerns that may arise from nationwide criminal background checks for participants.

(M) Any other information determined relevant by the Attorney General.

(2) INTERIM REPORT.—Based on the findings of the study under paragraph (1), the Attorney General shall, not later than 6 months after the date of the enactment of this Act, submit to the appropriate committees of Congress an interim report, which may include recommendations regarding criminal history checks for individuals that seek to volunteer with organizations that work with children, the elderly, or individuals with disabilities.

(3) FINAL REPORT.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to the Committee on the Judiciary and the Committee on Health, Education, Labor, and Pensions of the Senate and to the Committee on the Judiciary and the Committee on Education and Labor of the House of Representatives, a final report including recommendations regarding criminal history checks for participants under the national service laws, which may include—

(A) a proposal for grants to States to develop or improve programs to collect fingerprints and perform criminal history checks for individuals that seek to volunteer with organizations that work with children, the elderly, or individuals with disabilities; and

(B) recommendations for amendments to the National Child Protection Act of 1993 and the Volunteers for Children Act so that entities receiving assistance under the national service laws can promptly and affordably conduct nationwide criminal history background checks on their employees and volunteers.

(4) DEFINITIONS.—In this subsection, the terms ''authorizing committees'', ''participants'', and ''national service laws'' have the meanings given such terms in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511).

(c) EFFECTIVE DATE.—Notwithstanding section 6101, subsection (b) shall take effect on the date of enactment of this Act.

Mr. BURR. Madam President, again, I offer this amendment on behalf of Senator MIKULSKI and myself. We worked diligently over the last several hours to try to fix a previous amendment. We have come to that agreement.

I remind my colleagues that what we have done is clearly targeted at individuals who, on a recurring basis, deal with vulnerable populations, including children, the elderly, and the disabled. We have allowed the 2-year ramp-up to remain in the bill. In addition, we have left the ''for good cause'' exemption and added specific additional exemptions to the bill.

This is a good piece of legislation. It should give every Member a strong belief that we are doing everything we can to protect those individual populations by making sure those who volunteer, in fact, meet the threshold we think is appropriate.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Ms. MIKULSKI. Madam President, I rise as an enthusiastic cosponsor of the Burr-Mikulski amendment. I do so because I believe what we have been able to achieve is to ensure that our vulnerable populations will not ever be exposed to people who could jeopardize their health or well-being if they work in the service of America.

Our amendment affirms very clearly that our bill will require criminal history checks on all employees and volunteers participating in these programs. Volunteers will be checked through the national sex offender data base. No sexual predators will participate.

Also, we will be doing, where appropriate, FBI and State database criminal data checking. We agree with Senator BURR there should be mandatory FBI fingerprint background checks of all volunteers working with children, the elderly, and individuals with disabilities.

Our amendment makes our bill even tougher by adding Senator BURR's requirement that volunteer organizations check with that FBI data base so that no criminals are ever working around these populations. We are also making sure there is the opportunity for flexibility of these groups, particularly where the entity is not authorized or is unable under State law to access these national history background checks, and some other technicals.

We are going to go a step further and ask the Attorney General to report back within a year if we need to do more to strengthen these background checks. We will work to get whatever we need to get the job done.

I want to take this opportunity to thank Senator BURR for reaffirming a strong commitment in this area. I have worked with him on his Committee and on the Intelligence Committee. I thank him for his approach in protecting vulnerable populations. I am glad we can work together to find a sensible center so we can get the job done. It shows if we listen to each other, we can work and govern together and, at the end of the day, the bill is better because of our efforts.

I thank the Senator for his cooperation, his civility, and a very good idea. If the Senator from North Carolina would like, we could move to a voice vote on the amendment.

Mr. BURR. That would be fine.

Ms. MIKULSKI. Madam President, I ask that this amendment be adopted by a voice vote.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 727) was agreed to.

Ms. MIKULSKI. Madam President, I move to reconsider the vote.

Mr. HATCH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Ms. MIKULSKI. Madam President, I want to report the status. We have concluded action on three amendments by a formal vote. We just completed another matter on a voice vote, as staff continues to iron out modest wrinkles on very few outstanding issues. Besides those issues, I am not aware of any other matter that needs to be considered.

I want Members to be aware the national service train will soon be leaving the station. If any Senator now wishes to offer an amendment or bring something to our attention, now is the time.

I am not in a position to ask unanimous consent for a time for final passage, but I alert our colleagues that after the national security briefings that all Senators will shortly be attending, we would like to be ready to move toward final passage.

Let's continue to work the way we are, and I think we can get the job done.

AMENDMENT NO. 714 TO AMENDMENT NO. 687

Ms. MIKULSKI. Madam President, on behalf of Senator WARNER of Virginia, I ask unanimous consent to call up amendment No. 714, and that once that is reported, the amendment be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], for Mr. WARNER, proposes an amendment numbered 714 to amendment No. 687.

The amendment is as follows:

(Purpose: To conduct a study regarding the establishment of a Volunteer Management Corps program)

On page 235, between lines 9 and 10, insert the following:

SEC. 1713. VOLUNTEER MANAGEMENT CORPS STUDY.

(a) FINDINGS.—Congress finds the following:

(1) Many managers seek opportunities to give back to their communities and address the Nation's challenges.

(2) Managers possess business and technical skills that make them especially suited to help nonprofit organizations and State and local governments create efficiencies and cost savings and develop programs to serve communities in need.

(3) There are currently a large number of businesses and firms who are seeking to identify savings through sabbatical opportunities for senior employees.

(b) STUDY AND PLAN.—Not later than 6 months after the date of enactment of this Act, the Corporation shall—

(1) conduct a study on how best to establish and implement a Volunteer Management Corps program; and

(2) submit a plan regarding the establishment of such program to Congress and to the President.

(c) CONSULTATION.—In carrying out the study described in subsection (b)(1), the Corporation may consult with experts in the private and nonprofit sectors.

(d) EFFECTIVE DATE.—Notwithstanding section 6101, this section shall take effect on the date of enactment of this Act.

The PRESIDING OFFICER. Under the previous order, the amendment is agreed to, and the motion to reconsider is considered made and laid on the table.

The amendment (No. 714) was agreed to.

AMENDMENT NO. 728 TO AMENDMENT NO. 687

Ms. MIKULSKI. On behalf of myself and Senator ENZI, I call up an amendment of technical changes, which is at the desk, and I ask unanimous consent that it be considered and agreed to, and the motion to reconsider be laid on the table.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], for herself and Mr. ENZI, proposes an amendment numbered 728 to amendment No. 687.

Ms. MIKULSKI. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 26, line 25, strike ''for this part'' and insert ''for this subtitle''.

On page 60, line 11, strike ''the report'' and insert ''the report described in subsection (c)''.

On page 67, line 15, strike ''places'' and insert ''place''.

On page 81, line 4, insert before the semicolon the following: '', and sending care packages to Members of the Armed Forces who are deployed''.

On page 92, line 25, strike ''heath'' and insert ''health''.

On page 103, lines 16 and 17, strike ''subtitles B and C'' and insert ''subtitle B''.

On page 272, line 17, strike ''be focused'' and insert ''propose to focus''.

On page 272, line 21, strike ''be focused'' and insert ''propose to focus''.

On page 276, line 6, strike ''the highest'' and insert ''high''.

The PRESIDING OFFICER. Under the previous order, the amendment is agreed to, and the motion to reconsider is considered made and laid on the table.

The amendment (No. 728) was agreed to.

Ms. MIKULSKI. I thank the Chair.

TEACH FOR AMERICA

Mr. ALEXANDER. I would like to commend Senator MIKULSKI for all the hard work that you, Senator KENNEDY, Senator HATCH and Senator ENZI have put into crafting this bipartisan legislation. In a time when we are seeing record numbers of Americans looking to give their time and energy to service, I am pleased that we are strengthening and expanding national service programs to create more opportunities for those willing to serve. I thank the Senator for her work on this effort.

In particular, I am pleased with the creation of the new national service corps, which will address educational, health, veteran, and environmental needs. One professional education corps currently in operation, Teach For America, has been an AmeriCorps program since 1994 and is the Nation's largest professional service corps. Teach For America recruits top-college graduates of all backgrounds and career interests to commit to teach for at least 2 years in our Nation's most underserved classrooms. To date, 20,000 Teach For America corps members have enriched the lives of more than 3 million low income students at our Nation's lowest performing schools. I am very encouraged by the fact that while only 1 in 10 Teach For America corps members initially planned on a career in education, two-thirds of them remain in the field in some capacity. This demonstrates the life-changing impact that this kind of service can have on an individual.

Teach For America is also experiencing remarkable growth as more and more Americans look to give back to their communities. Applications were up 40 percent this year, with 35,000 people applying to serve through Teach For America alone.

However, I am concerned that there may be some confusion about the ability of Teach for America participants to serve in the Education Corps that we are creating with this bill. As I understand it, Teach For America will continue to be eligible under the national service corps description in section 122(c)(1)(D) and that because of that eligibility will be eligible as a program model for service corps for funding under the Education Corps and any of the newly created corps programs under section 122. Is this understanding correct?

Ms. MIKULSKI. I thank the Senator. I appreciate the Senator raising the issue of Teach For America. As the Senator knows, I am a very strong supporter of Teach For America and am very proud of the successes that its corps members have in the classroom. Teach For America has 240 corps members in Maryland this year, and by next year you will have 140 in Tennessee, which is very exciting. Nationally, over 6100 corps members are enriching the lives of more than 450,000 underserved students in our Nation's lowest performing schools. And with more than 14,000 alumni working in all fields to combat educational inequity, I am confident that the impact of this program and its corps members will only continue to grow.

I am proud to be a longtime supporter of this innovative and dynamic program, and I am pleased to say that they will continue to be eligible to participate in AmeriCorps through the newly created national service corps. Teach For America has demonstrated measurable effectiveness in the classroom, and it is exactly this type of measurable success that we are looking to scale up.

I would like to reiterate it as clearly and simply as I can so that there is no confusion:

Teach for America is eligible to receive funding under this legislation as a program model for service corps.

Participants in the national service corps program models are allowed to serve in the Education Corps—or any of the other corps—that we are allowing for the creation of with the passage of this law, as long as they are focused on improving the appropriate outcomes.

And Teach for America will be eligible to serve in the Education Corps.

RETIRED SENIOR VOLUNTEER PROGRAM

Mr. ENZI. I would like to thank Senator MIKULSKI for all the hard work that she, Senator KENNEDY and Senator HATCH have put into crafting this bipartisan legislation. After 16 years we finally have the opportunity to take a hard look at the laws surrounding national service, and we are making necessary changes to improve accountability, reduce bureaucracy, and ensure that we get maximum return on the taxpayer's investment.

Early in this process we recognized that an important challenge we would face in the reauthorization of the Domestic Volunteer Service Act was the desire of many to inject more competition into the SeniorCorps programs.

These programs provide important services in every one of our States. In Wyoming there are more than 1,300 older Americans who are working to meet the needs of their communities in one of three Senior Corps programs: Retired Senior Volunteers, Senior Companion, and Foster Grandparents. In the Retired and Senior Volunteer Program—RSVP—volunteers are working in Casper and Cheyenne to conduct safety patrols, participate in environmental projects, and provide tutoring and mentoring services.

We have included performance indicators throughout the bill that will help us to evaluate the work of these programs. In the RSVP program, we reached bipartisan agreement to phase in a competitive grant process that provides incentives for organizations to improve their coordination with other community-based organizations, to increase their compliance with program requirements, and to assess their strengths and areas in need of improvement.

We have included requirements that this new process put transparency first. The process by which the Corporation develops regulations and performance measures should be open and inclusive. As the Corporation for National Community Service moves through the regulatory process, we expect them to take seriously the public comments they receive for how best to move forward with greater competition in this program. There is a lot of on-the-ground expertise within the community of RSVP directors, and we expect the Corporation will listen to their recommendations, the recommendations of the National Association of RSVP Directors, and involve representatives from these communities in the peer review process.

Finally, I understand that this new process has the potential for creating some new paperwork and administrative burdens on grantees in the RSVP program. Does the Senator see a way for those concerns to be addressed?

Ms. MIKULSKI. I thank the Senator. I appreciate the Senator raising the issue of competition in the SeniorCorps programs. As the Senator knows, I am

a very strong supporter of the work that these programs perform in the communities in my State. More than 7,400 seniors participate in these programs. Our Foster Grandparents serving as tutors and mentors, our Senior Companions are providing services to homebound seniors, and our Retired and Senior Volunteers are working in hundreds of community-based organizations across Maryland.

I believe that the language we have agreed upon provides opportunities to address some of the additional administrative burdens that may present a challenge for some of our small and rural programs. While this bill requires that RSVP programs undergo evaluations to gauge their performance levels, it also includes requirements for the Corporation to provide technical assistance to those programs that are struggling. It is important that as these organizations work to improve their performance they are able to obtain the support that they need from the Corporation to be successful. We have built in sufficient time so that the process is not rushed, and the legislation also ensures that every effort be made to minimize disruption to the volunteers and the communities they serve.

And it is also important to note that we have directed the Corporation to make available an online resource guide. This resource guide will spell out the Corporation's expectations for high performing programs, provide examples of best practices, and help demystify the meaningful outcome measures that we expect to be applied to these programs. We are charting a path forward that will result in the RSVP volunteers providing better services to the communities in which they serve.

ROOSEVELT SCHOLARS

Mr. BINGAMAN. Madam President, I wish to join Senator KENNEDY and Senator VOINOVICH in a colloquy about the importance of government service and the potential of the Roosevelt Scholars program to bring more talented young Americans into the Federal workforce.

The important legislation before us today focuses its attention on volunteerism and community service. I commend Senators KENNEDY, HATCH and of course, my colleague Senator MIKULSKI, who has so ably guided the Senate's consideration of the Serve America Act. I suggest that it would be wise for this body to address the value of government service with the same resolve and bipartisanship with which we have engaged on the volunteer service legislation before us today.

Advancing service legislation without a government service component would be unfortunate in ordinary times, but it is doubly so given the extraordinary demands being placed on our government in a time of national crisis. It is incumbent upon all of us to ensure that we are building new pipelines of talent into the Federal workforce to ensure that our government is able to meet its responsibilities to the American people.

The Roosevelt Scholars Act is a smart and efficient way to add one of these new—and needed—pipelines. The proposal is to create a scholarship program in mission-critical fields in exchange for a Federal service commitment. The Roosevelt Scholars program would provide tuition, support for room and board and a stipend for study in occupations critical to our government's success, including engineering, public health, science, foreign languages, accounting and information technology, to name but a few. In exchange for this support, Roosevelt Scholars would complete an internship in a Federal agency and, upon graduation, would be expected to complete a minimum of three years of Federal service. A Roosevelt Scholars Foundation would be established to administer all aspects of the program.

Mr. VOINOVICH. I thank the Senator from New Mexico. Since my election to the Senate, I have made improving the Federal workforce a priority. I know from 18 years of experience as both a mayor and a Governor that you simply cannot have effective government without the right people to get the job done.

The Oversight of Government Management and the Federal Workforce Subcommittee, which I chaired and of which I am now the ranking member, has held dozens of hearings on issues related to attracting and retaining talented people in government service. Roughly one-third of government's top scientists, engineers, physicians, mathematicians, economists, and other highly specialized professionals will be leaving government service in the next 5 years. The labor needs of government are becoming more professional and specialized than ever before. Unfortunately, the same is true of the overall U.S. labor market and an insufficient number of citizens are pursuing study in high need areas. We need programs like Roosevelt Scholars to help address this shortage of skilled talent.

I am pleased to join the Senator as a cosponsor of the Roosevelt Scholars proposal so more of our talented young people who answer the call to service will have government service as an option.

Mr. BINGAMAN. I appreciate the remarks of my colleague and look to my colleague from the State of Massachusetts, Mr. KENNEDY, for some assurance that he regards government service as public service, as I do, and that the HELP Committee on which we both serve will pursue the Roosevelt Scholars Act as one way to enable more Americans to answer the call to national service.

Mr. KENNEDY. I thank my colleague from New Mexico and also my colleague from Ohio. I certainly agree that government service is public service. I also agree that we need to do more to encourage talented young men and women to serve in the government and make it financially possible for them to do so. We took a significant step to do so in the last Congress, with the public service loan forgiveness program in the College Cost Reduction and Access Act. I would be pleased to work with the Senator and our colleagues in the HELP Committee to see that the proposed Roosevelt Scholars Act and its emphasis on building new pipelines to bring talent into government service receive a full hearing and consideration by the committee.

Mr. LEAHY. Madam President, I am pleased that the Senate is moving forward to vote on final passage of the bipartisan Serve America Act. Practical participation in the goals and ideals of our country through service is a cornerstone of our success as the world's most enduring democracy, and we must continue to work together to promote such volunteerism on a national level. Senator KENNEDY has worked tirelessly to promote national service by authoring and passing the National and Community Service Trust Act, which created AmeriCorps. Senator KENNEDY's career of public service serves as an example to so many Americans, and I am proud to have joined alongside him as a cosponsor of this legislation.

For dozens of years, programs aimed at assisting Americans of all ages to participate in year-long service activities have thrived and national service applications are higher than they have ever been. This bill would expand the opportunities for Americans to serve by boosting AmeriCorps programs over 8 years to a goal of 250,000 volunteers, engaging youth and low-income individuals to participate in Summer of Service or Semester of Service programs, making expansions to programs for retirees, and authorizing a program for short-term international service opportunities. These programs have helped thousands engage in their communities and become involved in civic life and we should encourage even greater participation by passing this bill.

In this time of economic hardship, Americans are struggling to pay the high costs of tuition and those who do make it through school are struggling to find ways to pay the bills. Many that may be drawn toward year-of-service programs are unable to commit because they cannot afford to do so. The Serve America Act increases the education award for volunteers to $5,350 to keep up with education costs and to link it to Pell Grants in order to help it increase in the future.

The dedicated young people who have answered the honorable call to national service contribute enormously to the strength of our communities. Whether they are helping to house the homeless, feed the hungry, or keep disadvantaged youth safe in fun and educational after-school activities, they are often filling a sorely needed gap that the community cannot otherwise fill. Since AmeriCorps' inception in 1994, more than 2,900 Vermonters have

qualified for education loans through the program, allowing about 390 Vermont students to serve each year. Additionally, 2,800 Vermont seniors contribute their time to the Senior Corps program by becoming foster grandparents, senior companions for homebound seniors, or by serving in the Retired and Senior Volunteer Program. The expansion of the year-of-service opportunities this bill contains will greatly increase the capacity of Vermonters to join national service programs.

Last week, a large group of volunteers from YouthBuild came to Washington to participate in Green Building Service Day to build an energy efficient home on the National Mall. YouthBuild volunteers have been participating in similar projects for more than 20 years. Several members of YouthBuild Burlington came to Washington to participate in Green Building Service Day and described how the program turned around their lives and how they are inspired to continue public service after their time with YouthBuild is completed. National service programs such as YouthBuild are not merely volunteer programs, but programs that invigorate the spirit of national service that will influence volunteers for a lifetime.

We must work to make this vital part of our social safety net in Vermont and across the nation. Service to our country is not only noble, but it enriches the lives of those served as well as the volunteers who commit their time to helping others. I urge support of this bill as the Senate prepares to vote.

Mr. SCHUMER. Madam President, I rise today to express my support for this important bipartisan bill, the Serve America Act.

Voluntarism is at the core of the ''American'' spirit. It was something that impressed Alexis de Tocqueville when he first visited the new American democracy in the early nineteenth century, and it is a trait that continues to improve the world around us every second of every day.

Now, more than ever, we need to do what we can to keep the flame of public service burning bright in America to give our schools, our churches and temples, and our communities hope that prosperity and economic recovery for all is just around the corner.

This legislation that we are considering today does just that.

The Serve America Act reauthorizes and broadens our national service laws and creates a framework to develop national service programs that will improve American communities and enrich the lives of all of those who answer the call to serve.

Now is the time for us to come together to reach out a helping hand to one another. This is what makes our country great, it is our spirit of community, our willingness to hunker down and help one another.

The Serve America Act creates a continuum of service opportunities for Americans of all ages and walks of life—from middle school kids through seniors enjoying retirement.

Today, I want to highlight a particular provision in this bill, the 9/11 Day of Service and Remembrance.

I thank Senators KENNEDY, MIKULSKI, HATCH and ENZI for including this important provision at my urging.

This provision will create a new national campaign to promote public service and encourage Americans to observe September 11 as a National Day of Service and Remembrance.

This is important not only to all the families and loved ones affected by that terrible tragedy, but also to the next generation of Americans—so that we will never forget what happened on that day, and we will honor those who were killed with our own act of selflessness and public service.

I want to acknowledge several of my fellow New Yorkers who have worked tirelessly on this issue: Jay Winuk, cofounder and vice president of MyGoodDeed.org and the brother of attorney and 9/11 rescuer Glenn Winuk and David Paine, president and founder of MyGoodDeed.org.

Glenn Winuk is just one of many New Yorkers who this provision will honor. On September 11, 2001, Glenn was working in his law office near the World Trade Center when the first plane hit.

Glenn was a volunteer fire fighter and EMT and he helped evacuate his building, and then headed toward the chaos, grabbing a mask and a pair of gloves on the way. Tragically, Glenn died when the second tower collapsed.

The nonprofit My Good Deed, started by his brother and friend, was founded to transform the anniversary of the attacks of September 11, 2001 into an annually observed national day of service and good deeds.

In 2007, more than 300,000 good deeds were posted on the organization's website by participants from all 50 U.S. states and150 different countries and territories.

The good deeds come in all forms—large and small.

Giving a homeless woman a blanket on a cold night, donating blood regularly, sending care packages to our troops, and helping friends and neighbors by babysitting.

There is a tremendous story from 2007 of John Feal who founded the Feal Good Foundation. John donated a kidney to a stranger to help a seriously ill 9/11 rescue worker. What a wonderful act of selflessness.

We want to encourage more stories and acts of generosity like this.

Establishing 9/11 as a national service day also has the potential to inspire many people to consider community service for the first time—a key goal of President Obama's administration.

MyGoodDeed.org, the nonprofit that has been leading the eight year effort to designate 9/11 as a national day of service, found that two-thirds of those who have participated in the unofficial 9/11 day of service observance to date—more than three million people a year by its estimates—describe themselves as relatively new or new to volunteering.

Commemorating 9/11 with a good deed to help another American in need will honor great New Yorkers like John Sferazo and his organization ''Unsung Heroes Helping Heroes''—who have already stepped up to the plate and volunteered their time to help their fellow countrymen.

John was an ironworker who sacrificed his health at Ground Zero—and he and the Unsung Heroes have been helping out other first responders ever since.

September 11 should not only be a day for mourning—it should be a day to think about our neighbors, our community, and our country.

We can take a tragic day in our Nation's history and turn it into a force for good. We can make it a day on which we can give back in remembrance of those who lost their lives.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

● Mr. DORGAN. Madam President, I am pleased to be a cosponsor of the Serve America Act, and I am glad the Senate is taking up this important bill this week. This legislation will provide better opportunities for all Americans to be involved in their communities. By engaging Americans of all ages in volunteer service opportunities, we can address some of our most pressing national challenges.

In North Dakota, people understand the importance of civic duty and lending a hand to help a neighbor or their community. In fact, as we are debating this legislation on the Senate floor, there is a major volunteer effort going on in North Dakota.

As I described in some detail yesterday, we are facing a major flood threat up and down the Red River Valley as well as in Bismarck and other communities around the state. The Red River is expected to rise to a record level in Fargo on Saturday. The community is working around the clock to fill sandbags, raise dikes and do their best to prepare. We are also facing several ice jams on the Missouri River that, if they break too fast, could flood our capital city of Bismarck in a matter of hours.

Yesterday I met with President Obama, along with Senator CONRAD, Congressman POMEROY, and our two colleagues from Minnesota, Senator KLOBUCHAR and Congressman PETERSon, to brief the President on the situation. The President pledged the full support of the Federal Government and signed an emergency disaster declaration to immediately deliver Federal aid to the region.

I am heading to North Dakota today to meet with Federal, State and local officials as we make the final push to prepare for the flood. I am sorry that I am going to miss the final series of votes on this bill, but I need to be on the ground in North Dakota.●

Mr. CARDIN. Madam President, I rise today in support of S. 277, the Serve America Act. First, let me thank Chairman KENNEDY, Senator MIKULSKI, and Senators HATCH and ENZI, for their leadership and their vision in crafting this bipartisan legislation. I am proud to be an original cosponsor of this bill, because it will foster the best of what it means to be an American—our sense of community and shared responsibility for one another.

This bill helps Americans respond to the call to national service. In the 63 days since President Obama took office, nowhere have we seen a more vibrant example than that set by the First Lady, Michelle Obama. Just last week, Mrs. Obama brought a diverse group of successful women to the White House—among them an astronaut, musicians, actors, businesswomen, scientists, authors—before dispersing them to Washington, DC, Maryland, and Virginia schools to meet with students and help them to aspire to greatness as well. Three weeks ago, on March 5, she served lunch to homeless men and women at a soup kitchen in downtown Washington. The menu for the day featured fruit salad made with donations from White House employees. Mrs. Obama's message was simple and eloquent—that times are tough and people need a helping hand. She said that those who could not donate food or money should try to donate time instead. These are but two examples of how Mrs. Obama has inspired civic interest and engagement in others. But one need not be First Lady or even a celebrity to serve the community and that is what S. 277, the Serve America Act, is all about.

The Serve America Act promotes public service as one avenue to address the most pressing challenges facing America. Who can help keep our children in school and out of gangs? Mentors provided through Education Corps. How can a single mother without insurance get her children basic dental care? Through oral health access programs offered through Healthy Futures Corps. How can a retiree better afford her heating bills? The Clean Energy Service Corps can weatherize her house to improve energy efficiency. How can a veteran recently returned from Afghanistan readjust to life at home? By working with volunteers at the Veterans Corps to pursue educational opportunities and professional certification. How can a recently laid-off father get gainful employment? Through the job-training and job-placement services and financial literacy programs offered through Opportunity Corps. These are just a few examples of how this legislation builds on the success of AmeriCorps to develop a volunteer base of civic engagement. It would reauthorize the basic AmeriCorps program with the goal of increasing the number of volunteers from 75,000 up to 250,000.

As our recession has spread and deepened, I have talked with many of Maryland's nonprofit service organizations, and the message is the same: our communities' need for services has increased, while donations have decreased. But true to the American spirit, the number of volunteers eager to serve has increased. People are willing to donate their time, even though they might be less able to afford monetary donations. And for many affected by layoffs and cutbacks, time is all they have to give. When I visit with high school and college students, I find they are more enthusiastic than ever about the notion of public service. S. 277 will harness that enthusiasm and help translate their interest into action.

By promoting the involvement of Americans of all ages, this bill supports a lifetime of service. It strengthens the current Learn and Serve America program to engage middle and high school students in meeting community needs. The bill establishes youth engagement zones—low-income, high-need districts where community based service learning projects can be coordinated for secondary school students. For college students, in addition to AmeriCorps service opportunities, the bill allows institutions of higher education to include service-learning as a component of other curriculae such as nursing and criminal justice. The bill also creates a ''Campuses of Service'' program, through which up to 25 colleges and universities can receive grants to provide service learning programs, or to share their programs with other institutions.

In addition, the bill provides opportunities for America's seniors. Our Nation can benefit from seniors' many years of experience as we confront today's problems. S. 277 will enhance current Senior Corps programs and offer incentives for service. It will also allow participants to transfer any earned educational benefits to their children or grandchildren.

I want to draw particular attention to the Healthy Futures Corps. This program will provide grants to the states and nonprofit organizations so they can fund national service in low-income communities. Healthy Futures Corps members will address certain health indicators, including chronic diseases, such as diabetes, and other conditions where we know there are socioeconomic, geographic, and racial and ethnic disparities. It will allow us to put into action tools that can help close the gaps in health status—prevention and health promotion. For too long, we have acknowledged health disparities, studied them, written reports about them. This bill will help us eliminate them through community-based interventions. I want to express my deep appreciation to the committee for adding language specifying oral health as an area of focus. Often overlooked when we consider health care, oral health is an essential component of health throughout life. No one can be truly considered healthy if they have untreated cavities, periodontal disease, or other dental problems. Maryland learned that lesson two years ago when 12 year old Prince George's County resident Deamonte Driver died of a brain infection brought on by an untreated tooth abscess. This measure will help recruit young people to work in the dental profession, where there are severe shortages of providers in many urban and rural areas. It will fund the work of individuals who can help parents find available oral health services for themselves and their children. It will make a difference in the lives of the Healthy Futures Corps members who work in underserved communities and in the lives and health of those who get access to care, and so I want to thank the committee for this addition to the bill.

I am proud to say that Maryland already has a great track record in public service. The Corporation for National and Community Service reports that more than 170,000 Marylanders now participate through 115 national service projects across our State. But there is always room for more. This legislation gives our State and the Nation additional tools to answer the call to service. I urge my colleagues to support this bill and it is my hope that it will receive the unanimous support of the Senate.

Mr. UDALL of New Mexico. Madam President, I rise today in strong support of the Serve America Act. This bill has broad, bipartisan support—and it should. One of my colleagues said earlier that it combines the best of liberal and conservative. I would say that it appeals to something that transcends political labels—a core belief that if citizens want to serve our country, we should help them.

But there are a few opponents of this bill, and I want to speak briefly to their concerns.

The basic argument against this legislation—as I understand it—is that government should not have to pay for voluntarism. I understand that argument. But I think it represents a basic misunderstanding of what public service is all about.

The AmeriCorps Web site says that that program offers young people an ''opportunity'' to serve.

And it is true. Community service is an opportunity. We could spend hours listing prominent public careers that started in the public service program. One of our colleagues got his start that way, and I know he appreciated that first opportunity to serve.

Alexis de Tocqueville—probably the most famous observer of American civil society—referred to our volunteer organizations as ''schools of democracy.'' And they are.

Volunteers learn to be citizens—in the fullest and truest sense of that word. A Teach for America volunteer in Gallup doesn't just teach his students. He learns a new culture. He learns compassion for a community that is not his own. And he learns how to take responsibility for himself and for others.

Imagine, briefly, if we accepted the idea that the Government should not pay for national service. Incoming AmeriCorps volunteers would be asked if they or their parents can afford to pay for a year's worth of food, clothes, and housing. Peace Corps volunteers would need enough money to spend a year abroad with no source of income. Our communities would not be served. And America's schools of democracy would be closed to all but the wealthiest Americans.

I do not want to live in a country where willing volunteers are denied the opportunity to serve because it is unaffordable.

The Serve America Act reflects the belief that we should encourage all our citizens to serve. We should give them more opportunities to be active citizens. Because a nation of volunteers does not just have better social services—it has a better citizenry and a stronger democracy.

I ask all of my colleagues to join me in supporting the Serve America Act.

Mr. ENZI. Madam President, I am pleased that the Serve America bill was considered through the regular legislative process. We held a hearing and a markup in the HELP Committee and reported it to the floor. Amendments have been offered, debated and dealt with, and we are about to vote to pass the bill. Although we have had to work faster than most of us would have preferred, it has been a bipartisan process every step of the way. While this is not a perfect bill, it is a better bill because we have followed regular order. The result is good policy with bipartisan support.

We have finally taken a hard look at the laws surrounding national service, and made necessary changes to improve accountability, reduce bureaucracy, and ensure that we get maximum return on the investment we're making. The bill includes key Republican concepts such as eliminating waste, and addressing serious concerns about the management and operations of the AmeriCorps programs. It strengthens the oversight and fiscal accountability of these Federal programs, while it expands accessibility and streamlines bureaucracy, which is particularly critical for smaller and rural programs.

The role of the chief financial officer and the inspector general at the Corporation for National and Community Service are strengthened. Additionally, the Corporation's board of directors is required to review the national service budget submission before it goes to OMB, and recovered misspent funds must go back to the national service trust.

As the only accountant in the Senate I wanted to make sure that we provided the Corporation with the tools it needs to be on sound financial ground as it moves forward. I believe that with the changes we have made, the Corporation for National and Community Service will be a better steward of the taxpayers' money, and we will see ever increasing numbers of Americans serving in their communities to address locally determined needs and challenges.

This bill is good for Wyoming because it makes programs more responsive to rural needs. It reduces paperwork and administrative burdens through fixed price grants so that so that programs can work better for small and rural communities.

The impact of streamlining access to these programs will allow the Corporation to reach out more effectively to Native American communities and tribal governments, particularly now that it has brought on board a strategic adviser for Native American Affairs. Often these communities are the ones experiencing the most extreme needs for education, health and workforce services. With these changes I am hopeful that the increased set-aside for programs serving Native American communities will not be underutilized and used more efficiently.

During the course of this debate we have heard about the many other important changes and improvements that we have made to the national service programs. I am glad that we have been able to improve the bill even more through the amendment process.

This bill represents a landmark bipartisan achievement in a time of fierce partisanship. By working in a bipartisan way we have limited the number of new programs and controlled increases in discretionary spending. We have also added accountability and performance measures at every step of the way for each program. This bill will mobilize millions of faith-based organizations, church groups, nonprofits, and individuals to volunteer their time and energy freely to serve their communities. It does not include any mandates of any kind for individuals or groups to volunteer.

I am pleased that this bill creates a Veterans Corps that provides services so important for returning veterans and their families. The bill establishes an Opportunity Corps to address issues in disadvantaged, low income communities, emphasizing financial literacy, education and job placement assistance, which are particularly fitting in this time of economic uncertainty. I am very supportive of provisions in this bill that build connections to the needs of our workforce.

With Senator MIKULSKI I believe that we have found a way to introduce responsible competition into the SeniorCorps programs. The original proposal around competition would have seriously disrupted the important services provided by these programs. Finding a solution was particularly important in Wyoming as over 1,000 people a year participate as senior companions, foster grandparents or community volunteers.

This is a bill that deserves our support, and I encourage my colleagues to vote for it. What we have agreed upon is good policy that reinforces Republican principles and will benefit disadvantaged communities across the country. I am confident that the House will concur with what we have done, pass the bill quickly, and send it to the President for his signature.

As debate on this legislation comes to a close it is necessary to thank those who have worked long and hard on this bill. First and foremost I would like to thank Chairman KENNEDY and Senator HATCH for agreeing to work together on designing the Serve America Act. It is a fine example of the importance of working together. I want to further acknowledge our friend and colleague Senator KENNEDY. His is a life of dedication to national service and commitment to the issue of national service. I am sorry that I missed him when he was here earlier this week. However, I know that we all look forward to his complete recovery and return to the Senate.

I also want to thank Senator HATCH for his management and leadership in shepherding this bill over the past few days. He has kept us focused on the importance of national service through his actions and dedication.

And I want to congratulate Senator MIKULSKI for the work she has done to ensure a bipartisan process and her willingness to work round the clock to get this bill done.

I would like to thank everyone on my staff who has worked tirelessly to get us to this point. In particular I would like to thank Frank Macchiarola, Greg Dean, Adam Briddell and Beth Buehlmann. I would also like to thank members of Senator KENNEDY's and Senator MIKULSKI's staff for their hard work—Michael Myers, Portia Wu and Emma Vadehra, and Mario Cardona and Ben Gruenbaum. Thank you also to Senator HATCH's staff, Chris Campbell and Bryan Hickman. I also want to thank Liz King and Kristin Romero, the excellent legislative counsels who worked many long hours to carefully draft bill language. Finally, I thank all of the members of the HELP Committee and their staffs for their hard work.

VOTE EXPLANATION

Mr. ENZI. Madam President, I would like to state my position on four votes I missed in the Senate on March 23 to 25, 2009.

I was unable to vote due to being in Gillette, WY, during blizzard conditions.

If in attendance, I would have voted as follows: March 23, 2009—''yea'' on vote 108, motion to invoke cloture on the motion to proceed to H.R. 1388; and March 25, 2009—''yea'' on vote 109, confirmation of David S. Kris, of Maryland, to be Assistant Attorney General; ''yea'' on vote 110, motion to waive Congressional Budget Act on the Crapo amendment No. 688; and ''nay'' on vote 111, motion to table Ensign amendment No. 715.

Mr. KENNEDY. Madam President, today the Senate has taken a significant step toward engaging many more