The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. Cuellar).

**DESIGNATION OF THE SPEAKER PRO TEMPORE**

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

WASHINGTON, DC, July 7, 2009.

I hereby appoint the Honorable Henry Cuellar to act as Speaker pro tempore on this day.

Nancy Pelosi, Speaker of the House of Representatives.

**PRAYER**

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

O God, our Source of life, liberty, and everlasting happiness, our weekend celebration of this Nation’s Independence Day was filled with parades; religious services; family events; and a wonderful Capitol concert of music, song, and fireworks on the West Lawn of this Capitol building.

Citizens of this land of promise were inspired to rededicate themselves to Your service and to work for the justice and freedom of all Your people.

Called to be representative of the people, Congress must stand together to solidify the Nation’s security and meet fiscal responsibilities of our day.

Give all Your grace, prudence, and perseverance to address the needs of our times.

We make our prayer with gracious humility and deepened faith in the power of Your Holy Name, and Your Kingdom come both now and forever. Amen.

**THE JOURNAL**

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

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

**PLEDGE OF ALLEGIANCE**

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

Mr. Wilson of South Carolina led the Pledge of Allegiance as follows:

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

**ADMINISTRATION MISREAD HISTORY**

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

Mr. Wilson of South Carolina. Mr. Speaker, Vice President Joe Biden recently admitted that the Obama administration misread the economy when drafting their nearly trillion dollar spending bill. Meanwhile, the American people have long known, and House Republicans have long argued, that this administration actually misread history when putting together their massive borrowing bonanza.

Had Democrats followed the example of former Presidents Kennedy and Reagan, they would have implemented the type of broad tax relief for American families and small businesses that has a proven record of stimulating the economy and creating jobs. Today’s continued decline in jobs is a symptom of the slow, bureaucratic-driven spending this administration put in place.

Our economy will recover, but small businesses will be far better vehicles of job creation than big government expansion. By saddling future generations with such massive debt while threatening Social Security and encouraging the potential for hyperinflation and higher interest rates, this administration has misread history, misplaced its priorities, and misspent American tax dollars.

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

**TO DIE OR NOT TO DIE—THAT IS THE GOVERNMENT QUESTION**

Mr. Poe of Texas. Mr. Speaker, British Government medical ethics advisor Baroness Warnock proclaimed that people who suffer from dementia have a patriotic duty to die. She said: “The care dementia requires is very expensive and drains the government resources for health care.” This government decision maker said that people will soon be licensed to put other people down if they are unable to look after themselves. If that wasn’t bad enough, she went on to say: “If you’re demented, you’re wasting government resources.”

Human beings are a drain on the government; so they need to be put to death? Mr. Speaker, that sounds like a rather sick and demented idea to me.

Government-run medicine like in England puts the government’s welfare above the welfare of the people. Government always values itself more than anyone or anything. It’s the nature of the beast.

Recently, the President said at a town hall meeting we could save money on health care in America by putting a stop to expensive procedures for people who have been diagnosed with terminal diseases. He said: “Maybe you’re better off not having the surgery, just taking the pain-killer.”
Now, is our government going to adopt the English system and determine who lives and who dies? It doesn’t sound like a healthy health care plan to me.

And that’s just the way it is.

PASS THE COOPER-WOLF SAFE COMMISSION BILL TO SAVE AMERICA’S FUTURE ECONOMY

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

Mr. WOLF. Mr. Speaker, our economic house is crumbling. We are being bought piece by piece by China and Saudi Arabia. We owe these and other countries billions. And in a few years, because of this crushing debt and our huge mandated entitlement programs, we will have no money for research to find cures for cancer, Alzheimer’s disease, autism, or other diseases. No money for science advances or for education. This Congress cannot abandon the American people and leave our children and grandchildren to shoulder these awful burdens.

There is a way to solve this dilemma. We can pass the bipartisan Cooper-Wolf SAFE Commission bill to save America’s future economy.

This Congress, this Congress that we serve in now, is failing, is failing the American people.

Look at the story of one woman from Great Britain, Sarah Anderson. Her father suffers from a kidney tumor that could be treated by a drug approved throughout most of Europe. But, sadly, Britain’s National Health Service is denying Sarah’s father this lifesaving treatment.

This case is not unique as patients across Great Britain are denied the care they need by the government’s health care service. In much of Canada, patients are even banned from paying for private health care services.

The Democrats’ health care reform would be a bad prescription for the American people.

Republicans have a better health care reform that provides high-quality health care coverage to every American and that doesn’t put bureaucrats between patients and the care they need.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:


Hon. Nancy Pelosi, Speaker, The Capitol, House of Representatives, Washington, DC.

Dear Madam Speaker: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Senate on July 7, 2009, at 10:37 a.m.:

That the Senate passed with an amendment, requests a conference with the House, and appoints conferees, H.R. 2918.

With best wishes, I am

Sincerely,

Lorraine C. Miller, Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore, Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX. Record votes on postponed questions will be taken after 6:30 p.m. today.

UTAH RECREATIONAL LAND EXCHANGE ACT OF 2009

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1275) to direct the exchange of certain land in Grand, San Juan, and Uintah Counties, Utah, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Utah Recreational Land Exchange Act of 2009”.

SEC. 2. DEFINITIONS.

In this Act:

(1) FEDERAL LAND.—The term “Federal land” means the land located in Grand, San Juan, and Uintah Counties, Utah, that is identified on the maps as—

(A) “BLM Subsurface only Proposed for Transfer to State Trust Lands”;

(B) “BLM Surface only Proposed for Transfer to State Trust Lands”;

and

(C) “BLM Lands Proposed for Transfer to State Trust Lands”.


(3) UNTAH COUNTY MAP.—The term “Uintah County Map” means the map prepared by the Bureau of Land Management entitled “Utah Recreational Land Exchange Act Uintah County”, dated May 14, 2009, and relating to the exchange of Federal land and non-Federal land in Uintah County, Utah.

SEC. 3. EXCHANGE OF LAND.

(1) IN GENERAL.—If the State offers to convey to the United States title to the non-Federal land, the Secretary shall—

(A) accept the offer; and

(B) on receipt of all right, title, and interest of the State in and to the non-Federal land, convey to the State all right, title, and interest of the United States in and to the Federal land.

(2) CONDITIONS.—The exchange authorized under subsection (a) shall be subject to—

(A) valid existing rights;

(B) any other applicable laws;

(C) all costs of land exchanges under this Act, including but not limited to appraisals, surveys, and related costs, shall be paid equally by the Secretary and the State; and

(D) any additional terms and conditions that the Secretary and the State mutually determine to be appropriate.

(3) TITLE APPROVAL.—Title to the Federal land and non-Federal land to be exchanged under this section shall be in a form acceptable to the Secretary and the State.

(4) APPRAISALS.—

(A) IN GENERAL.—The value of the Federal land and the non-Federal land shall be determined by appraisals conducted by 1 or more independent appraisers selected jointly by the Secretary and the State.

(B) APPLICABLE LAW.—The appraisals conducted under paragraph (1) shall be conducted in accordance with section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(C) APPROVAL.—The appraisals conducted under paragraph (1) shall be submitted to the Secretary and the State for approval.

(5) APPROPRIATIONS.—
(A) ADJUSTMENT.—

(A) IN GENERAL.—If value is attributed to any parcel of Federal land because of the presence of minerals subject to leasing under the Mineral Leasing Act of 1920 (30 U.S.C. 181 et seq.), the value of the parcel (as otherwise established under this subsection) shall be reduced by the estimated value of the payments that would have been made by the United States under the Mineral Leasing Act of 1920 (30 U.S.C. 181 et seq.), the value of the United States would have received if such minerals were leased pursuant to the Mineral Leasing Act (30 U.S.C. 181 et seq.).

(B) LIMITATION.—An adjustment under subparagraph (A) shall not be considered as a property right of the State.

(2) ACQUISITION OF APPRAISAL.—

(A) IN GENERAL.—All final appraisals, appraisal reviews, and determinations of value for land to be exchanged under this section shall be available for public review at the Utah State Office of the Bureau of Land Management at least 30 days before the conveyance of the applicable parcel.

(B) PUBLICATION.—The Secretary or the State, as applicable, shall publish in a newspaper of general circulation in Salt Lake County, Utah, a notice stating that appraisals are available for public inspection.

(3) CONVEYANCE OF PARCELS IN PHASES.—

(1) IN GENERAL.—Notwithstanding that appraisals of parcels of Federal land and non-Federal land may not have been approved under subsection (d)(3), parcels of the Federal land and non-Federal land that may be exchanged (as otherwise established under this section) shall be conveyed—

(A) without regard to the presence of oil shale and

(B) in accordance with subsection (d).

(2) E X TENT OF INTEREST.—The interest retained in the Federal land and non-Federal land to be exchanged under this Act shall consist of—

(A) the mineral leasing laws;

(B) the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.); and

(C) the first section of the Act of July 31, 1947 (commonly known as the “Materials Act of 1947”) (30 U.S.C. 601).

(h) APPURTENANT WATER RIGHTS.—Any conveyance of a parcel of Federal land or non-Federal land under this Act shall include the conveyance of water rights appurtenant to the parcel conveyed.

(i) EQUAL VALUE EXCHANGE.—

(1) IN GENERAL.—The value of the Federal land and non-Federal land to be exchanged under this Act—

(A) shall be equal; or

(B) shall be made equal in accordance with paragraph (2).

(2) EQUALIZATION.—

(A) SURPLUS OF FEDERAL LAND.—If the value of the Federal land exceeds the value of the non-Federal land, the Federal land and non-Federal land shall be equalized, as determined to be appropriate and acceptable by the Secretary and the State, by one or more of the following:

(i) By reducing the acreage of the Federal land to be conveyed.

(ii) By adding additional State land to the Federal land to be conveyed.

(iii) Consistent with section 266(b)(2) of the Federal Land Policy and Management Act (43 U.S.C. 1716), by cash equalization of not more than 5 percent of the total value of the lands or interests in lands to be transferred out of Federal ownership.

(B) SURPLUS OF NON-FEDERAL LAND.—If the value of the non-Federal land exceeds the value of the Federal land, the value of the Federal land and non-Federal land shall be equalized, as determined to be appropriate and acceptable by the Secretary and the State, by one or both of the following:

(i) By reducing the acreage of the non-Federal land to be conveyed.

(ii) Consistent with section 266(b)(2) of the Federal Land Policy and Management Act (43 U.S.C. 1716), by cash equalization of not more than 5 percent of the total value of the lands or interests in lands to be transferred out of Federal ownership.

(3) NOTICE AND PUBLIC INSPECTION.—

(A) IN GENERAL.—If the Secretary and the State determine to add or remove land from the exchange, the Secretary or the State shall—

(i) publish in a newspaper of general circulation in Salt Lake County, Utah, a notice that identifies when and where a revised exchange map is available for public inspection; and

(ii) transmit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate proposed changes to the map.

(B) LIMITATION.—The Secretary and the State shall not add or remove land from the exchange until at least 30 days after the date on which the notice is published under subparagraph (A)(i) and the map is transmitted under subparagraph (A)(ii).
The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Guam (Ms. Bordallo) and the gentleman from Alaska (Mr. Young) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

Ms. Bordallo. Mr. Speaker, I ask unanimous consent that all Members may have two days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

Before I go any further, I would like to thank the distinguished gentleman from Alaska, the former chairman of the Natural Resources Committee, for joining me in managing the bills from our committee today.

Mr. Speaker, H.R. 1275, introduced by our colleague Representative Jim Matheson, would direct the Secretary of the Interior to enter into a land exchange with the State of Utah for certain lands in Grand, San Juan, and Uintah Counties in Utah.

The legislation authorizes the exchange of approximately 40,000 acres of Federal land and minerals for approximately 42,000 acres of State land and minerals. This exchange would place valuable conservation and recreation lands into public ownership while also benefitting public school funding in Utah.

Many of the lands that the State of Utah is proposing to transfer to the Bureau of Land Management, the BLM, are lands within wilderness study areas, Areas of Critical Environmental Concern, or other sensitive areas. Many of the lands the State would acquire from the BLM have a high potential for development, and the State puts the receipts generated from the use of these lands into a trust fund for public schools in Utah.

So I commend Representative Matheson for his hard work on, and commitment to advancing, H.R. 1275. Many land exchanges in Utah have been controversial in the past, but by actively working with all the stakeholders affected by this exchange, this bill now enjoys broad support.

So I support H.R. 1275 and I urge its adoption by House today.

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

Mr. Young of Alaska. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1275 authorizes a land exchange that enhances the State of Utah’s ability to fund public education. In return for 36,000 acres, the Federal Government will receive 46,000 acres of land that is of a higher conservation value and is believed to be environmentally sensitive.

This legislation passed the House in the 109th and 110th Congresses and is supported by local and State governments, as well as representatives of the outdoor recreational and environmental communities. I believe this is a good bill.

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

Mr. Bordallo. Mr. Speaker, I again urge Members to support the bill. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Guam (Ms. Bordallo) that the House suspend the rules and pass the bill, H.R. 1275, as amended.

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

The point of no quorum is considered withdrawn.

Mr. Speaker, I rise in support of H.R. 1129, which will create an ironworking program for Native Americans. The manager for the majority has effectively explained the bill, but I would like to make a few additional comments.

This country is suffering from a staggering rate of over 8 percent on some Indian reservations, this program is desperately needed. The ironworker training program provides Native American participants with the knowledge and the ability to join a skilled labor force as a career.

I want to commend our colleagues Mr. Lynch of Massachusetts for his hard work and dedication to this legislation, and I ask my colleagues to support its passage.

I reserve the balance of my time.

Ms. Bordallo. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Guam? There was no objection.

Ms. Bordallo. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. Bordallo) and the gentleman from Alaska (Mr. Young) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

Ms. Bordallo. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. Bordallo) and the gentleman from Alaska (Mr. Young) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

SEC. 5. TERMINATION OF AUTHORITY.
The provisions of this Act shall terminate 5 years after the date of enactment.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.
There are authorized to be appropriated such sums as are necessary to carry out this Act.

Ms. Bordallo. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. Bordallo) and the gentleman from Alaska (Mr. Young) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

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The Chair recognizes the gentlewoman from Guam.

Ms. Bordallo. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. Bordallo) and the gentleman from Alaska (Mr. Young) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

Mr. Speaker, I rise in support of H.R. 1129, which will create an ironworking program for Native Americans. The manager for the majority has effectively explained the bill, but I would like to make a few additional comments.

This country is suffering from record unemployment, but few areas are feeling the effects of job loss worse than Indian country. I hope that when Native Americans complete the training available through this program that we’re authorizing today in this bill, jobs will be available for them.

Unfortunately, if the Environmental Protection Agency has any say, there will be a lot fewer jobs. One of the first major actions taken by the EPA under the Obama administration was to seek to revoke a key permit issued in 2008 to...
the Navajo Nation for the construction of a 1,500-megawatt power plant employing the most advanced clean coal technology available today. This is the Desert Rock project.

Navajo Nation President Joe Shirley said the Desert Rock plant would create “500 permanent jobs at union wages on a reservation with an unemployment rate hovering around 50 percent.”

This is an example that every community in America should follow, but it’s an example lost on the ignorant leadership of this House. I hope my friends on the other side of the aisle consider that job training makes sense only when those jobs are available.

I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield such time as he may consume to the sponsor of this bill, the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. I thank the gentlelady from Guam for yielding me this time. I also want to thank our chairman, Nick RAHALL, and Ranking Member DOC HASTINGS of the Natural Resources Committee for their cooperation in allowing this bill to move forward.

Mr. Speaker, I rise in support of H.R. 1129, legislation to authorize the Secretary of Commerce to provide competitive grants for the development of regional ironworker training programs for Native Americans. Notably, an identical version of this legislation passed the House of Representatives under suspension of the rules in the 110th Congress by a vote of 302–72.

Currently, only one ironworker training program that is specifically geared towards Native Americans exists in the United States, and that is the highly successful National Ironworkers Training Program for American Indians located in Broadview, Illinois. The Broadview program has stemmed from a strong and enduring partnership between the Federal Government’s Bureau of Indian Affairs and the Ironworkers International Union, one that has lasted over 35 years.

Working in conjunction with the International Association of Bridge, Structural and Ornamental Iron Workers, the Broadview center provides highly specialized training in ironworking skills and related fabricating and welding shop classes and on-the-job education to Native American Indians from across the United States.

Upon completion of the program, each student possesses essential knowledge in union structure and history, OSHA safety regulations and a variety of ironworking skills, including blueprint reading and related math, arc welding and the erection of structural steel. Broadview graduates are subsequently placed as apprentices at local ironworker unions nationwide and, as a result, are afforded the opportunity to pursue productive and high-quality construction careers.

H.R. 1129 will build upon the success of the Broadview, Illinois, program by facilitating the establishment of regional ironworker training centers for Native Americans across the United States through the authorization of annual Interior Department grants. Mr. Speaker, the impetus behind the legislation is to provide occupational training to Native Americans residing in economically depressed communities, to access the opportunity to secure good jobs in the ironworking trade and ensure a solid future for themselves and their families.

H.R. 1129 also stems from and expands upon the ironworkers’ longstanding relationship with the Native American community. As a structural ironworker for 20 years, I have been a member of Iron Workers Local 7 for 30 years, and I am actually past president of that union. I am well aware of a longstanding contribution made by Native Americans to the ironworking industry.

As noted by the Ironworkers International Union and its president, Joe Hunt, Native Americans have been a part of ironworker history since 1886, when the St. Lawrence River was bridged on tribal land in Quebec and ironworkers’ foremen first hired Native Americans as ironworkers.

In my own role here, as an ironworker, I have hired under a number of Native American foremen and general foremen. It was a number of Native American journeymen ironworkers who taught me how to weld and gave me a chance at that trade. As an ironworker foreman and a general foreman myself, I had an opportunity to have a lot of young Native American Indians working in my crews, not only in the Boston area, but out in Indiana and Illinois, as well as New Mexico and Arizona.

And I have had a long relationship with members from the Navajo Tribe. I actually lived for a while on the Navajo Reservation, and I count those men and women as some of my closest friends.

I worked on projects that I was indentured to them. I also worked with members of the Apache Tribe and Mohawk Tribe in the New England area. This will really, I think, give a wonderful opportunity to Native Americans who have sort of adopted the ironworking industry as a family business. And it was not uncommon for me to be, as a Caucasian, a minority on a lot of the construction sites that I worked on in New Mexico and in other parts of the country where American Indians really provided the majority of the working members on those jobs.

And I urge my colleagues to join me in supporting H.R. 1129.

Mr. YOUNG of Alaska. I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I again urge Members to support this bill.

I yield back the balance of my time.
Ms. BORDALLO. Mr. Speaker, I again urge Members to support this bill. I have no further speakers.

I yield back the balance of my time.

The SPEAKER pro tempore. The question was taken.

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

The point of no quorum is considered withdrawn.

SUPPORTING NATIONAL MEN’S HEALTH WEEK

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 142) supporting National Men’s Health Week.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 142

Whereas despite the advances in medical technology and research, men continue to live an average of 5 fewer years than women and African-American men have the lowest life expectancy;

Whereas the leading causes of death, as defined by the Centers for Disease Control and Prevention, affect men at a higher percentage than women;

Whereas heart disease is the number one cause of death, and when detected early, has a 95 percent survival rate;

Whereas prostate cancer is one of the most common cancers in men, the number of cases of prostate cancer reached over 186,000 in 2008, and almost 29,000 of such men died from the disease;

Whereas testicular cancer is one of the most common cancers in men between the ages of 15 and 34, and when detected early, has a 95 percent survival rate;

Whereas the number of cases of colon cancer among men was almost 54,000 in 2008, and almost half of such men died from the disease;

Whereas the likelihood that a man will develop prostate cancer is 1 in 6;

Whereas of men contracting prostate cancer reached over 186,000 in 2008, and almost 29,000 of such men died from the disease;

Whereas African-American men in the United States have the highest incidence in the world of prostate cancer;

Whereas significant numbers of male-related health problems, such as prostate cancer, testicular cancer, infertility, and colon cancer, could be detected and treated if men’s awareness of these problems was more pervasive;

Whereas more than one-half the elderly widows now living in poverty were not poor before the death of their husbands, and by age 100 women are less than one-half of the rate of men;

Whereas men are less likely than women to visit their health center or physician for regular screening examinations of male-related problems for a variety of reasons, including fear, lack of health insurance, lack of information, and cost factors;

Whereas National Men’s Health Week was established by Congress and first celebrated in 1994 and urged men and their families to engage in appropriate health behaviors, and the resulting increased awareness has improved health-related education and helped prevent illness;

Whereas men are less likely than women to participate in health screenings; and

The text concludes with the following:

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

(1) supports the annual National Men’s Health Week; and

(2) requests that the President of the United States issue a proclamation calling upon the people of the United States and interested groups to observe National Men’s Health Week with appropriate ceremonies and activities.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts.

Mr. LYNCH. Mr. Speaker, I ask that all Members may have 5 legislative days within which to revise and extend their remarks.

There was no objection.
Mr. LYNCH. Mr. Speaker, on behalf of the Committee on Oversight and Government Reform, I present House Concurrent Resolution 142 for consideration. This resolution expresses our support for the goals and ideals of the annual National Men’s Health Week. The observance of which is designed to heighten awareness of preventable health problems and encourage early detection and treatment of disease among men.

Introduced by my colleague, Mr. CUMMINGS of Maryland, on June 3, 2009, and reported out of the Oversight Committee by unanimous consent on June 18, 2009, H. Con. Resolution 142 enjoys strong bipartisan support.

Mr. Speaker, according to the Centers for Disease Control and Prevention, nine of 10 of the leading causes of death in America among men, including heart disease and cancer, affect men at a significantly higher percentage than women. In addition, the CDC has reported that women are 100 percent more likely than men to seek annual medical examinations and preventive health care.

Moreover, health statistics also indicate that, despite advances in medical care, men continue to live an average of approximately 6 fewer years than women—with African American men having the lowest life expectancy.

Nonetheless, many male-related health problems, including prostate cancer, testicular cancer, and colon cancer, are treatable upon early detection. Specifically, the use of prostate cancer specific antigen exams, blood pressure screenings, and other exams, when coupled with clinical examination and self-testing for testicular cancer, can lead to early detection and increase survival rates to nearly 100 percent.

Accordingly, we must do more to encourage healthy behavior and disease prevention within America’s male population. A more concentrated focus on male health conditions such as prostate, colon, and testicular cancer, along with a genuine commitment to addressing heart health, will go a long way toward ensuring that men have access to critical health information and treatment.

In addition, it’s important to remember that prevention and treatment of men’s health conditions are critical not only to men, but also to the health and well-being of the American family; and having just recently celebrated Father’s Day, I believe that it is important for this legislative body to recognize men’s health from a family perspective.

Furthermore, while an effort to encourage prevention and wellness among the male population can help meet our primary goal of improving health outcomes, in aggregate, utilization of these preventive services can lower health costs that currently are spiraling out of control.

Mr. Speaker, since 1994, National Men’s Health Week has served as a catalyst for increased attention towards men’s health issues. I strongly urge my colleagues to join me in supporting House Concurrent Resolution 142, recognizing the tremendous importance of these efforts.

I reserve the balance of my time.

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

I rise today in support of H. Con. Res. 142, supporting National Men’s Health Week. Since first being signed into law on May 31, 1994, National Men’s Health Week has been celebrated all over the nation during the week leading up to Father’s Day as a way to raise men’s health awareness and to promote a healthy way of life for men. Men suffer from many health problems at a higher rate than women. They are almost twice more likely than women to die of heart disease; and between the ages of 45 and 54, men are three times more likely than women to die of heart attacks.

Additionally, diseases such as testicular cancer and prostate cancer affect millions of men every year. Studies have shown, however, that with proper lifestyle choices and medical assistance, men can fight and survive these diseases.

Many health discrepancies between men and women can be attributed to lifestyle differences such as drinking, smoking, and other high-risk behavior, with men more likely than women to partake in these practices. But these differences only contribute a portion of the shorter life span and poorer health of men. In many cases, men are less likely than women to visit a doctor, missing opportunities to pinpoint and change unhealthy habits and to diagnosis and treat diseases.

Significant numbers of male-related health problems such as prostate, colon, and testicular cancer could be detected and treated with men’s greater awareness of their susceptibility to these health problems. When detected early, men who are diagnosed with these cancers have a higher survival rate. Awareness, combined with the appropriate use of tests such as exams and cholesterol screenings, can detect many health problems early and increase the survival rate of these diseases to nearly 100 percent.

National Men’s Health Week not only benefits men, but also the important people in their lives. National Men’s Health Week encourages men and their families to increase their awareness of the importance of a healthy lifestyle, regular exercise, and medical check-ups. Moreover, better long-term health among men can contribute to fewer medical expenses for their families, for taxpayers, and for everyone.

I encourage my fellow Members to join me in supporting House Concurrent Resolution 142.

I reserve the balance of my time.

Mr. LYNCH. Mr. Speaker, at this time I call upon my colleague, Mr. HARPER, to address this issue, and I will continue to reserve the balance of my time.

Mr. HARPER. Mr. Speaker, I urge all Members to support the passage of House Concurrent Resolution 142.

I yield back the balance of my time.

Mr. LYNCH. I thank the gentleman from Mississippi for his kind words and his support.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today in strong support of H. Con. Res. 142, supporting National Men’s Health Week. I would like to thank my colleague Representative ELIJAH CUMMINGS from Maryland for introducing this important piece of legislation, as well as its many co-sponsors.

I stand in support of this legislation because it highlights the importance of increasing attention to personal health. United States are disproportionately affected by health issues. These issues are particularly acute within minority populations. In the state of Georgia, these disparities are especially evident. African-American men have a life expectancy of 64 years while Caucasian men have a life expectancy of 73, both of which are dwarfed by the nearly 79 years of life expected from Caucasian women. Georgia has a tragic death rate of 79.2 for African-American men with prostate cancer compared to 28.8 among Caucasian men.

These issues impact not only men’s personal wellbeing but radiate throughout our families, our businesses, and our society. Indeed, health has an impact on America’s economic well-being. Recent statistics indicate that more than half of the elderly widows now living in poverty were not poor before the death of their husbands.

Many of the issues affecting men’s health are treatable and manageable if caught early, but women are 100 percent more likely than men to visit a doctor for annual exams and preventive services. There is a Spanish proverb that says, “A man too busy to take care of his health is like a mechanic too busy to take care of his tools.” Men throughout the United States owe it to their loved ones to take better care of their health. Increasing men’s health will improve families’ fullness and will help ensure healthy living at all levels: socially, economically, and politically. To quote President Obama, “children who grow up without a father are five-times more likely to live in poverty and commit crime; nine times more likely to drop out of schools and twenty times more likely to end up in prison . . . . We need fathers to realize that real men don’t end at conception. We need them to realize that what we call men is the ability to take care of a child—‘it’s the courage to raise one’.” Part of that responsibility is caring for your health. Eat healthier, perform self-exams, take better care of your health. Increasing attention to preventive services. There is a Spanish proverb that says, “A man too busy to take care of his health is like a mechanic too busy to take care of his tools.” Men throughout the United States owe it to their loved ones to take better care of their health.

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

The SPEAKER pro tempore. The Speaker would like to remind the gentleman from Massachusetts (Mr. MUNZER) that the House has suspended the rules and agree to the concurrent resolution, H. Con. Res. 142.

The question was taken.

The SPEAKER pro tempore. The gentleman from Massachusetts, two-thirds being in the affirmative, the ayes have it.

Mr. HARPER. Mr. Speaker, I object to the vote on the ground that a
RECOGNIZING NATIONAL CARIBBEAN-AMERICAN HERITAGE MONTH

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 127) Recognizing the significance of National Caribbean-American Heritage Month.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. Con. Res. 127

Whereas people of Caribbean heritage are found in every State of the Union; Whereas emigration from the Caribbean region to the American colonies began as early as 1619 with the arrival of indentured workers in Jamestown, Virginia; Whereas during the 17th, 18th, and 19th centuries, a significant number of slaves from the Caribbean region were brought to the United States; Whereas since 1820, millions of people have emigrated from the Caribbean region to the United States; Whereas like the United States, the countries of the Caribbean faced obstacles of slavery and colonialism and struggled for independence; Whereas also like the United States, the people of the Caribbean region have diverse racial, ethnic, cultural, and religious backgrounds; Whereas the independence movements throughout the Caribbean during the 1960s and the consequential establishment of independent democratic countries in the Caribbean strengthened ties between the region and the United States; Whereas Alexander Hamilton, a founding father of the United States and the first Secretary of the Treasury, was born in the Caribbean; Whereas many influential Caribbean-Americans have contributed to the rich history of the United States, including Jean Baptiste Pointe du Sable, the pioneer settler of Chicago; Claude McKay, a poet of the Harlem Renaissance; James Weldon Johnson, the writer of the Black National Anthem; Celia Cruz, the world-renowned queen of Salsa music; and Shirley Chisholm, the first African-American Congresswoman and first African American candidate for President; Whereas the many influential Caribbean-Americans in the history of the United States also include Colin Powell, the first African-American Secretary of State; Sidney Poitier, the first African-American actor to receive the Academy Award for best actor in a leading role; Harry Belafonte, a musician, actor, and activist; Al Roker, a meteorologist and television personality; and Roberto Clemente, the first Latino inducted into the baseball hall of fame; Whereas Caribbean-Americans have played an active role in the civil rights movement and other social and political movements in the United States; Whereas Caribbean-Americans have contributed greatly to the fine arts, education, business, literature, journalism, sports, fashion, politics, government, the military, music, science, technology, and other fields in the United States; Whereas Caribbean-Americans share their culture through festivals, carnivals, music, dance, film, and television, enriching the cultural landscape of the United States; Whereas the countries of the Caribbean are important economic partners of the United States; Whereas the Caribbean represent the United States’ third border; Whereas the people of the Caribbean region share the hopes and aspirations of the people of the United States for peace and prosperity throughout the Western Hemisphere and the rest of the world; Whereas in June 2008, President George W. Bush issued a proclamation declaring June National Caribbean-American Heritage Month after the passage of H. Con. Res. 71 in the 109th Congress by both the Senate and the House of Representatives; and Whereas June is an appropriate month to establish a Caribbean-American Heritage Month: Now, therefore, be it

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

(1) supports the goals and ideals of Caribbean-American Heritage Month; (2) encourages the people of the United States to observe Caribbean-American Heritage Month with appropriate ceremonies, celebrations, and activities; and (3) affirms that—

(A) the contributions of Caribbean-Americans are a significant part of the history, progress, and heritage of the United States; and

(B) the ethnic and racial diversity of the United States enriches and strengthens the Nation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Mississippi (Mr. HARPER) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. LYNCH. On behalf of the Committee on Oversight and Government Reform, I present House Concurrent Resolution 127 for consideration. This resolution expresses our support for the goals and ideals of National Caribbean-American Heritage Month.

Introduced by my colleague, Representative BARBARA LEE of California, on May 14, 2009, and reported out of the Oversight Committee by unanimous consent on June 18, 2009, House Concurrent Resolution 127 enjoys the support of over 50 Members of Congress.

Since June of 2005, Congress has taken time each year to recognize Americans of Caribbean descent for their significant contributions to American society and culture during National Caribbean Heritage Month.

Beginning as early as the year 1619, generations of Caribbean immigrants have come to America and significantly contributed their rich traditions and culture, ethnic, and religious diversity to our social fabric.

Regrettably, we must acknowledge that many Caribbean-Americans arrived against their own volition—as slaves and indentured servants, whose struggles for freedom continue to reverberate. Many others came to this country in search of a better life for themselves and their children; and today, over 5 million Americans proudly share Caribbean heritage.

Caribbean-Americans have offered lasting contributions to every sector of our society, from public service, science, and athletics to business, education, and entertainment.

Prominent Caribbean-Americans include such historical and cultural figures as Alexander Hamilton—who was born in the Caribbean region—former Secretary of State Colin Powell; Eric Holder, our current Attorney General; and Shirley Chisholm, the first African American Congresswoman and first African American candidate for President.

Other influential Caribbean-Americans include Harlem renaissance poet, Claude McKay; actor and civil rights activist Harry Belafonte; and Sidney Poitier, the first African American actor to receive an Academy Award for best performance in a motion picture.

Mr. Speaker, these and countless other Caribbean-Americans have made invaluable contributions to our Nation, and it is fitting that we on honor them today. I urge my colleagues to join me in supporting House Concurrent Resolution 127.

I reserve the balance of my time.

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

I rise today in support of House Concurrent Resolution 127 recognizing the significance of National Caribbean-American Heritage Month. Every year since 2006, our Nation has recognized the contributions Caribbean-Americans have made to the United States during the month of June.

The Caribbean people have had a place in the history of the United States from its very beginning. The first Caribbean people who immigrated to the United States as indentured workers were brought to Jamestown, Virginia. During the centuries that followed, many people were brought to the United States from the Caribbean as slaves and, since 1820, millions more have emigrated, bringing with them their talents and high values, which have enriched our Nation and assisted in its formation.

Many notable people in the history of the United States have strong Caribbean ties. Those already mentioned are certainly very important to the history of our country. African-Americans have not only the first Secretary of the Treasury, but also one of the authors of the Federalist Papers, was born in the Caribbean.

As I rise today, I am proud to recognize the contributions Caribbean-Americans have made to the United States.
Caribbean. Former Secretary of State Colin Powell, Sidney Poitier, and musician Harry Belafonte are all Caribbean-Americans, as you have heard.

Other Caribbean-Americans have contributed to every aspect of our Nation, from the sciences to the Armed Forces. For all of these contributions, we are grateful.

The United States and the nations of the Caribbean have had many traits that are indicative of our similarities with each other. The histories of the United States and the countries of the Caribbean have faced similar trials of slavery, colonialism, and the struggle for independence.

The people who comprise our separate nations are similar in that we are all different, coming from very diverse racial, ethnic, cultural, and religious backgrounds. In addition to celebrating the contribution Caribbean-Americans have made to the United States, we honor these historical similarities between our nations.

I ask my fellow Members of Congress to join me in recognizing the contributions of Caribbean-Americans to the history of the United States and the way in which their presence enriches and strengthens our country.

I support House Concurrent Resolution 127.

I reserve the balance of my time.

Mr. LYNCH. Mr. Speaker, at this time, I would like to yield such time as she may need to the lead sponsor of this measure, the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Let me thank the gentleman from Massachusetts for yielding and for your leadership and for supporting and managing this resolution today.

Mr. Speaker, I rise in support of H. Con. Res. 127, a resolution which I have authored for several years recognizing the significance of National Caribbean-American Heritage Month. This resolution acknowledges the important contributions of Caribbean-Americans for the many contributions they have made to our Nation's history and culture.

Let me begin by thanking Chairman TOWNS, Ranking Member ISSA, and the staff of the Oversight and Government Reform Committee on both sides for making this a bipartisan effort and for helping to bring this resolution to the floor of the House.

I would also like to recognize many of my colleagues on this side: Congresswoman DONNA CHRISTENSEN, Congresswoman YVETTE CLARKE, Congresswoman SHEILA JACKSON-LEE, Congresswoman WILKERS, Congressman PAYNE, Chairman CHARLIE RANGEL, Chairman JOHN CONYERS, Congressman BURTON, and many, many Members of Congress for their tremendous leadership on issues relating to the Caribbean.

Congresswoman CHRISTENSEN, whom you will hear from in just a minute, from the Virgin Islands, has led health care reform efforts to ensure that any health care reform bill must address strategies that deal with the disparities in communities of color. And for this, Congresswoman CHRISTENSEN, Dr. CHRISTENSEN, we are deeply grateful.

I'd like to also acknowledge Dr. Clarence CLARK, an expert on Caribbean Studies, and all of the other Caribbean-American organizations in Washington, D.C., and across the country, that have worked so hard to make Caribbean-American Heritage Month 2009 a great success.

As a longtime importer of the Caribbean and a frequent visitor to the region, I am very proud to see us celebrate this important commemorative month for the fourth straight year.

The Congress, first passed H. Con. Res. 71 in February of 2006, the President has issued a proclamation recognizing Caribbean-American Heritage Month every year during the month of June. This year, President Obama issued a proclamation on June 2. Mr. Speaker, I ask my fellow Members of Congress to join me in recognizing the contributions of Caribbean-Americans to the history of the United States and the way in which their presence enriches and strengthens our country.

I support House Concurrent Resolution 127.

I reserve the balance of my time.

Mr. LYNCH. Mr. Speaker, at this time, I would like to yield such time as she may need to the lead sponsor of this measure, the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Let me thank the gentleman from Massachusetts for yielding and for your leadership and for supporting and managing this resolution today.

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Ms. LEE of California. Let me thank the gentleman from Massachusetts for yielding and for your leadership and for supporting and managing this resolution today.

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I support House Concurrent Resolution 127.

I reserve the balance of my time.
administration’s recent announcement of increased foreign assistance to Haiti and the President’s participation in the Summit of the Americas, held in Trinida
dad. These are all signs of this adminis-
tration’s fresh and new engagement with the region. Caribbean-American Heritage Month also reminds us of the large and diverse constituencies of Car-ibbean-Americans in our Nation and
provided us with an opportunity to
send a message of good will to the Car-ibbean community both here and abroad.
This month also provided us with an
opportunity to share in the rich
culture of our natives through
case shows of Caribbean art, festivals,
concerts and films. In my own district
in Oakland, California, the Caribbean-
American Heritage Association of Northern California celebrated the rich cultural heritage of the people of the Caribbean through a musical concert
and family picnic. The association also
hosted its Third Annual Caribbean-
American Heritage Awards ceremony, honoring the contributions of Caribbean-Americans to our great country. Just as we should commemo-
rate the achievements of the many di-
verse communities that make up this
great country, United States Gov-
ernment should continue to celebrate
the rich history and diversity of Car-
ribbean-Americans and work each and
every day to ensure that the issues of
concern to Caribbean-Americans and
the nations of the Caribbean are in-
cluded in our policy debates here in the
Congress. I ask all of my colleagues to
join me in supporting this measure to
honor and salute the Caribbean-American community and to acknowledge their rich and varied contributions to
the history, culture and progress of the
United States.

Mr. HARPER. Mr. Speaker, I have no
other speakers at this moment. I re-
serve the balance of my time.

Mr. RANGEL. Mr. Speaker, Carribean-
descent, I proudly rise in support of
House Concurrent Resolution 127 and
applaud the chairwoman of the Congres-
sional Black Caucus, Congress-
woman BARBARA LEE, for leading this
effort to recognize our joint and very
special heritage. The ties between the
United States and its close neighbors
to the south are ones that go back to the
founding of our early colonies, the fight
for freedom, the Revolution, and the found-
ing of this country. George Wash-
ington, our first President, visited fam-
ily in Barbados. As you’ve heard many
times this afternoon, Alexander Ham-
ilton, his aide-de-camp, a Revolu-
tionary War hero, chief author of the
Federalist Papers and first Secretary
of the Treasury, was born in Nevis and
raised in St. Croix in my own district.
The service and contributions of people
from the Caribbean to every facet of
life in this country are countless and
invaluable, and there is much to cele-
brate. In a special order on June 15,
members of the Congressional Black Caucus came to the floor to speak about Caribbean contributions, and as you’ve
heard some this afternoon. But the true test of the homage we pay to the special heritage that we share is what happens going forward, and the step taken with President Obama’s at-
tendance at the Conference of the Summit of the Americas in Trinidad earlier this
year bodes well for that future.

From the inclusion of the Caribbean
countries in PEPFAR to the extension
of security initiatives, the forgiveness
of Haiti’s debt, Congresswoman Lee’s
proposal for the Shirley Chisholm Edu-
cational Exchange program for stu-
dents in the United States and the Car-ibbean, and many other initiatives, the
Congressional Black Caucus has ac-
tively engaged to the benefit of both the region and our country. It is fitting that this body
recognizes the special heritage we,
the people of the Caribbean and the people
of the United States, share and the
country. Just as we should commemo-
rate the achievements of the many di-
verse communities that make up this
great country, our nation’s history is steeply ingrained with the contributions of Caribbean-Americans.

Caribbean nations are important neighbors and partners within the global community, playing a vital role in the pursuit of peace and pro-
growth throughout the Caribbean. Carri-
bean-American poet Claude McKay once said, “Na-
tions, like plants and human beings, grow. And if the development is thwarted they are
dwarfed and overshadowed.” The United
States owes a great deal of its development to the Caribbean, its people, and its culture. I
urge my colleagues to join me in supporting
this legislation recognizing the significance of
National Caribbean-American Heritage Month. I would
like to thank my colleague Representative
BARBARA LEE from California for introducing
this important piece of legislation, as well as
its many other co-sponsors.

I stand in support of this legislation because it
recognizes the profound role that Caribbean-
Americans have played in the development of
this great country. Social scientists call the
United States of America “the Melting Pot” be-
cause of the vast number of cultures, races,
etnicities, skills, talents, and ideas that come
together to make this experiment in democ-
raty work. Caribbean-Americans are integral
to that process.

Slave laborers brought to the United States from the Caribbean laid the foundation for this
country in its earliest days. Today, millions of
Caribbean-Americans have immigrated to the
United States on their own accord, bringing
with them their vibrant culture and firm ideals.
From beginning the Department of the Treas-
ury and breaking color barriers to changing
the world, Caribbean-Americans have
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that actively illustrate the culture of the Caribbean.

In the years to come, it is important that the United States maintain a strong relationship with the Caribbean nations. The value that these nations place on growth and economic development, as well as personal advancement, is reflected in American culture and thus show the commonalities that our country shares with these nations. As we continue to cultivate these relationships, let us not forget the wealth of interchangeable benefit that such communication and interaction with one another can bring.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 127.

The question was taken.

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

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

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

The point of no quorum is considered withdrawn.

PROVIDING FOR DESIGN OF SLAVE LABOR MARKER IN CAPITOL VISITOR CENTER

Mr. JOHNSON of Georgia. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 135) directing the Architect of the Capitol to place a marker in Emancipation Hall in the Capitol Visitor Center which acknowledges the role that slave labor played in the construction of the United States Capitol, and for other purposes.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 135

Whereas enslaved African-Americans provided labor essential to the construction of the United States Capitol;

Whereas the report of the Architect of the Capitol entitled “History of Slave Laborers in the Construction of the United States Capitol” documents the role of slave labor in the construction of the Capitol;

Whereas enslaved African-Americans performed backbreaking work of quarrying the stone which comprised many of the floor slabs of the Capitol;

Whereas enslaved African-Americans also participated in other facets of construction of the Capitol, including carpentry, masonry, carting, rafting, roofing, plastering, glazing, painting, and sawing;

Whereas the marble column in the Old Senate Chamber sandstone wall of the East Front corridor remain as the last legacies of the enslaved African-Americans who worked the quarries;

Whereas the stone from the remnants of the original Capitol walls can be found in Rock Creek Park in the District of Columbia;

Whereas the Statue of Freedom now atop the Capitol dome could not have been cast without the pivotal intervention of Philip Reid, an enslaved African-American foundry worker who discovered the puzzle of how to separate the 5-piece plaster model for casting when all others failed;

Whereas the great hall of the Capitol Visitor Center was named Emancipation Hall in the new Capitol Visitor Center to teach visitors about Congress and its development; and

Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. PLACEMENT OF MARKER IN CAPITOL VISITOR CENTER TO ACKNOWLEDGE ROLE OF SLAVE LABOR IN CONSTRUCTION OF CAPITOL.

(a) PROCUREMENT AND PLACEMENT OF MARKER.—The Architect of the Capitol, subject to the approval of the Committee on Rules and Administration of the House of Representatives and the Committee on Rules and Administration of the Senate, shall design, procure, and place a marker in Emancipation Hall in the Capitol Visitor Center a marker which acknowledges the role that slave labor played in the construction of the United States Capitol.

(b) CRITERIA FOR DISHONOR OF MARKER.—In developing the design for the marker required under subsection (a), the Architect of the Capitol shall:

(1) take into consideration the recommendations developed by the Slave Labor Task Force Working Group;

(2) shall, to the greatest extent practicable, ensure that the marker includes stone which was quarried by slaves in the construction of the Capitol; and

(3) shall ensure that the marker includes a plaque or inscription which describes the purpose of the marker.

The SPEAKER pro tempore. Pursuant to the request of the gentleman from Georgia (Mr. JOHNSON) and the gentleman from Mississippi (Mr. HARPER) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

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

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

There was no objection.

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

Mr. Speaker, in May 2005 the congressional leadership appointed a task force to study the contributions of enslaved African Americans to the construction of our United States Capitol. The task force was also asked to recommend appropriate steps to recognize their contribution. In support of that effort, the architectural historian to the Architect of the Capitol produced a report on the contributions of slave laborers to the Capitol’s construction. During the 110th Congress the Committee on House Administration conducted a hearing to receive recommendations of the task force. The task force, chaired by the gentleman from Georgia, my colleague and mentor, Congressman JOHN LEWIS. The task force devoted considerable time and effort to reviewing the Architect’s report on the use of slaves during the construction of the Capitol and developing recommendations. Mr. Speaker, Americans now living cannot remove the stain of our Nation’s past, but we can admit our forebears’ sin. We must acknowledge the sacrifices of those Americans who, without choice, worked to build a government that kept them in bondage. The task force’s report recommended a number of steps to do what we can.

Several of their recommendations, including the naming of Emancipation Hall in the new Capitol Visitor Center, have already been completed.

The placement of a marker in Emancipation Hall requires further legislative action as embodied in this resolution. This resolution will provide for the installation of a marker by the Architect of the Capitol, under the supervision of the House Administration Committee and the Senate Committee on Rules and Administration.

As the resolution contemplates, the committees will make every effort to use some of the original, slave-quarried stones. These stones were removed from the Capitol during previous renovations and are held in storage.

I urge all Members to support the resolution, which proposes a fitting commemoration of slave laborers’ contribution to this temple of democracy. I reserve the balance of my time.

Mr. HARPER. Mr. Speaker, I yield myself as much time as I may consume.

I rise today in support of House Concurrent Resolution 135, which will enhance the educational offerings of the Capitol Visitor Center by highlighting the contributions of enslaved African Americans to the construction of the U.S. Capitol Building.

Far too often the historical record detailing the rise of our Capitol Building and the vital contributions by slave laborers. As a result of the Slave Labor Task Force, we are better equipped to fill...
that void and will take steps toward doing so here today.

The Capitol Visitor Center quickly has become a major attraction for those visiting our Federal city, seeking greater understanding of the history which led to our presence. It is completely appropriate that Emancipation Hall, in the CVC, house a formal recognition of these essential laborers, further enriching the educational experience of visitors young and old.

I urge my colleagues’ support for the successful passage of this resolution.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I would now yield 5 minutes to the Honorable Congressman from Georgia and sponsor of this resolution, JOHN LEWIS.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my colleague and friend from Georgia for yielding the time.

Mr. Speaker, I rise today to tell the full story of our Nation’s Capitol Building. We must recognize all of the hands that helped to construct this temple of freedom. We must continue to teach the full history of this country, and to do that, we must recognize the role that African American slaves played in the construction of our Nation’s Capitol.

I would like to thank Chairman BRADY and Ranking Member LUNGER for all their efforts to bring this bill to the floor, and also the staff of the House Administration Committee, and Jesse’s own staff, for their work and perseverance to pass this bill. Additionally, Mr. Speaker, I’m going to thank and recognize Senator BLANCHE LINCOLN, who has championed the work of the Slave Labor Task Force in the Senate.

Mr. Speaker, for too long, the use of slave labor in the construction of the United States Capitol has gone untold. We look back today, not to open old wounds, but to ensure that we tell the story of those slaves, so their toils are never forgotten.

Slavery is part of our Nation’s history of which we are not proud. However, we should not run or hide from it. The history of the Capitol, like the history of our Nation, should be complete. As thousands of visitors walk through our Nation’s Capitol, they leave without knowing the full history of its construction. Today, there is nothing, not one thing, not one note, that tells the story of the African American slaves who helped build this magnificent building: no drawings, no murals, no statues, nothing but nothing.

Mr. Speaker, with this resolution, this untold story will now be told. Thanks to the work of the Slave Labor Task Force, we will now honor those slaves who built our temple of freedom. We need something that visitors can see, that visitors can feel and which communicates the back-breaking labor that slaves completed to help construct our Capitol.

Passage of this resolution will create a historic marker in the Capitol Visitor Center, made of stones quarried by the hands of slave laborers to stand testament to their sacrifices. This physical and permanent marker will pay tribute to the blood, sweat and toils of the African American slaves who helped build this magnificent building and ensure that their story is told and never forgotten.

I urge all of my colleagues to support the passage of this resolution.

Mr. HARPER. Mr. Speaker, I have no other Members who wish to speak at the moment, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I would now like to yield 3 minutes to my friend, the gentlelady from the Virgin Islands, Dr. DONNA CHRISTENSEN.

I am proud to report, Mr. Speaker, that I have distinguished myself as one of the foremost experts on the issue of health care in this Congress where she has served for the past 14 years. And so it is my great pleasure to introduce my friend and member of the powerful Energy and Commerce Committee, which has taken primary jurisdiction of the issue of health care reform.

Mrs. CHRISTENSEN. I thank my colleague for yielding and for those kind words.

Mr. Speaker, I rise in support of House Concurrent Resolution 135 which would have the work of enslaved African Americans in the building of our historic Capitol Building memorialized for this generation and for posterity.

And I applaud, thank and honor the lead sponsor, the mentor of all of us, Congressman JOHN LEWIS, for this resolution and for his unwavering commitment to justice.

The Architect of the Capitol’s 2005 report entitled “History of Slave Laborers in Construction of the United States Capitol” clearly outlines the story, the enterprise, the contributions of those who quarried the stone, cut the timber, and formed and fired the bricks that became our Nation’s Temple of Freedom.

I am sure that there are many who will wonder, Why is this important? Why is it necessary to have a marker placed in the Capitol Visitor Center that acknowledges the work of the unfree in the construction of the Capitol? I recognize that this is important because it is part of the American story. It is an integral part of the fabric of our history which runs from its founding on the great ideals of freedom, justice and equality to today, where we have witnessed the tolls, tears and prayers of hundreds of years answered in the contributions of the descendants of those enslaved Africans in every endeavor of American life today. And that story, the American story, is an enduring one of redemp-
tion, of the determination to tell the unique quality of our Nation and our continuous striving to achieve those ideals of freedom, equality and justice.

Mr. Speaker, while some may see irony in the fact that it was hands of the then un-free that forged the structure that has become the temple of freedom for the entire world, we see it as the hand of God pointing, as always, to the “least of these” as precious in His sight.

There should be a marker in the Capitol Visitor Center because it is an appropriate way to mark how far this country has come and to show count-

to the world that the impos-
tural greatness of our country was forged in their blood, sweat and tears. I urge my colleagues to vote “aye” for this resolution.

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

Mr. JOHNSON of Georgia. Mr. Speaker, again I yield want to commend the conscience of the Congress, the Honorable Congressman from the great State of Georgia and the great city of Atlanta. I would like to commend him for focusing on this measure and proceeding with it to conclusion. And I want to congratulate you, sir, for this and for all of the things you will continue to do to make sure that everyone’s contribution throughout the history of this great country is recognized.

Mr. CONYERS. Mr. Speaker, more than 200 years ago, on September 18, 1793, our Nation broke ground for what would become our home to democracy—the United States Capitol.

At this time in our Nation’s history, however, democracy and freedom were not enjoyed by all Americans. Ironically, it was those who were disenfranchised—enslaved African Americans—Charles who helped construct our symbol of democracy, the Capitol.

I commend my colleague, the gentleman from Georgia, JOHN LEWIS, for introducing this bipartisan resolution acknowledging this fact. And I applaud the Gentlelady from the Virgin Islands for her leadership and for her support and the support of the House Administration Committee.

There are at least three reasons why this resolution is necessary.

First, the history of the United States Capitol would not be accurate without recognizing that enslaved African Americans played an integral role in building the Capitol. For example, the Capitol’s architects negotiated with slave owners with respect to hiring out their slaves. Although the Architect of the Capitol states that “[n]o one will ever know how many slaves helped to build the United States Capitol Building,” it is estimated that at least several hundred were involved in the construction.

These slaves skillfully toiled as carpenters, sawyers, blacksmiths, brickmakers, and bricklayers. They were responsible for quarrying stone and then hauling it to the work site.

Notably, an enslaved African American—Praxedis González—helped cast the Statue of Freedom, which was placed on top of the Capitol Dome during the Civil War on December 2, 1863.
Second, given the significant contributions of enslaved African Americans in the building of the U.S. Capitol, a marker in Emancipation Hall is an appropriate tribute to such efforts. The marker was recommended by the Slave Labor Task Force Working Group, which also recommended designating the great hall of the Capitol Visitor Center as Emancipation Hall. This marker, which is to include stone quarried by these slaves, will ensure that this part of the story of the Capitol's construction is told.

When visitors stand in Emancipation Hall and view the commemorative marker, they will be reminded of the significant role that slaves played in the construction of the U.S. Capitol, thereby ensuring that the legacy of these slaves will live on.

Finally, by acknowledging that enslaved African Americans played a major role in building the Nation's Capitol, we recommit ourselves to the pursuit of freedom and democracy for all Americans.

We recognize that even today, there are some who have yet to realize all of the rights and privileges that are afforded through our Constitution and laws. Prejudice, discrimination, and inequities remain a reality.

However, by paying tribute to those enslaved African Americans who built our Nation's Capitol, we understand that freedom and democracy are evolving and meaningful.

We recognize that we can commit ourselves to the advancement of these principles, knowing that those who toiled and labored in the very building that we stand in today, could not enjoy freedom and democracy for themselves.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today in strong support of H. Con. Res. 135, the resolution directing the Architect of the Capitol to place a marker in Emancipation Hall in the Capitol Visitor Center which acknowledges the role that slave labor played in the construction of the United States Capitol, and for other purposes. I would like to thank my colleague and fellow Georgian, Representative JOHN LEWIS for introducing this important piece of legislation, as well as the co-sponsors.

I stand in support of this resolution because it recognizes the important contributions that African-American slaves have made to the establishment of this country, particularly the Capitol Building, which is the foundation of our country's government. It is in this very building where the biggest decisions of our country are made. Therefore, we can all imagine how important this structure really is to the wellbeing of our nation.

It has almost been 150 years since the Thirteenth Amendment of the U.S. Constitution was ratified and legally abolished slavery, but the rights and privileges that were promised through the 13th Amendment were not always realized. In fact, if it was not for the crucial intervention of Philip Reid, a former slave, and many other enslaved African-American workers, the Statue of Freedom that sits atop the Capitol Dome may not have existed. Reid figured out how to separate the 5-piece plaster model for casting when all other workers failed to figure out how this could be done.

The purpose of this resolution is to draw recognition to the past, so that we can move on to a better future of race relations in America. There is no better time than now, than on the coat tails of one of the most historic presidential elections in United States history. By no means is this resolution erasing or justifying slavery. Instead it shows America and the world the positive progression that our nation is making in its journey to ensure that all people are treated equally. I urge my colleagues to support this resolution.

Mr. HASTINGS of Florida. Mr. Speaker, as a co-sponsor of H. Con. Res. 135, I rise in strong support of this resolution directing the Architect of the Capitol to place a marker in Emancipation Hall in the Capitol Visitor Center which acknowledges the role that slave labor played in the construction of the United States Capitol.

African Americans throughout the world continue to make remarkable contributions to their communities every single day. We must not disregard the hands that worked and the feet that toiled to build our Nation's Capitol. We must honor the contributions of the slaves who helped build this magnificent structure.

Mr. Speaker, when we look to the hands that shape and built this city, particularly this Capitol, we should no longer hang our heads in shame of slavery but celebrate the people who are so often forgotten. We should appreciate and acknowledge the thousands of unnamed men and women who built this structure representing democracy, liberty, and freedom. Just last month, my colleagues in the House approved a resolution that acknowledged for the enslavement and racial segregation of African Americans. As the legislative branch, we have officially acknowledged the institution that barred hundreds of thousands from freedom, and with this resolution, we can begin to make up for the oversight that physically helped to create this country.

The Capitol Visitor Center sees almost 3 million visitors annually. As they walk the halls and admire the architecture and statues, marveling at the rich history and stories that accompany them throughout the building, it is our responsibility to ensure that all slaves who helped build the Capitol have their stories told.

In the Capitol Visitor Center, Emancipation Hall was named to help acknowledge the work of the slaves who toiled over the work of the Capitol and we must ensure that their stories are told for generations to come.

Mr. Speaker, I express my unwavering support for this resolution and urge my colleagues to do the same.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of House Concurrent Resolution 135, recognizing the contributions of enslaved African Americans in building the United States Capitol.

This resolution will commission the Architect of the Capitol to create and place a historical marker in the Capitol Visitor Center made from the sandstone rocks that were quarried by slave labor, and removed from the Capitol building during a previous renovation.

Slavery played an important role in the foundation of this country, and slave labor was used extensively in the creation of many of the buildings that are home to our government. While we cannot rectify the sins of the past, nor thank slave laborers for their sacrifice, the contributions of these men and women should not go unquestioned.

It is important this plaque be prominently displayed for the thousands of visitors that come into the CVC. In order for these visitors to know the complete history of our Nation's Capitol, they must be aware of the contributions of these laborers.

I would like to thank Representative JOHN LEWIS for introducing this resolution and acknowledging this frequently overlooked part of our Capitol's story. The contributions made by these workers are a part of our history and our legacy, and this recognition will help future generations better understand the sacrifices of those who came before them.

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

Mr. Speaker pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 135.

The question was taken.

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

PROVIDING FOR ENGRAVEMENTS IN CAPITOL VISITOR CENTER

Mrs. CHRISTENSEN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 131) directing the Architect of the Capitol to engrave the Pledge of Allegiance to the Flag and the National Motto of ‘In God We Trust’ in the Capitol Visitor Center.

The SPEAKER pro tempore. Pursuant to rule 28(a) of the Concurrent Rules of the Senate, the Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 131
Resolved by the House of Representatives (the Senate concurring).

SECTION 1. ENGRAVING OF PLEDGE OF ALLEGIANCE TO THE FLAG AND NATIONAL MOTTO IN CAPITOL VISITOR CENTER.

(a) ENGRAVING REQUIRED.—The Architect of the Capitol shall engrave the Pledge of Allegiance to the Flag and the National Motto of ‘In God we trust’ in the Capitol Visitor Center, in accordance with the engraving plan described in subsection (b).

(b) ENGRAVING PLAN.—The engraving plan described in this subsection is a plan setting forth the design and location of the engraving required under subsection (a) which is prepared by the Architect of the Capitol and approved by the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentleman from Mississippi (Mr. HARPER) each will control 20 minutes.

The Chair recognizes the gentleman from the Virgin Islands.

GENERAL LEAVE

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in
Mrs. CHRISTENSEN. I yield myself such time as I might consume.

This resolution, introduced by the gentleman from California, Mr. DANIEL LUNGREN, requires the Architect of the Capitol to engrave the Pledge of Allegiance and the National Motto “In God We Trust” in the Capitol Visitor Center.

The details of the engraving, including their locations, would be approved in advance by the House Administration Committee and the Senate Rules and Administration Committee. Various Members have expressed support for this proposal which the committee approved by voice vote. The cost of these engravings has been estimated by the Architect to be less than $100,000. I reserve the balance of my time.

Mr. HARPER. Mr. Speaker, I yield myself as much time as I may consume.

I am honored to rise today in support of House Concurrent Resolution 131, and I certainly greatly appreciate the leadership of Congressman DAN LUNGREN on this matter, who is delayed by a gentleman from California, Mr. DANIEL LUNGREN.

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Mr. Speaker, I yield myself as much time as I may consume.

I am honored to rise today in support of House Concurrent Resolution 131, and I certainly greatly appreciate the leadership of Congressman DAN LUNGREN on this matter, who is delayed by a gentleman from California, Mr. DANIEL LUNGREN.

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I am honored to rise today in support of House Concurrent Resolution 131, and I certainly greatly appreciate the leadership of Congressman DAN LUNGREN on this matter, who is delayed by a gentleman from California, Mr. DANIEL LUNGREN.
Mr. HARPER. Mr. Speaker, I yield back the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. Poe) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

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

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

There was no objection.

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

Mr. Speaker, this bill will help the Patent and Trademark Office retain educated and trained employees who face the possibility of furloughs and reduction in force due to the current economic downturn.

It is with great urgency that I bring this bill to the floor today. We have recently been informed by the Department of Commerce and the Patent and Trademark Office that the current downturn in patent fee revenues could lead to employee furlough.

The USPTO is a user-funded organization, and the downturn in the economy has led to a steep drop in revenues. USPTO management has already shaved over $120 million from its current budget to mitigate cost savings; however, June’s receipts show that those cuts may not be sufficient. A budget shortfall is a very real possibility, which could necessitate furloughs and, if severe enough, a reduction in force.

Now is not the time to impede the essential economic stimulating activity at the Patent Office. Now more than ever, we need to foster innovation to help the U.S. economy rebound.

The century has seen an explosion in the number of patent applications filed, and even though the PTO has hired over 1,000 examiners each year...
for the past several years, this explosion has led to a current inventory of about 1.2 million pending applications. That is 1.2 million potential patents that could provide the foundation for new businesses and new jobs.

Because of this backlog, inventors are waiting an average of 32 months to get their patents approved, and in some areas, such as communications and computer-related technologies, the wait is much longer. This backlog means a delay in the creation of new products, which in turn would generate new jobs and research and development investment.

Now is not the time to exacerbate this problem. Furloughing employees will only increase the backlog and the consequent delays. In order to help the USPTO get through the next year, we have identified an approximately $60 million surplus in the trademark operation at the USPTO.

The bill we are considering today would permit the Director of the USPTO to use a portion of that surplus to prevent the furlough of USPTO employees. Rest assured, Mr. Speaker, this is not robbing Peter to pay Paul. Any trademark money used for patent operations will be recovered by a surcharge on the patent fees paid by those who benefit from the efforts of the patent workforce.

I think it is pretty shameful that throughout the years we have not fully funded the number of employees that this agency needs to fulfill its mandate and so now in the 111th Congress we are seeking to use this lull period, if you will, because the number of applications will pick up, but we can use this period with our employees, our current employees, to put a dent in those 1.2 million applications that exist currently that are on file. This inefficiency in government with respect to the Patent and Trademark Office stifles commercial activity, and it just doesn’t make sense for the agency to have to not have been funded to begin with and staffed with an adequate amount of employees to meet the demand.

It is our understanding, Mr. Speaker, that with the Department of Commerce and the USPTO agreement, that the money raised by the surcharge will be used to pay the trademark operation for the money borrowed from it. The surcharge will be no more and no less than what is needed to repay the loan.

This bill is a limited and temporary exception to the statutory fence built around trademark fees. It will last only until next year and requires that all fees used for patent payroll purposes will be recovered through surcharges on the patent operation. And it ensures, Mr. Speaker, that furloughs or reduction-in-force will not occur in the trademark operation as a consequence of this temporary solution.

This bill will ensure that we retain the highly qualified and experienced patent examiners who helped innovators protect important technological gains, and we certainly need to do all that we can, now especially, to make it more efficient for those who would create new products in this rapidly changing environment that will lead to jobs and opportunity.

I urge my colleagues to join me in supporting this important measure.

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

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

Given the ongoing economic downturn in this country, patent fee collections at the Patent and Trademark Office are running short, based on earlier estimates. If things do not improve, the agency must initiate furloughs of its staff in the fall, an outcome that no one wants.

Aside from affecting the individual workers, mostly examiners, these furloughs will send shock waves in the effort to reduce application backlogs and expedite the processing of new applications.

The agency has already reduced its operating plan for fiscal year 2009 by $120 million and is pursuing another $125 million in budget cuts. But the PTO cannot accurately estimate at this time how much additional revenue it needs to survive through this fiscal year. H.R. 3114 responds to this crisis by allowing the Director of the USPTO to shift necessary resources to the trademark office to reimburse the Trademark Office for any funds reassigned to it within the CBO’s 5-year scoring window. The bill also requires the Patent Office to reimburses the Trademark Office for any funds reassigned to it within the CBO’s 5-year scoring window.

In addition, there is precedence for allowing such an intra-agency revenue transfer. Twice in the past 10 years, the Trademark Office borrowed more than $24 million from patent operations. This is an unfortunate but necessary response to a funding crisis at an agency that is crucial to the economic vitality of this country.

American IP industries now account for over half of all U.S. exports and 40 percent of our economic growth. These industries provide millions of jobs for Americans with high-paying salaries. Patents encourage innovation and provide incentives to create, build, and market new products.

Delays in obtaining patents stifle entrepreneurship in our country. We want new ideas, new technologies, and new patents. America has always been the Nation of great inventors. Now we must protect those inventors and their inventions with timely patents.

Mr. Speaker, this bill won’t cure all that ails the Patent and Trademark Office. But it is the first step in turning the tide. For that, we need the other body to confirm the new PTO director who will work with Congress to implement fundamental change to the agency; but failure to enact H.R. 3114 at this time will place PTO in an even deeper hole that jeopardizes agency jobs, harms the interests of inventors, and damages a crucial component of our national economy.

I urge my colleagues to support H.R. 3114.

Mr. ISSA. Mr. Speaker, I rise today in support of H.R. 3114, a bill to promote the success and vitality of the United States Patent and Trademark Office, or USPTO.

The USPTO is integral in strengthening America’s battered economy. Although there are those in this body that believe the federal government can spend our way out of the current financial crisis, it is through private commerce and investment that we will find the light at the end of the tunnel.

For many sectors of our economy, patent protections provide tremendous incentive to invest.

The USPTO is already faced with a tremendous backlog of patent applications. A reduction in labor force at the USPTO would only compound this problem. It is for this reason that we must make sure that the USPTO is not forced to lay off or furlough patent examiners. Allowing the USPTO Director to use funds made available under the Trademark Act of 1946 will help to ensure this does not occur.

Innovation is the lifeblood of the U.S. economy. It is innovation which has and will continue to promote prosperity and wealth in the United States and aid in combating the recession in which we find ourselves today. I encourage my colleagues to support the USPTO and support this legislation.

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

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

The SPEAKER pro tempore. Pursuant to the Chair’s prior announcement, further postponement is not in order, because the quorum is not present and make the point of order that a quorum is not present.

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

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

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

The point of no quorum is considered withdrawn.

RECESS

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

The recess having expired, the House was called to order by the Speaker pro
The Speaker pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Voting will be taken in the following order:
H. Con. Res. 135, by the yeas and nays:
H.R. 3114, de novo;
H.R. 1129, de novo.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR DESIGN OF SLAVE LABOR MARKER IN CAPITOL VISITOR CENTER

The Speaker pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 135, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The Speaker pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. Johnson) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 135.

The vote was taken by electronic device, and there were—yeas 399, nays 1, not voting 32, as follows:

ROLL CALL VOTE

NAME

Abercrombie
Ackerman
Adler (NJ)
Akin
Alexander
Altman
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baldrige
Balint
Barrow
Bartlett
Bartow
Becerra
Berkley
Berman
Berry
Biggert
Billings
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Bocci
Boshner
Bonner
Boone
Bono
Boozman
Boren
Boresi
Boucher
Bouzany
Boyd
Brady (PA)
Brady (TX)

Yeas—399
Nays—1
Not Voting—32

A motion to reconsider was laid on the table.

U.S. PATENT AND TRADEMARK OFFICE FUNDING

The Speaker pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 3114.

The Clerk read the title of the bill.

The Speaker pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. Johnson) that the House suspend the rules and pass the bill, H.R. 3114.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

NA TIVE AMERICAN IRON WORKER TRAINING PROGRAM

The Speaker pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 1129.

The Clerk read the title of the bill.

The Speaker pro tempore. The question is on the motion offered by the gentleman from Guam (Ms. Bordallo) that the House suspend the rules and pass the bill, H.R. 1129.

The question was taken.

RECORDED VOTE

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

A recorded vote was ordered.

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

The Speaker pro tempore. The Speaker pro tempore. The Speaker pro tempore. The Speaker pro tempore. The Speaker pro tempore.
Mr. REYES. Madam Speaker, on Friday, June 26, I submitted a statement for publication in the Congressional Record that informed all my colleagues of the availability of the classified annex to H.R. 2701, the Intelligence Authorization Act for Fiscal Year 2010. I would like to remind my colleagues that the classified annex is now available for Member review in the committee spaces. Staff should contact the committee to schedule an appointment for any Member interested in viewing the classified annex.

Members will be required to complete the appropriate security paperwork in order to view any classified information.

HONORING MICHAEL JACKSON, KING OF POP

Mr. JOHNSON of Georgia. Madam Speaker, I know some people in this esteemed Chamber who consider all of the hoopla surrounding the death of Michael Jackson to be unnecessary. I know that some people consider this to be not important. But that’s to them. There are a lot of people out here who think Michael Jackson brought together. Despite any kind of allegations, which I consider to be false in terms of child molestation and kind of thing, despite all of that, we have to look at the good things that Michael did.

I know there are some generations that preceded mine that have no idea about the music of Michael Jackson because they never listened, and they don’t know the international aspects of what he did. They don’t know that he was a fundraiser for worthy causes.

The only thing they know about him is “child molester,” and nothing could be further from the truth. The man was never found guilty of child molestation. He paid a settlement, but that had nothing to do with guilt or innocence. So I just want us to be very Christian.

MEDIA SHOULD REPORT HEALTH CARE FACTS

Mr. SMITH of Texas. Madam Speaker, recently 12 separate articles in The New York Times, The Washington Post, and The Los Angeles Times have reported that 46 million people don’t have health insurance in America. And the administration is trying to justify a government takeover of health care because of this falsehood.

But not one of the articles explained that this number is a hoax. Fourteen million people are eligible for existing government programs like Medicare.
and Medicaid but have not enrolled. Almost ten million uninsured are not citizens. Nine million have high incomes and can afford health insurance but choose not to purchase it. And millions more are without insurance for only a few months between jobs.

When you whittle down the 46 million figure, you get about 10 million people who truly need health insurance. We could buy all of these individuals a gold-plated health insurance policy for one-thirty of the cost of the President's health care plan.

The media should give Americans all of the facts on health care, not just give them part of the story.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 1283

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 1283, the Military Readiness Enhancement Act, a bill originally introduced by Representative Ellen Tauscher of California, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

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

There was no objection.

THE NATIONAL DEBT

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

Mr. PAULSEN. Madam Speaker, I rise today to call attention to a dangerous precedent that was set recently and another record that will be set this week.

Two weeks ago the Treasury Department auctioned off a record $104 billion worth of U.S. debt in just one week. This week it is going to set the record for the number of auctions held in a given week.

More debt means a weaker dollar and rising interest rates, which will further stifle the housing market, hinder an economic recovery, and stifle future generations with debt. In fact, our debt has reached a level so high that the Federal Reserve has resorted to printing money to buy U.S. Treasurys, a practice that is both dangerous and unsalvageable.

Unfortunately, seasoned medical professionals are retiring early because staying in practice is no longer financially feasible, further contributing to our Nation’s physician workforce shortage. It’s a growing crisis that is pushing affordable care beyond the reach and grasp of millions of Americans.

National across-the-board change in the medical justice system would lower the costs and improve care by lessening the threat of unnecessary lawsuits. The Medical Justice Act, H.R. 1468, does just that, modeled after the successful reforms passed in Texas in 2003. The results are documented reductions in liability insurance rates, reported growth in the number of doctors licensed each year in the State of Texas, increased charity care, amongst others.

To learn more about this very important act as how it is affecting health care in Texas, please visit healthcaucus.org or my Web site, burgress.house.gov.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

THE BABIES ARE EXPENDABLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE of Texas. Madam Speaker, a critically ill baby was born in Canada just last month. Her name is Ava Isabella Stinson. She was born 13 weeks premature and weighed only 2 pounds. Unfortunately, Canada rations health care. And since the government must grant permission for one to have health care access, Ava was unable to get the treatment she needed to survive.

Exactly the same thing, if not worse, happens in America. For example, in Texas, we see another tragedy when two sets of identical quintuplets were born in America to Canadian parents, and the twins and triplets were sent home; they survived longer than 24 hours. You see, they don’t count. In Canada, if a baby weighs less than 500 grams when born, that’s about a pound, and the baby doesn’t survive, they don’t count it as a baby. The government calls these babies “unsalvageable.” Not able to be saved. “Unsalvageable.” What a word.

There’s a lot of truth in the use of that word because under a government-run health care system, these babies just aren’t worth saving. They are expendable. But they are saved in America. At least for now.

Madam Speaker, the health care debate in America is largely a matter of life and death. It’s not about improving quality. America’s health care system offers the best quality in the world. That’s why everybody comes here.

But when the government runs a health care system, it’s all about how much it costs and who the special favorites of government are. Also, government-run health care doesn’t pay the doctors or nurses enough to stay in business. That means health care is rationed because there aren’t enough doctors to go around. Government then decides who gets treatment and who just loses out. Like the medical ethics expert in Britain I talked about earlier today. She is a government decision-maker, and she says something like she’s just going to have a duty to die. In Canada, the government lets special needs babies born early just die because they apparently aren’t worth the cost of saving. So now the elderly and certain babies are not important enough to be saved under socialized medicine.

In a government-run system, the government decides who gets treatment in medicine and who doesn’t. That means
the government decides who lives, who dies.

The government does not have the moral right to make those decisions. Not one of the politicians who want to force America into a government-run health care system is going to be denied treatment or medicine. Not one of them. Like the book “Animal Farm”, which had the philosophy all are equal, but some are just more equal than others. That’s not what America is about. This is the one true struggle of freedom over tyranny.

When government bureaucrat gatekeepers have control over who lives and who dies in America, freedom is the first casualty. Just ask the elderly and the babies of Canada and England. And that’s just the way it is.

WE MUST DO MORE TO HELP THE IRAQI REFUGEES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, after more than 6 years of foreign occupation, occupation that never should have happened in the first place, American combat troops have been withdrawn from Iraqi cities. This has led some people to believe that the conflict is over. But our troops remain in danger so long as they continue to stay in Iraq. And the suffering of the Iraqi people, especially the refugees, hasn’t ended either.

A report issued last month by the International Rescue Committee described the bleak lives of the Iraqi refugees who have come to the United States to escape the violence in their home country. We admitted over 13,800 Iraqi refugees in the year 2008. Many of them had to come here because they worked for the United States military or the United States Government in Iraq and they became targets for retaliation as a result.

A large number of the refugees are war widows with young children. They are grieving over the loss of their loved ones, and many are suffering war-related emotional distress or injuries. While the refugees are grateful to be in America, most are frustrated and even in despair. The International Rescue Committee says, A flawed U.S. refugee admissions program is resettling Iraqi refugees into poverty rather than helping them rebuild their lives.

The committee says that the Federal program designed to help the refugees doesn’t meet their basic needs. The resettlement agency is badly underfunded and newly arriving refugees get a mere pittance. The United States State Department provides $900 to each refugee. The refugees are also eligible for state assistance, which varies from State to State, but which averages about $575 a month.

In addition, the refugees are eligible for Medicaid or a Federal medical assistance program, but the program runs out after 8 months. With this tiny amount of assistance, the refugees are supposed to pay rent, utilities, food, clothes, transportation and all the other expenses of daily life. Put another way, are you given 8 months’ worth of shoes. If you were a refugee, already suffering from trauma and injury, could you and your family make it in a country that is as high cost as the United States of America with so little help?

The refugees are searching for jobs to help pay the bills, but we know how hard that is. And in Atlanta, for example, only 25 percent of the Iraqi refugees have been able to find jobs when they were here for over 6 months. Resettlement agencies, which received State Department funding, are struggling to do as much as they can, and they are providing a number of very important services, but their resources are dwindling because of the recession. As a result of all these problems, Madam Speaker, many of the refugees are destitute and facing eviction from their homes. Some are wondering if they should have stayed in Iraq, even though their lives would have been in danger.

Madam Speaker, the Iraqi refugee in our country deserves better. The International Rescue Committee has called for an increase in Federal assistance to help alleviate the situation. We must support them by doing more.

We had a hand in their upheaval. Now we must give them a hand in their new country. We have a moral obligation to act.

The approval process, which the IRS shirked, was specifically designed to protect for a specific type of fraud. As Madoff’s downfall exposed, both the IRS and the SEC failed to inspect Madoff in even the most basic fundamental fashion. Unfortunately, two different U.S. Government agencies both severely shirked their obligation to protect Americans to invest with Madoff. They indicated that he had a financial clean bill of health.

Now that Madoff’s scheme has imploded, the government seeks to convict the appearance of serving justice on behalf of those who were duped.

The SEC issued a clear-cut and definitive Statement of Innocence about Madoff’s business. This was an unusual occurrence. Indeed, it may be the only time in history that the SEC went as far as issuing a Statement of Innocence to clear a business that it was investigate.

Then, starting in 2002, the SEC continued to ignore seven individual and specific fraud warnings by a credible, financial whistleblower. Again, in 2004, in another government failure, the IRS approved Madoff to be one of only 260 nonbank IRA custodians, the very place that people put their retirement money for safekeeping. Why would the IRS have approved Madoff when it had the legal right and, indeed, the fiduciary obligation to inspect the books and the records of all nonbank IRA custodians?

The government should, instead, offer tax or financial relief to those who were victimized, not under an arcane net equity basis, but based on his own internal computation using a percentage.

The victims’ plight is compelling. Think about this, Madam Speaker, irrespective of the fraud warnings the SEC received dating back 17 years, all of our Federal agencies stood by and did nothing while thousands of investors deposited their money, usually their life savings, with Bernard L. Madoff Investment Securities.

In fact, after a supposed investigation in 1992, the SEC issued a clear-cut and definitive Statement of Innocence about Madoff’s business. This was an unusual occurrence. Indeed, it may be the only time in history that the SEC went as far as issuing a Statement of Innocence to clear a business that it was investigating.

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Now that Madoff’s scheme has imploded, the government seeks to convict the appearance of serving justice on behalf of those who were duped.

The government should, instead, offer tax or financial relief to those who were victimized, not under an arcane net equity basis, but based on his own internal computation using a percentage.

The IRS should compute tax refunds so as to return 100 percent of each individual’s first loss of $2 million; then 90 percent of their loss between $2 and $4 million; 80 percent of their loss between $4 and $8 million, and so forth, until a 20 percent return level has been reached, and at that point return should remain at 20 percent.

This would be most beneficial to smaller investors, who are most impacted by their losses.

If private citizens are required to reimburse other private citizens for harm

□ 1930
they caused, why should the government be able to drastically injure people and have no responsibility to restore those individuals’ positions or pay restitution to them?

The SIPC, or the quasi-governmental body that offers insurance to those defrauded by the SEC, also stands to gain greatly by not paying the insurance. Even to the casual observer, this is a potential conflict of interest. A mistake has been made, and it must be corrected.

Their computation of net equity for purposes of insurance and clawback for Madoff victims is quite different than the formulas they have used each and every time in the past for other cases which were similar in nature. Since when did rules, regulations, and laws become changeable based on circumstances that would save the insurer the most money and allow the trustee to go after the largest clawbacks? To even the casual observer, there is a conflict of interest.

The President says that it’s time to take responsibility and admit when a mistake has been made. “A mistake has been made.”

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2997, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Mr. McGovern, from the Committee on Rules, submitted a privileged report (Rept. No. 111-191) on the resolution (H. Res. 609) providing for consideration of the bill (H.R. 2997) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR CONSIDERATION OF H.R. 2965, ENHANCING SMALL BUSINESS RESEARCH AND INNOVATION ACT OF 2009

Mr. McGovern, from the Committee on Rules, submitted a privileged report (Rept. No. 111-192) on the resolution (H. Res. 610) providing for consideration of the bill (H.R. 2965) to amend the Small Business Act with respect to the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and for other purposes, which was referred to the House Calendar and ordered to be printed.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. Kaptur) is recognized for 5 minutes.

(Ms. KAP'TUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

REMEMBERING ROBERT McNAMARA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. QUIGLEY) is recognized for 5 minutes.

Mr. QUIGLEY. Robert McNamara once said, “You can correct a wrong only if you understand how it occurred and you take steps to make sure it won’t happen again.”

Today, as we mark the passing of the late Secretary, I think it’s time to apply the lessons he learned in Vietnam to our own times. He said, “We are not omniscient. If we cannot persuade other nations with similar interests and similar values of the merits of the proposed use of that power, we should not proceed unilaterally.”

We had to learn that lesson again in Iraq.

He also said, “Our judgments of friend and foe, alike, reflected our profound ignorance of history, culture, and politics of the people in the area, and the personalities and habits of their leaders.”

That’s another lesson we learned again in Iraq.

Secretary McNamara’s Vietnam regrets also extended to the homefront. He confessed that “We failed to draw Congress and the American people into a full and frank discussion and debate of the pros and cons of a large-scale military involvement before we initiated the action.”

Unfortunately, we did the same thing with Iraq.

Instead of being straightforward with the American people, we spent years reducing the debate to a false choice between “stay the course” and “cut and run.” Today, as in McNamara’s time, we face the consequences of our silence.

McNamara also recognized that we did not learn from his initial mistake. We stuck to the same tired plan of action, even if it had minimal relevance to the situation on the ground.

“After the action got underway,” McNamara said, “and unanticipated events forced us off our planned course, we did not fully explain what was happening and why we were doing what we did.”

We have learned that same lesson again in Iraq and too often find ourselves bogged down by unattainable goals and unable to explain why we are there and what we plan to do about it. Unfortunately, we have had to learn many of the same lessons twice.

In the early years of the Vietnam war, just as in the early years of the Afghanistan and Iraqi wars, you could state with confidence that our military was the most powerful in the world. But military strength does not always translate into victory on the ground.

Secretary McNamara had learned a terrible lesson, that fighting a war without commitment, allies, without planning, without public discussion and against an enemy force defending its home territory, is not a winning proposition.

In fact, in 1962, McNamara said, “Every quantitative measurement we have shows we’re winning this war.”

But Vietnam wasn’t ultimately about quantitative measures. It wasn’t enough to burn out its jungles with napalm or blockade its ports with guns and ships. The bigger issue was strategy, planning and foresight. We didn’t know why we were fighting in the first place nor what we are fighting to achieve in the long run.

We had no perspective from which to evaluate our progress and reevaluate our goals. All we had were empty measures of troops, bombs and jets. The lesson of Vietnam has had to be learned and relearned too many times.

Secretary McNamara finally admitted in 1995, “We were in the wrong place with the wrong tactics.”

At this time of his passing, we should take a moment to reflect on his legacy and take steps to ensure the wrongs of Vietnam don’t happen again. The key lesson from Secretary McNamara is that we do that we do not live in a simple world with simple solutions. Military force is only one piece of the puzzle. Success depends on many variables.

McNamara saw this complexity in Vietnam. “We failed to recognize that in international affairs, as in other aspects of life, there may be no perfect solution for which there are no immediate solutions. At times we may have to live with an imperfect, untidy world.”

That same complexity exists in the present conflicts in Afghanistan and Iraq. We need an open and frank discussion of our goals as well as how we plan to achieve them. The American people deserve to know if we are in the wrong place with the wrong tactics. Let’s not sacrifice another generation to a war we think we are winning on paper.

HONORING JOHN W. FISHER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. Pence) is recognized for 5 minutes.

Mr. PENCE. Madam Speaker, I rise today with a heavy heart to pay tribute to a friend and to the memory of a great man who will long be remembered across the State of Indiana as a civic leader and a philanthropist whose impact will be felt for generations.

For decades, John W. Fisher has been a leader in the business community of eastern Indiana. Remembered as a giant of industry, John will be greatly missed, not only by his family and friends, but all those whose lives he touched.

A native of Walland, Tennessee, John was drawn to his athleticism, an all-American. He graduated a Volunteer from the University of Tennessee in 1938, but it was his connection to the Ball family that brought him to Muncie, Indiana.

Married to his beloved Janice, John did not plan to live in Muncie; rather, he had always thought he would eventually settle in his native Tennessee.

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A native of Walland, Tennessee, John was drawn to his athleticism, an all-American. He graduated a Volunteer from the University of Tennessee in 1938, but it was his connection to the Ball family that brought him to Muncie, Indiana.

Married to his beloved Janice, John did not plan to live in Muncie; rather, he had always thought he would eventually settle in his native Tennessee.
However, he was convinced to take a more active role in the Ball Corporation by his brother-in-law, Edmund, one of the founding members of that company. By then, John had earned an MBA from the Harvard Graduate School of Business, and with a keen business intellect, he quickly became a prominent figure in the Muncie business community and all across our State.

Mr. JONES. Madam Speaker, I rise today in memory of Steve Streater, who passed away in Asheboro, North Carolina, on June 20, 2009, at the age of 50. I extend to all of his friends and family and colleagues and those close to him my prayer for his extended family and community of friends today.

Steve Streater, one of my favorite North Carolina football heroes, who had the privilege to know him. Some might not know is that Steve was a star player in both baseball and football as a student at Sylva-Webster High School. As a baseball pitcher, he set North Carolina High School Athletic Association baseball records that still stand today—with a reported 12 shutouts in a season, 23 wins in a season, and 61 career wins. He also had eight no-hitters.

Steve was a good student and like his brothers Eric and Jimmy, he went on to play football for a Division I college, the University of North Carolina at Chapel Hill.

At the University of North Carolina, Steve became the only ACC player in history to earn all-conference honors at two positions. He was a first-team punter and safety for the 1980 Tar Heels football team, the last to win an ACC championship.

During his senior season, he had five interceptions, including three in the season closer against Duke University. Steve was also the defensive Most Valuable Player of the 1980 Bluebonnet Bowl, with an interception that set up the winning touchdown against Texas.

Sadly, after his triumphant season, Steve’s athleticism came abruptly to an end when he was involved in a freak car accident. In April of 1981, he was returning home from a tryout with the Washington Redskins. Hours after he agreed to sign a free agent contract, his car hit a slick spot, slid into an embankment, and was hit by another car. He suffered a back jury in that accident and was left paralyzed from the waist down for the remainder of his life. I remember that the Washington Redskins thought so much of Steve, they still paid his signing bonus after the injury.

Although Steve could no longer participate with his skills on the field, he made an even greater difference as he served as a role model for countless young people. From this tragedy, Steve became an inspiration to high school students throughout North Carolina. In addition to coaching, he was appointed State field coordinator for SADD, Students Against Drunk Driving, which launched in North Carolina in 1983. His car accident was not alcohol related, but in this role he was not only an inspiration to students, but to people like me.

While serving in the North Carolina General Assembly, I had the privilege and honor of introducing Steve several times when he spoke to student groups in my district. I am certain that he benefited from the love and support of his family and friends because, despite his accident, he never showed the pain of what he had lost.

Steve touched many of us young and old in such a positive way that his life will never be forgotten by those of us who had the privilege to know him. Steve Streater was an outstanding individual and he will be dearly missed.
REVISIONS TO ALLOCATION FOR HOUSE COMMITTEE ON APPROPRIATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. SPRATTI) is recognized for 5 minutes.

Mr. SPRATTI. Madam Speaker, under section 423(a)(1) of S. Con. Res. 13, the concurrent resolution on the budget for fiscal year 2010, I hereby submit an adjustment to the budget allocations for the Committee on Appropriations for each of the fiscal years 2009 and 2010. Section 423(a)(1) of S. Con. Res. 13 permits the chairman of the Committee on the Budget to adjust discretionary spending limits for overseas deployments and other activities when these activities are so designated. Such a designation is included in the bill H.R. 3082, Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes. A corresponding table is attached.

This adjustment is filed for the purposes of section 302 of the Congressional Budget Act of 1974, as amended. For the purposes of the Congressional Budget Act of 1974, as amended, this adjusted allocation is to be considered as an allocation included in the budget resolution, pursuant to section 427(b) of S. Con. Res. 13.

DISCRETIONARY APPROPRIATIONS—APPROPRIATIONS COMMITTEE 302(A) ALLOCATION

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Changes for overseas deployment and other activities designated:

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The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON. Madam Speaker, in his remarks will appear hereafter in the Extensions of Remarks.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN. Madam Speaker, in his remarks will appear hereafter in the Extensions of Remarks.

IN MEMORY OF WILLIAM LOUIS ISSA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. ISSA) is recognized for 5 minutes.

Mr. ISSA. Madam Speaker, today is July 7, 2009. Today would have been the 24th birthday of my own nephew, William Louis Issa. Last week, I attended his funeral.

He had a connection to this House because he worked both in Cleveland, his home, and here in Washington for his Congressman, DENNIS KUCINICH. In his passing, I lost a nephew; Cleveland lost somebody who cared about the environment, who was passionate about wolves in the wild, who in fact had graduated from college and was going on to law school to be an environmentalist, to seek what liberty allows us in this country, which is the right to feel and do what you think is right for your country.

I speak from this side of the center of this body and I speak about somebody who I disagreed with on many policies. As a young man, while he was summing here and staying at our house, he wanted me to know that the eating of meat was wrong and that if I wasn’t a vegetarian, then I wasn’t getting it. And he adored DENNIS KUCINICH, who’s a lifelong—or at least a personal—vegan. And he on a host of other issues felt so strongly. But, most of all, he felt strongly about the individual liberties, particularly his.

Now his choice was a Prius and his choice was to face the world and do everything for sustainable ecology as he saw it. So when I thought about coming and using his nexus here to the House floor tonight to speak on what would have been his 24th birthday, I thought it appropriate to say that from the left—and he certainly was a child of the left; perhaps a child of the sixties reborn in a next generation—and from someone on the right, I wonder if we shouldn’t come together the way this young man did with everyone he met and talk in terms of America’s liberty.

What in fact is this body doing—not to pass new laws. That wasn’t what we were sent for. But to defend the inherent constitutional obligations: Life, liberty, the pursuit of happiness. I believe that he ended his life far too soon and without accomplishing what he would have, had he lived longer. But tonight I will tell you that I’m brought to the House floor for perhaps only the third or fourth time in 8 or 9 years to say that those on the left and those on the right, we need to recommit ourselves.

At a time when we’re talking about regulating CO2, where we regulate the highways, the waterways, where we’re looking at an 8 percent tax on health care to pay for the new health care proposal, while so much of what we once thought of as the free wild, wild west of the United States has been changed, particularly post-9/11, I wonder if this wouldn’t be a good time for men and women of good conscience on both sides of the aisle to say: Shouldn’t we relook at every liberty? Shouldn’t we form a liberty caucus? Shouldn’t Congress be dedicated to ask the question not as Republicans or Democrats, but in fact as Americans sworn to uphold the Constitution?

Isn’t it time we start looking at every single law we passed and the regulation they produced and find out how many of them we could do without—not liberal laws, not conservative laws, but all of them. I believe that that is the highest calling for those of us here in Congress.

I will tell you tonight, perhaps as a small tribute to my nephew, that I will reach out and I will ask every Democrat I see and all of my colleagues on this side of the aisle: What have we done in fact to defend liberty? What have we done to give somebody the right to decide they want to spend three months with wolves in the wild or that they want to in fact go out and save our delicate ecosystem from the unnatural twisting that 300 million people here in America bring upon the world.

That liberty is important. It’s important that we pay tribute to it every chance we have, and can.

Madam Speaker, I want to thank you for the opportunity to, in a small way, talk about liberty and a man who would have fought for it.

DRAINING THE SWAMP OF CORRUPTION

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the minority leader.

Mr. KING. Madam Speaker, as always, I appreciate the privilege to be recognized here on the floor of the House of Representatives. We have had a little bit of a break here, a hiatus to go back home and spend some time on the 4th of July to celebrate the birth of our great country—233 years of freedom.

A lot of that freedom has been debated, deliberated, and argued over here on the floor of the House of Representatives in this world’s greatest deliberative body. The most costly freedom was bought for and lives and blood were sacrificed for on this soil and in foreign lands as well for this Nation to emerge at what has been and become a strong and vibrant constitutional Republic. Part of the requirements to maintain that strong and vibrant constitutional Republic are that we engage in debate here and that we bring together and aggregate the best ideas of the 300 million Americans that elect the 435 Members of the House of Representatives and the 100 Senators.

It’s essential that we maintain that kind of vibrant dialogue in this deliberative democracy, as some would call it. It’s essential that we reach out and I will ask every member of this House to reach out and I will ask every member of the Senate to reach out and say to those with whom you disagree: Look not as Republicans or Democrats, but in fact as Americans, sworn to uphold this Constitution.
many of our Founding Fathers and our predecessors. However difficult the process that they were in might have been, they emerged and led this Nation clearly along a path, a higher road; and that higher road has been a road that they, their predecessors, have emerged and led this Nation away, and there are questions that are under investigation by the FBI. Now we have had for a long time in this Congress—this list is long, and we will come in, and we will drain the swamp, Madam Speaker. Well, here we are now. The majority has changed. The promise apparently is drifting away, and there are questions that continue to raise questions about the standards that are being adhered to, or not being adhered to, by certain Members of this body. Questions that are raised by publications that have a strong affinity for the majority party in the House, and who insist on looking out of attacking and criticizing Republicans when they were in the majority and Republicans when they were in the minority now are raising ethics questions about the activities of the Members of this new Democrat majority who is now halfway through their third year. So 2½ years into this majority, we’re starting to see the allegations about draining the swamp was only an allegation about using ethics charges and investigations Chairs step down from the Ethics Committee that had any effect in a constructive way of providing more cleanliness here in the House of Representatives.

Now if I get to these posters, I am going to go through some of the things that are constantly in the news. This summary comes out to be this: This is the “draining the swamp” leadership hour of the Republican leadership, and we have a pattern of ignoring the corruption. There is a pattern of practice this Speaker Pelosi. We have eight appropriators who, it’s reported, are now under investigation for potential conflict of interest violations. With the Nation’s spending out of control and trillions going to special interest, we have questions and challenges that are coming up, flowing throughout the media. Let me say that new allegations of these defense millions are funneled to aides and relatives; contractors are being paid, who arerepeaters, who are supposed to see thousands in defense contractor dollars go through PMA, and out of there came donations to the Appropriations Committee, the Armed Services Committee. Then we’ve seen $250 million in earmarks go back through that lobbying firm, PMA, which, it’s reported, is clearly under investigation. A lobbying firm that has been closed down because of the investigation and those activities that are the subject of FBI investigations have shut down the lobbying firm, and have implicated a significant number of Nancy Pelosi’s chosen Chairs, people whom she has handed the gavel to. This list is long, and I think it’s expressive of what is going on. We have an Appropriations Committees step down from the Ethics Committee because of reports of an ethics investigation but found himself chaining the Justice Appropriations Committee—the people that were reportedly investigating him, holding him and the Appropriations and Justice appropriators, at the same time holding the purse strings of the FBI, who is report-
maybe they want to get back together and have a little reunion and decide if they did anything wrong. We don’t have answers to the public. We simply have a black hole of ethics that hangs over their head. They also argue that it’s improper for someone—and I’ll argue this. It’s improper for someone who attended the Caribbean conference to lead an investigation into it as to whether it violated House rules. What a contradiction. But the same gentleman who’s leading the investigation, Mr. COLE of North Carolina, has said, You cannot completely divorce yourself from relationships. Yet he would be willing to recuse himself if he got the sense that there was a contradiction. We shall see.

And what do we hear from the Congressional Black Caucus when the issue was raised and the press asked them the question. Did you go on a corporate-funded trip to the Caribbean? Or was it two or three? Their response was—we don’t complain about a lack of minorities in the office that was taking a look at this issue, the Office of Congressional Ethics, which was set up by NANCY PELOSI. So Speaker PELOSI’s Office of Congressional Ethics is looking into the activities of the Congressional Black Caucus and their trips to the Caribbean, potentially funded by corporations. And what does the Congressional Black Caucus have to say? They don’t think that the committee is looking into them has enough minorities. The first question asked, and they have to play the race card. That doesn’t speak to me as an issue that they have a very strong defense for. That’s the knee-jerk response. Play the race card. That’s why they are the Congressional Black Caucus, after all, the liberal Congressional Black Caucus. And we have Peter Flaherty, the president of a conservative watchdog group, and upon uncovering evidence of corporate funding, he said he was disappointed with the appointment of Mr. BUTTERFIELD to head up the investigative group. His answer was, the Congressional Black Caucus really sticks together. You can see their solidarity in the face of these ethics charges. To put one of their own members in charge of the investigation just shows that nothing has changed. The ethics process is still a complete mockery, Peter Flaherty.

Mr. McGee also questioned whether the Congressional Black Caucus members should be leading the probe. He said, In this case, this is a trip that is publicly connected to the CBC, and only CBC members were participants. To have a CBC member leading the investigation is not the best way to ensure a publicly credible and acceptable result. Mr. McGee, I agree.

We could go on and on. But here is the quote from Speaker PELOSI when she said that she’s making a commitment to “drain the swamp of corruption.” I don’t see activity on that commitment, and it is time. It is time we raised the issue. It’s time the American people look into these allegations. It’s time that this Congress form an effective Ethics Committee, an Ethics Committee that can clean this up and drain this swamp, as defined by the Speaker, who I think eventually is going to have to respond to this. She is going to have to know what’s going on. She has created the organization, the evaluation organization, and now it’s time to use it. And the name of the organization that she shaped escapes me for the moment, but it was formed by the Speaker. The purpose of— in her words, “draining the swamp,” and what do we get from the Congressional Black Caucus but a complaint that there weren’t enough minorities on the committee that were appointed by the Speaker. Now, I’d like to think that ethics is completely independent of ethnicity. I’d like to think that morality is independent of ethnic or race or gender or whatever one happens to be oriented.

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I would like to think right is right and wrong is wrong, that truth is truth, that fiction is fiction, that the Constitution is the Constitution. In the Bible it says what it says, that the Declaration says what it says, and that every Member here would speak the truth.

I would like to think that every Member of this Congress carries with them, internally, an ethical conscience that we owe a duty to the American people, that we owe a duty to the American people to live here at the highest standards and that we will not be drawn down into these lower standards, and that we owe a duty to them to stop and to evaluate ourselves. That is what the Ethics Committee is about.

The working group that is designed to enhance the Ethics Committee apparently is not working well, but we do have a Member of the Congressional Black Caucus investigating the Congressional Black Caucus under the auspices of the organization that is formed by the Speaker to do just that. I don’t think it is quite the fox guarding the henhouse because I don’t know what goes on in the mind of Mr. BUTTERFIELD. But I will say it raises questions. This Congress needs to raise questions.

We are watching favoritism here on the floor of the House. A week ago last Friday, the cap-and-trade bill, cap-and-tax bill. I call it, passed off the floor of this House. There were dozens of Members of this Congress, Democrats in the dozens, who had made the public statement that they were opposed to this cap-and-tax bill. But what we saw happen was as they needed the votes to get it passed, Member after Member would walk down in a lineup. They would queue up back here behind the microphone. And they would have in their hand a little piece of paper. They would start to carry that script down to the microphone. And the chairman who was managing the time would yield to them. They would read from the script. And the script would say something to the effect of “I took a position against the bill because I was concerned about the interests of my constituents,” which really means “because I know it is going to hurt my district. It will transfer our jobs overseas, and it is a bad idea.” This is what they said before the bill came to the floor.

An amendment was dropped in at 3 o’clock in the morning, 309 pages. No one had a chance to read it. But still they read from their script, and it said, on balance, I think that we have mitigated some of the disaster created by this—they wouldn’t say it quite that plainly—but I think we’ve mitigated some of the problems in this bill and I think we’re working on this and we’re going in the right direction. I think my constituents are going to be adequately covered.

Then they would pause while the committee chairman would read from his script. And he would say, I appreciate working with the gentleman. We’ve made progress on this bill. And even though we have an assurance to change any more language in this amendment that came in, 309 pages at 3 o’clock in the morning, to accommodate for this component that this Member would like to have, still, the fact that we read this into the RECORD changes the meaning of the bill.

And now the Member that was there and had read off the script, “So therefore I’m going to vote for the bill because I’ve worked with the chairman and we each agree we’ve done our duty to God and country and the bill is not as bad as it would have been otherwise.”

Really? The bill changes because one Member won’t vote for it unless he gets some cover? So he walks down here, reads from the script, the chairman reads from the script, the Member reads from the conclusion of the script, and now we have changed the meaning of the bill? And it is enough to turn a vote around 180 degrees and deliver to America a cap-and-tax bill by a vote of 219-212 which, by all appearances, is this. They’re wrong on the science, they’re wrong on the global warming argument, and the idea that you can set the Earth’s thermostat simply by controlling CO2 emissions, only CO2 emissions, and by doing so from American industry is going to lower the temperature of the Earth, and that by lowering the temperature of the Earth, we are going to have a higher quality of life. That is the undercurrent of this. I will say they are wrong on the science. They can’t make a scientific argument. They are completely wrong on the economics. The idea that we are going to create green jobs by taxing energy, specific kinds of energy, CO2-emitting energy, is completely wrong. That worst solution was the best solution if you accept the premise of Mr. WAXMAN? It would be a lot of nuclear-generated power, for which we have no
provision that opens it up so that we can build more nuclear-generating plants. It has become virtually impossible to build new coal-fired generating plants before this bill passed the floor of the House. The development of electrical generation in America is now frozen until we see what the Senate will do, if they take up the bill at all, and how they might amend it. But when you take something that is bad and you amend it marginally, it is still bad.

I have watched this unfold here on the floor of the House. I have watched it unfold behind the scenes. I have seen it unfold in committee. And I have yet to hear a legitimate dialogue in debate. I have yet to hear one Member of this Congress come here and raise the argument that scientifically they are right, that they can dial the temperature of the Earth down by reducing the CO\textsubscript{2} emissions in the United States and by raising the cost of energy.

This bill is an energy tax. It taxes all the energy in America. If you get in a car or on a bus and ride a half a block, you have used energy. If you throw away the coffee cup you have used energy. If you pick up a cup of coffee, it took energy to heat the coffee and make it. It took energy to make the cup. Whenever you move, you are using something that took energy to produce. All of these components are intricately tied to energy.

A nation that has expensive energy will be uncompetitive against the nations that have cheap energy and lots of it. One of the strengths of this Nation has been that we have had a sound and good, competitive, multi-sourced energy policy in the United States. We pioneered the oil drilling in the world. We led with this. It started in Pennsylvania. It developed in Texas and Oklahoma. It spread across the country. It went up to the North Slope of Alaska. It went offshore.

America has developed much of the technology that produces the oil and natural gas for the world today. That has been a core of the strength of America’s vibrant and huge global economy that we drive. The percentage of it that we have is so significant. We have had almost unlimited natural resources for most of this term of 233 years. We are importing less and less of it. But we are using the energy of many different varieties. We have had constitutional rights, especially property rights, the rule of law, a work ethic and a morality that has tied this country together. These are the pillars of American exceptionalism.

We had ideas for energy just a year ago. A year and a month ago, some of us were here on the floor of the House, and we had been debating energy for I will say about 6 weeks, when we got up to the August break. Now as the energy debate got turned up, the Speaker of the House decided she didn’t want to hear any more discussion about energy. So they abruptly adjourned and shut this process down. We kept debating anyway as the microphones were shut off and eventually the lights were shut off. We kept debating anyway. And we went out into the Capitol Building and brought people in to the seats, people off the streets, and set them in the House of Representatives. People sat in CHARLIE RANGEL’s seat. They sat over here in BARNEY FRANK’s seat. They sat in Mr. DINGELL’s seat. They sat in Republican seats too. They sat this close, right against the wall. We went to WASHINGTON, D.C., off the Capitol Building in here on the floor of the House of Representatives so we would have somebody to talk to because the TV cameras were shut off and turned to the side. The microphones were shut off. And the lights were shut down in here because the Speaker didn’t want to hear any more energy debate. But the delivery we gave then and the delivery that we continued on up until nearly the election last fall was all energy all the time, as our leader says, “all of the above.”

I put a chart here on the floor that showed all of the sources of energy that we consume in the United States. It is a pie chart with color code, how much is coal, how much is natural gas, how much is petroleum products, gas and diesel fuel, jet fuel, heating oil, how much is ethanol, biodiesel, wind, nuclear, geothermal, solar, and coal. And at the end of the year, consuming all of this energy we can build 101.4 quadrillion Btu of energy in the United States and producing about 72 quadrillion Btu of energy. So roughly speaking, we are producing only 72 percent of the overall energy that we are consuming in the United States. And yet we are an energy-rich nation. We are an energy-rich nation that should be able to shape an energy policy, an energy policy that will keep our energy cheap so that our economy can be competitive. We can make those things here in the United States, and America will be where the jobs are. Jobs are going to be where it is competitive.

It is pretty obvious from looking at what is happening to General Motors and Chrysler that we have had a lot of trouble being competitive on labor. If we can’t be competitive on labor, at least we can be competitive on our natural resources and at least we can be competitive on our coal resources. Instead, the Speaker of the House has embarked upon a path of making energy more expensive in this country under this viewpoint of trying to save the planet. Do you remember the quote from last year? “I’m trying to save the planet. I’m trying to save the planet.” She’s trying to save the planet by increasing the cost of all of the energy in America and driving up the cost of electricity.

We heard a witness before an Energy and Commerce Subcommittee chaired by Mr. MARKES. This gentleman’s name is David Sokol, who is the chairman of the board at MidAmerican Energy. Mr. Sokol testified as to the costs in increased electricity, the costs to the, I think the number is 6.9 million, ratepayers that MidAmerican has. They have a balanced portfolio of energy sources. They said they can meet the carbon caps that are being imposed under this bill. But what will happen is the customers will have to pay. They will have to pay twice, once for the cap-and-tax, and again to change, to renovate the means by which they deliver that energy. He testified that the additional cost annually per household, was $110 a month, which mathes out to be $1,320 a year just for the electricity. Add on to that the extra cost for gas for all of the costs on consumers because of diesel fuel in trucks and the extra energy that it takes to produce anything. Let’s just say you’re in the business of mining iron ore and shipping that over and melting it down and turning it into steel. All of the energy required to make it, to heat it, to convert it, all of that makes it almost prohibitive when you see costs that are going up for energy costs, in many cases a doubling of certain kinds of energy costs.

If you look at the map of the United States, you will see that the States that have the credits, that have a surplus of hydroelectric power, a lot of the people in those States would like to put our rivers back where they were. It punishes all of agriculture. It punishes all of agriculture. It punishes all of agriculture. It punishes all of agriculture. It punishes all of agriculture. It punishes all of agriculture.

It reminds me a lot of the stimulus package.
I argued this way. Look at AIG as if it were an apple, and you take that tool off the kitchen counter and it takes the core out and slices it up into six pieces. That could have happened with AIG like it happened to Ma Bell, and they should have been involved with each other. But instead, hundreds of billions of dollars poured into AIG and our investment banks, propping them up, carrying them on, and then effectively nationalizing them, refusing to let some of the lending institutions pay the money back so they could be out from underneath the thumb of the White House, a White House that claims to not want to operate any of these companies, a White House that fired the CEO of General Motors and hired a new CEO of General Motors and named all but two of the board members of General Motors and dictated to the bankruptcy court the terms of the Chapter 11 before the court made the decisions, and the White House. By the way, the White House that says, as a matter of fact a President that says I don’t want to be involved in the day-to-day operations of General Motors appointed a car czar who had never sold a car nor made one, and probably someone who has never even fixed one but probably has driven several, to call the shots on General Motors and on Chrysler, a car czar who is on the phone on a regular basis at the report of Pritz Henderson, the new Obama-appointed CEO of General Motors.

We are at the point where we have eight huge entities that are nationalized by the White House in a breathtaking fashion that many of us would have claimed would not have been a legal activity, or would have taken the authorization of Congress or resources that were not available to the White House to spend without congressional authorization, all happening so fast with the operation here that has shut down the kind of crisis that might have produced some free market results.

So the White House is involved in day-to-day operations of General Motors. The White House dictated who would be buying up what is left of Chrysler, appointed the new CEO of General Motors and all but two of the board members, and all of this works under the auspices of the car czar, who is one of 22 czars appointed by the White House, more car czars than the Romanovs, as Senator McCain famously said. One of them is the payroll czar. The payroll czar looks around to determine whether the CEOs of the companies that have been nationalized or received TARP funds or federal funds by the White House, to determine if the CEOs and their executives are making too much money performing the service that they are performing. In America? The President appoints someone to decide who is making enough money. It’s like advo-cate the class envy that was part of the campaign and nationalize eight huge formerly private sector entities and invest our tax dollars in them and hold back shares now of common stock as if they were an outside investor, as if they were Warren Buffett riding to the rescue.

Madam Speaker, America has gone down the wrong road. When I take us to the point of these hugely nationalized former private companies, all of that can be reversed at this point. All can be overturned in a saner time by a more prudent Congress and an administration that either sees the light or is forced by one that does. All of it can be.

But this line of the cap-and-tax bill is the Rubicon. It is the stream that we have crossed here in the House that if they cross it in the Senate, it will be an irrevocable policy that forever burdens the economy of the United States of America to our detriment and hands over an advantage in global competitiveness to China and India and other emerging industrializing countries.

I talked about the culture of corruption and the promise of the Speaker to drain the swamp. There is new corruption on the horizon. The cap-and-tax bill has the foundation for a massive amount of corruption.

When President Obama said look across to Spain for an example, an example of a country that gets it right, an example of a country that has already undergone the green revolution and created the green jobs and now they are in this new green economy, we can do that in the United States, too.

The President and many others make the argument that taxing energy in America and trading carbon credits will create these green jobs and we will have this new green economy that will be apparently healthy and vibrant, and they guarantee that they will create green jobs.

But what they don’t do is talk about this in the context of, similar to the same philosophy we are going to create or save, and I don’t remember the first number now, maybe 4.5 million jobs. I know it got down to 3.5 million or 3 million jobs this stimulus plan was going to create or save. Let’s say 3 million jobs. That is on the low side. It has been lowered a little since then.

Create or save. Now the instant I heard that, I thought that, it just says create or save. If it is going to be 3 million jobs that you create or save with the stimulus plan, as long as there are 3 million jobs left in the United States of America, the President can always claim those jobs were the jobs I saved. You would have lost them all if it hadn’t been for the stimulus plan. That’s the logic of the “create or save” kind of phrase.

Those are slippery phrases, calculated ambiguity. They intentionally, I believe, give a meaning so people can listen and they hear something. What do they want to hear? They want to hear that the stimulus
package is going to create 3 million jobs and so they grab ahold of that, and they are not listening to the words “or save.” Create or save. They are not thinking that there is no way that anyone can quantify a job that is saved.

You won’t get credit for saving a job if it is already lost and you put it back. I remember a company that was getting shut down, in the neighborhood of 40 jobs, and we engaged with the bureaucrats and treated that at it more objectively and stick with their rules but not hold out the hope that those jobs remained. I would quantify we saved about 40 jobs.

But you can’t deal with a national policy that can take credit for creating or saving jobs in the same category. So what’s the net increase or decrease in jobs? The stimulus plan hasn’t created net new jobs. It has not lived up to the standards set by the White House which predicted we would see unemployment as high as 8 percent, maybe 9.5 percent. Now it is at 4.1 or 9.5 percent, and the numbers are 14.5 million Americans unemployed and another 6 million who are looking for work. So let’s just say 20 million, 20 percent unemployed in the United States.

None of those were the jobs that were saved. None of those were jobs that were created, and the White House hasn’t defined a single one yet of the jobs that were created, nor the ones that are saved.

So cap-and-trade, cap-and-tax, what does it do to the culture of corruption? What does it do to the ethics challenge that is before these many Members of Congress of which I have a list? Let me see. One, two, three, four, five, six, seven, eight, nine that are being scrutinized and are in the public eye.

Even under this environment of getting to the cap-and-tax, and I will share with you what happened in Spain as they lurched into their green economy and green jobs.

Spain drew a conclusion 7 or 8 years ago that they wanted to be a world leader in green jobs, a world leader in this green revolution, and they wanted to reduce the amount of CO2 being emitted into the atmosphere and get themselves in line with the Kyoto treaty. So they set about replacing their normal generation in Spain with a lot of wind power generators; other means, too, but wind power in particular. They set about to get permits and who gets to put up and where you are going to locate a wind generator, that means bureaucrats and politicians are involved and favorites get chosen, just like the favorite dealership in Massachusetts that lost his franchise, but at the pleadings of the chairman of the Financial Services Committee had his franchise reinstated even though others did lose their franchise.

Favorites get played in politics. It happened in Spain. In the case of Spain, they were going to create these green jobs. Here is what they learned. This is the data that comes out of 7 to 8 years of experience, of going down this path that cap-and-tax takes the United States of America if the Senate passes it and the President has promised that he will veto it. They did create jobs. They created green jobs. And for every green job that they created, they created 2.2 private sector jobs because it drew capital out of the private sector and out of the Spanish economy. They lost the two largest companies in Spain. One of them was British Petroleum, or BP as they are known now, which left Spain because their costs have gone too high.

They created a new green job here and there at the cost of, for every one, 2.2 lost jobs in the private sector. It took Spain up to the highest unemployment rate in the industrialized world, 17.5 percent unemployment and rising. The cost per green job created was $770,000 per job.

So they spent $770,000, created a green job and lost 2.2 jobs in the private sector. Why was their electric bill skyrocket? I think that was the phrase used by President Obama. You would see coal-fired generating plants, the cost of that electricity skyrocket under his cap-and-tax plan.

Well, Spain created under a very similar plan, a plan that has been identified by President Obama as a model to follow, the Spanish model. In 3 years’ time, the electrical bills for the residents in Spain increased 20 percent. Now that is quite a shocker. I don’t suppose, Madam Speaker, that’s there in Spain that contributes to dragging down their economy—the green economy that they set up with the idea they were going to create green jobs.

There is no empirical data, no quantifiable way that one can look at Spain and declare that Spain is a model that the United States should emulate, but the President has declared that we should do that and doesn’t seem to be accountable for that decision and their performance.

So when I asked the question, of all of these things that are wrong in the Spanish green economy—the high unemployment, the high electrical bills, borrowing money to pay your electrical bills, the Sicilian Mafia wrapped up in the politics that’s contributing to political corruption—of which there are many indicators here in this swamp that the Speaker has declared she wants to drain but she insists we do so when it’s her own Democratic Members—all of this going on in Spain, and here in the House of Representatives we pass a cap-and-tax bill that is a tax on all of our energy, that sets up carbon credits that will be traded—not just in the United States, but around the world.

And so somehow, with a bill in the House, we are going to pay somebody to plant trees in Brazil, thinking that that’s going to sequester some carbon so we can burn some more natural gas to generate some electricity in Florida. How about that?
And I would just ask the question, aside from this snarled mess and the open door for confusion and corruption and favoritism and people getting rich off of credits, aside from all of that, aside from the extra cost in electricity of $1,320 a year just for the households in my district, according to Mid-American Energy, who hasn’t seen a rate increase in over 10 years—aside from all of that, where are we going?

If we could take the 25 or the 50 or the 100 smartest people in America, or the world, eraze from their minds any of the last 25 or 30 years of this global warming fear that has been perpetrated—and now has had to morph itself into “climate change” because we don’t have evidence that the globe has been warming since 2002 so they had to change it to climate change—but if we could put the smartest people together, send them off on a retreat somewhere—send them down to the Caribbean where the Congressional Black Caucus had their little island that’s being looked at—set them up on an island, erase from their memory anything that they’ve heard about this global warming allegation or the proposed solutions, and first ask the question that we really should ask, that question: Do you believe it is not so much the point, but we should get our facts right, and we should ask that question. Do you believe the Earth is getting warmer? Well, maybe.

And there are some trend lines prior to 2002 that would indicate that. That’s not one inch the thing, but what would you ask that question? Do you believe it is? And if you conclude that it is—smartest people in the world with great training in all of the fields that they need, then the next question would be, do you believe that the emissions from the industrial era, the industrial revolution are contributing to it? How much, and what could we do about that?

Now, remember that if you would take the atmosphere—and we’re dealing only with CO₂ in the United States of America, the cumulative total—and I’ve got to go a little bit from memory, but I’m going to get the scale of this exactly right, and if you take the entire atmosphere of the Earth—I know all this air has a volume to it. It’s measured in metric tons, and that number is 105.5 million metric tons—I believe that’s the number, that’s the right decimal anyway—all of that Earth’s atmosphere and draw it out and represent it proportionately in a circle, let’s say a circle 8 feet in diameter, two 4 by 8 sheets of drywall side to side, draw a circle 8 feet in diameter, a foot higher than my hand around, draw that circle, think of that circle in your mind’s eye, Madam Speaker, and that represents all the Earth’s atmosphere.

Now, the cumulative total of CO₂ suspended in the Earth’s atmosphere over the last 205 years, since the dawn of the industrial revolution, all of that CO₂ that has been burned and released in the atmosphere, if you would draw it on a circle, in the middle of that 8-foot circle—which is all of the Earth’s atmosphere—that circle would be how big: 5 foot, 4 foot, 3 foot, 2 foot, 1 foot in diameter, perhaps, in the middle of that 8-foot circle? Or 6 inches, or 3 inches, or 1 inch—we’re still going, Madam Speaker. About the diameter of my little finger: .50 inches—will be all that is suspended in all of that CO₂ that is suspended in the Earth’s atmosphere that has been emitted by the United States of America in the last 205 years, the dawn of the industrial revolution. And we’re talking about that half-inch diameter circle in the middle of the 8-foot circle and reducing those emissions by 17 percent in the near term, as much as 83 percent per year in the long term.

Now, where does that get us? And how can anyone think that you can put a drop into an ocean and change the temperature of the ocean, or think that you could microscopically alter the dimension of that center little circle that represents all of the suspended CO₂ from the United States and somehow magically that’s the key to adjust the Earth’s thermostat. It is utter vanity, Madam Speaker. And you can put the smartest people in the world off on an island and some of the things that have been pumped out in their brain, start them out with fresh data, scientific data, empirical data, put some physicists there, put some meteorologists out there, some mathematicians there while we’re at it, and by the way, let all of those people churn around on this climate change model—and let’s put some economists out there also to churn around on what happens—and I would just be about willing to guarantee that 50 or 100 of the smartest people in the world, if you erase their institutional memory of all of the information that has been pounded into this country over the last 30 years since we made the transition from the impending ice age—which came close and least one scientist made the switch himself, said it was certain that there was a near-term ice age that was going to come down and freeze us off of the North American continent. Now he’s a global warming enthusiast. He was right one time maybe, and he will never live to see if he was right or wrong.

But all of those smart people that we could put on an island and erase their institutional memory and start them out with 50 or 100 very well trained physicists, meteorologists, economists, mathematicians, chemists, put them on that island and ask them, evaluate the data that we have today and look at the science that we have, if the Earth is getting warmer and if you think that’s a problem, what would you do about it. I can’t imagine that 25 or 50 or 100 smartest people in the world coming up with such a concoction as a proposed solution as passed off the floor of this House in the form of the cap-and-trade bill. And they can’t—cap-and-trade, cap-and-tax—or whatever the other acronyms are for this bill. I can’t imagine that really smart people could ever cook something like that up.

Because this bill that passed the House, it was never a product of, let me say, sound science, peer-reviewed analysis, sound economics. It was never a product that ever laid this thing out on the table, through the process, and gamed it out to the end. No, Madam Speaker. It’s a political concoction that’s put together in a hodgepodge. It’s—what shall I call it—liberal genetic engineering of policy. And we are stuck with it coming out of this House.

And I think that this is the single most colossal mistake made in the history of the United States Congress a week ago last Friday when they passed the cap-and-tax bill. I think they’re wrong on the science, and I think they’re really, really wrong on the economics. And if they’re right on the science, they hand over the economy of the United States and put us at a disadvantage and allow India and China and other developing countries to continue to belch crud into the atmosphere and out-compete us economically. And more and more companies will be moving to those countries while those economies prosper and pollute the atmosphere, even to the extent of producing or developing an average of one new coal-fire generating plant per week without the emissions controls that we have here in the United States of America, pouring this all forth out of the smoke stacks in Asia and shipping us more and more of our goods.

So what’s happening is we’re buying plenty from Asia already, and that contributes to our trade imbalance. And then, in order to meet these budget shortfalls that are driven by the President and the liberals in Congress—trillions of dollars, a $9.3 trillion deficit in the budget offered by President Obama on top of an $11.3 trillion existing deficit, over $20 trillion—and what do we do to deal with that? We buy everything we can that we don’t want to make here in the United States anymore, and then we borrow the money from the Chinese and then pay the Chinese, and then the Chinese are now lending us money from the Chinese. So it’s the equivalent of going to the car dealer, I suppose, and borrowing the money from him to buy the car that he makes.

And you keep doing that over and over again, but you’ve got to build something that has value. You’ve got to make things. You’ve got to provide goods and services that can be competitive. And we need to be competitive globally.

The very idea that this country is a giant chain letter, a giant ATM to be cashed into and that we can create a government economy is false. It has to have value, and it has to have value in the private sector. The private sector is the productive sector of the economy; the government sector is the parasitic sector of the economy. And you cannot grow the parasitic sector of the economy at the expense of the productive sector of the economy and
think that you can compete indefinitely in this world while you’re borrowing money from the Chinese to pay the bills that you’re creating by having the Chinese make the things that we can’t be competitive anymore and buying it from them.

And I get along fine with the Chinese, but you’ve got to build things that have value and you’ve got to have a sound economy. We’ve got to have an ethical Congress. We’ve got to stand on free markets. And we’ve got to reverse the nationalization of our privatized industries. And I urge that we do so with all haste.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Mr. HOYER) for today.

Ms. JACKSON-LEE of Texas (at the request of Mr. HOYER) for today on account of Michael Jackson memorial.

Ms. FALLIN (at the request of Mr. BOEINER) for today on account of attending a funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. SPRATT, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:

Mr. POE of Texas, for 5 minutes, today.

Ms. ROS-LEHTINEN, for 5 minutes, today.

ADJOURNMENT

Mr. KING of Iowa. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o’clock and 59 minutes p.m.), the House adjourned until tomorrow, Wednesday, July 8, 2009, at 10 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for speaker-authorized official travel during the first quarter and second quarter of 2009, pursuant to Public Law 95-384 are as follows:

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<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Per diem 1</th>
<th>Transportation</th>
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1 Per diem constitutes lodging and meals.

2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.


REPORT OF EXPENDITURES FOR OFFICIAL TRAVEL, JOINT ECONOMIC COMMITTEE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 28 AND FEB. 1, 2009

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<th>Transportation</th>
<th>Other purposes</th>
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1 Per diem constitutes lodging and meals.

2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CAROLYN B. MALONEY, Chairman, June 16, 2009.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker’s table and referred as follows:


2487. A letter from the Chairman, Joint Chiefs of Staff, Department of Defense, transmitting a copy of a report to Congress entitled, “Reachback Distributed Decision Support” recommended by the National Defense Authorization Act for Fiscal Year 2007; to the Committee on Armed Services.

2488. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s Uniform Resource Locators (URLs) for documents recently issued related to regulatory programs; to the Committee on Energy and Commerce.

2489. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a six-month periodic report on the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994, and continued by the
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. RAHALL:
H. R. 3113. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Elk River in the State of West Virginia as having exceptional scenic, recreational, fish and wildlife, and other resource values and extraordinary significance; to the Committee on Natural Resources.

By Mr. CONYERS (for himself, Mr. ISSA, Mr. JOHNSON of Georgia, and Mr. SHERMAN):
H. R. 3114. A bill to authorize the Director of the United States Patent and Trademark Office to use funds made available under the Trademark Act of 1946 for patent operations for consideration of the bill (H.R. 2965) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; (Rept. 111–191). Referred to the Committee on the House on the State of the Union.

By Mr. POLIS: Committee on Rules. House Resolution 609. Resolution providing for consideration of the bill (H.R. 2967) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; (Rept. 111–191). Referred to the House Calendar.

By Mr. WAXMAN (for himself, Mr. GORDON of Tennessee, Ms. GIFFORDS, and Mr. OLSON):
H. Res. 607. A resolution celebrating the 50th anniversary of the opening of the Indianapolis Motor Speedway; to the Committee on Science and Technology.

By Mr. CARSON of Indiana (for himself, Mr. HILL, Mr. BUTCH of Indiana, Mr. BUYER, Mr. PENCE, Mr. VISNOSKY, Mr. DONELLY of Indiana, Mr. SOUDER, and Mr. ELLSWORTH):
H. Res. 608. A resolution recognizing the 100th anniversary of the opening of the Indianapolis Motor Speedway; to the Committee on Oversight and Government Reform.

By Mr. HARE (for himself, Mr. BARNS, Mr. DE LAHUNT, Mr. HARPER, and Mr. BLUMENAUER):
H. Res. 611. A resolution supporting the goals and ideals of "Fragile X Awareness Day"; to the Committee on Energy and Commerce.

By Ms. NORTON (for herself, Mr. HOYER, Mr. CANTOR, Ms. EDWARDS of California, Ms. MOORE of Kansas, Mr. CHRISTENSEN, Mr. CARDOZA, Mr. KENNEDY, Ms. ROYBAL-ALLARD, Mr. SCHIFF, Mr. SHERMAN, Ms. SPIKER, Mr. STARK, Mr. THOMPSON of California, Ms. WATERST, Mr. WATSON, Mr. WAXMAN, and Ms. WOOLSEY):
H. R. 3119. A bill to designate the facility of the United States Postal Service located at 897 Stockton Street in San Francisco, California, as the "Lim Poon Lee Post Office"; to the Committee on Oversight and Government Reform.

By Mr. REHBERG:
H. R. 3120. A bill to extend the Federal relationship to the Little Shell Tribe of Chippewa Indians of Montana; to the Committee of the Whole House on the State of the Union.

By Mr. DE LaUGUE (for himself, Mr. KUCINICH, Mr. CONNOLLY of Virginia, Mr. BACON, Mr. BACH, Mr. CARDOZA, Mr. KENNEDY, Ms. ROYBAL-ALLARD, Mr. LYNCH, Mr. FOSTER, and Mr. QUIGLEY):
H. Res. 612. A resolution expressing the profound sympathies of the House of Representatives for the victims of the tragic Metrorail accident on Monday, June 22, 2009 and for their families, friends, and associates, to the Committee on Oversight and Government Reform.

By Mr. PLATTS:
H. Res. 613. A resolution supporting the goals and ideals of the Apple Crunch and the Nation's domestic apple industry; to the Committee on Natural Resources.

By Mr. GREGORY (for himself, Mr. FLAKE, and Mr. KIRK): H. Res. 614. A resolution amending the Rules of the House of Representatives to prohibit earmarks to for-profit entities; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 7 of rule XII, bills were added to public bills and resolutions as follows:

H. R. 18: Mr. REYES.
H. R. 39: Mr. SPRAT, Mr. WATSON, Ms. WOOLSEY, Mr. CLAY, Mr. MOORE of Kansas, Mr. CONNOLLY of Virginia, Mr. LER of California, Mr. FRANK of Massachusetts, Mr. BRADY of Pennsylvania, Mr. CONYERS, Mr. CHRISTENSEN, Mr. NADLER of New York, Mr. ROTHMAN of New Jersey, Mr. BALL, Mr. NELSON of New York, Mr. BERNIEDE of Wisconsin, Mr. PAYNE, Ms. RICHARDSON of Florida, Mr. SCOTT of Virginia, Mr. BUTCH of New York, Mr. SIMON, Mr. HIRSH, Mr. SHERMAN, Mr. OBERSTAR, Mr. TRENEY, Mr. KUCINICH, Mr. RUPERSBERGER, Mr. ACKERMAN, Mr. KIND, Mr. AL GREEN of Texas, and Mr. BLUMENAUER.

H. R. 29: Ms. KAPUR and Mr. SIBES.
H. R. 389: Mr. BLUMENAUER.
H. R. 413: Mr. LINCOLN-DAVIS-ALFAR of Florida, Mr. CAPPS, Mr. BOSWELL, Mr. MEER of Florida, Mr. MESE of New York, Mr. PAYNE, Mr. RICHARDSON, Mr. SCOTT of Virginia, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mr. WATSON, Ms. WATSON, Mr. WATTS, Ms. SCHMIDT, Mr. RUSH, Mr. JACKSON of Illinois, Ms. FUDGE, Mr. HASTINGS of Florida, Mr. CONVERS, Mrs. CAPPS, Mr. LEWIS of Georgia, Mrs. MALONEY, Mr. BECKER, Mr. BACA, Mr. CARDOZA, Mr. KENNEDY, Ms. ROYBAL-ALLARD, Mr. LYNCH, Mr. FOSTER, and Mr. QUIGLEY.

H. Res. 426: Ms. JACKSON-LEE of Texas.
H. R. 430: Mr. WAMP and Mr. TURNER.
H. R. 442: Mr. SMITH of Nebraska, Mrs. MCGRATH, Mr. BUFFA, Mr. Boyd, Mr. McKEON, Mr. SCH Weiss, Mr. CHAPLOWSKI, Mr. BASS, Mr. WELCH, Mr. STEYER, Mr. HUNTS, Mr. HOPKINS, Mr. ABBOTT, Mr. TAYLOR, Mr. JAVASKY, Mr. FARR, Mr. WITTMAN, Mr. DAVIS of California, Mr. SHUSTER, Mr. EDELSON, Mr. CLAY, Mr. MILLER of New York, Mr. PLANET, Mr. SNOWDEN, Mr. WELCH, Mr. SCHWEERS, Mr. JONES, Mr. WILLIAMS, Mr. THOMAS, Mr. BASS, Mr. BRYCE, Mr. BURKE, Mr. BROWN of North Carolina, Mr. BACH, Mr. BUCZAK, Mr. VILLEGAS, Mr. WATSON, and Mr. DOOLEY.

H. R. 452: Mr. SMITH of Nebraska, Mrs. MCCOMBS, Mr. RODGERS, and Mr. BUCHANAN.
H. R. 468: Mr. MICHAUD.
H. R. 482: Mr. TAYLOR.
H. R. 528: Mr. LEVIN.
H. R. 614: Mr. TURNER.
H. R. 622: Mr. MCCOTTER.
H. R. 658: Mr. PERKIELLO.
The Manager’s Amendment to be offered by Chairman Reyes, or a designee, to H.R. 2701, the Intelligence Authorization Act for Fiscal Year 2010, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits, as defined in clause 9 of Rule XXI.

The amendment to be offered by Representative Velázquez, or a designee, to H.R. 2965, the Enhancing Small Business Research and Innovation Act of 2009, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of Rule XXI.

The amendment to be offered by Representative Delauro, or a designee, to H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f) or 9(g) of rule XXI.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative Velázquez, or a designee, to H.R. 2701, the Intelligence Authorization Act for Fiscal Year 2010, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits, as defined in clause 9 of Rule XXI.

The amendment to be offered by Representative Velázquez, or a designee, to H.R. 2701, the Intelligence Authorization Act for Fiscal Year 2010, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits, as defined in clause 9 of Rule XXI.

The amendment to be offered by Representative Delauro, or a designee, to H.R. 2965, the Enhancing Small Business Research and Innovation Act of 2009, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of Rule XXI.

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The Senate met at 10 a.m. and was called to order by the Honorable Roland W. Burris, a Senator from the State of Illinois.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, before You nations rise and fall; they grow strong or wither by Your design. Help our Nation to embrace righteousness and to strive for unity and renewal.

Lord, hasten the coming of Your kingdom, where pain, tears, and death will be no more. May America’s example of right living prompt the world’s nations to gather in the light of Your presence. Teach all nations the way of peace so we may plow up battlefields and pound weapons into liberation tools. Teach us to talk across boundaries as brothers and sisters, united by Your love. Today, help our Senators and all who labor with them to work with a renewed sense of their accountability to You.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable Roland W. Burris led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. Byrd).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable Roland W. Burris, a Senator from the State of Illinois, to perform the duties of the Chair.

Robert C. Byrd,
President pro tempore.

Mr. BURRIS thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. Reid. Following the remarks of the two leaders, the Senate will proceed to a period of morning business for 1 hour, with Senators permitted to speak for up to 10 minutes each, with the majority controlling the first half and the Republicans controlling the second half. Following morning business, the Senate will begin consideration of S. 2029, the Homeland Security Appropriations Act.

Around 12:15 today, Senator-elect Al Franken will be sworn in to be U.S. Senator from the State of Minnesota. At 12:30, the Senate will recess to allow for the weekly caucus luncheons. Senators should expect rollcall votes throughout the day as we consider the Homeland Security Appropriations bill.

Prior to leaving that subject, I hope Senators will be ready to offer amendments. We have a rule XVI, but this is a wide jurisdiction bill. There should be lots of opportunity for people to offer amendments. I hope they would consider doing their amendments as soon as possible. We are not going to spend day after day on this bill. We need to move appropriations bills as quickly as we can. I want people to have the opportunity to offer amendments. We will be happy to look at time agreements if that is appropriate. Without any preconditions, let’s move to this bill and get it done as quickly as possible.

MEASURE PLACED ON THE CALENDAR—H.R. 2454

Mr. Reid. Mr. President, H.R. 2454 is at the desk. It is my understanding it is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill for the second time.

The legislative clerk read as follows:

A bill (H.R. 2454) to create clean energy jobs, achieve energy independence, reduce global warming pollution and transition to a clean energy economy.

Mr. Reid. Mr. President, I object at this time to any further proceedings on this legislation.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the Calendar pursuant to rule XIV.

Mr. Reid. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The Clerk will call the roll. The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. McConnell. I thank the Chair.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.
HEALTH CARE WEEK V, DAY II

Mr. MCCONNELL. Mr. President, the American public want health care reform. There is no question about that. But they have serious concerns about some of the proposals coming out of Washington. Concerns that I have outlined on the Senate floor over the past few weeks. Americans are also increasingly concerned about the way these proposals are being sold. Specifically, they are concerned that the same mistakes that were made on the economic stimulus bill are about to be made again—only this time, those mistakes could be permanent and would directly affect every single American family.

Here is what they are concerned about:

Earlier this year, advocates of the stimulus said that the bill had to pass right away, with minimal scrutiny and minimal bipartisan support. They gave the American people less than 24 hours to review one of the costliest pieces of legislation in history, and then they hoped for a good result. The reason for the rush is clear. Proponents of the stimulus were concerned that public support would start to fade if people got a closer look at the details. So they short-changed the debate and overpromised on results. And now their predictions are coming back to bite them.

Here is what they said at the time.

They said that if the stimulus passed, unemployment wouldn't rise above 8 percent in the nearest future. And they hoped that unemployment wouldn't rise above 8 percent. Unemployment is now approaching 10 percent. They said the stimulus was necessary to jumpstart the economy. Yet now, with about a half million jobs lost every month, they have started to admit that they simply “misread” the economy.

These were costly mistakes, and we can’t take them back.

But we can prevent these same kinds of mistakes on health care. If the stimulus was a cheap one.

We should be just as skeptical of a government-run health care isn’t reason to rush. It is reason to take the time we need to get it right—and to make a serious effort to get members of both parties to work out reforms that a bipartisan majority can agree to, several of which I have enumerated many times already on the Senate floor.

We should reform our medical liability laws to discourage junk lawsuits and bring down the cost of care; we should encourage wellness and prevention programs that have been successful in cutting costs; we should encourage competition in the private insurance market; and we should address the needs of small businesses without creating new taxes that kill jobs.

Advocates of government health care should also be exceedingly cautious about the predictions they make this time around. We already know that many of the promises that are being made about a government-run health care plan to actually how much it will cost. We should know that everyone who likes the insurance they have will be able to keep it and that the cost of such health care proposals won’t add to the national debt.

As Democrats rushed the stimulus funds out the door, they also predicted it wouldn’t be wasted. Yet every day we hear about another outrageous project that it is being used to fund. I have listed some of these projects in previous floor remarks, such as a $3.4 million million tunnel in Florida. Americans struggling to hold onto their homes and their jobs want to know why their tax dollars are being spent on such wasteful and needless projects.

Americans were overpromised on the stimulus. This time they want the facts.

Soon, the Government Accountability Office will issue a report that gives us an even greater sense of the problems with the stimulus. I am convinced that the American people want an even clearer accounting of the mistakes that were made with that bill—and the flawed manner in which it was sold to the American people.

Americans who are now waking up to headlines about the problems with the stimulus don’t want to be told a few months from now that the people who sold them a government-run health care system misread the state of our health care industry, or that the health care plan they are proposing was based on faulty assumptions.

Americans don’t want to wake up a few years from now with their families enrolled in a government-run health care system because some here in Washington decided to rush and spend a trillion dollars and let the chips fall where they may.

The American people don’t want us to rush through a misguided plan that pushes them off of their health insurance and onto a government plan that delays, denies, and ration’s care. On the stimulus, Americans saw what happens when Democrats rush and spend. When it comes to health care, they are demanding we take the time to get it right.

SOTOMAYOR NOMINATION

Mr. MCCONNELL. Mr. President, last week, the Supreme Court decided the case of Ricci v. DeStefano in which it ruled that the city of New Haven, CT, unlawfully discriminated against a number of mostly White firefighters by throwing out a standardized employment promotion test because some minority firefighters had not performed as well as they had. In this case, the Supreme Court was correct in my view. The government should not be allowed to discriminate intentionally on the basis of race on the grounds that a race-neutral, standardized test—which is administered in a racially neutral fashion—results in some races not performing as well as others.

Yet regardless of where one comes out on this question, there are at least two aspects of how all nine Justices handled this very important case that stand in stark contrast to how Judge Sotomayor and her panel on the Second Circuit handled it—and which call into question Judge Sotomayor’s judgment.

First, this case involves complex questions of Federal employment law; namely, the tension between the law’s protection from intentional discrimination—known as “disparate treatment” discrimination—and the law’s protection from less overt forms of discrimination, known as “disparate impact” discrimination.

It also involves important constitutional questions—such as whether the government, consistent with the 14th amendment’s guarantee of equal protection under the law, may intentionally discriminate against some of its citizens in the name of avoiding perceived discriminatory results against other of its citizens.

Every court involved in this case realized that it involved complex questions that warranted thorough treatment—every court, that is, except for Judge Sotomayor’s panel. The district court, which first took up the case, spent 48 pages wrestling with these issues. The Supreme Court devoted 93 pages to analyzing them. By contrast, Judge Sotomayor’s panel dismissed the firefighters’ claims in just 6 sentences—a treatment that her colleague and fellow Clinton appointee, Jose Cabranes, called “remarkable,” “perfunctory,” and not worthy “of the weighty issues presented by” the firefighters’ appeal.

It would be one thing if the Ricci case presented simple issues that were answered simply by applying clear precedent. But the Supreme Court doesn’t take simple cases. And at any rate, no one buys that this case was squarely governed by precedent, not even Judge Sotomayor.

We know this because in perfunctorily dismissing the firefighters’
As has been reported, before she was on the bench, Judge Sotomayor was in leadership positions with PRLDEF for over a decade. While there, she monitored the group’s lawsuits and was described as an “ardent supporter” of its litigation projects, one of which was important of which was a plan to sue cities based on their use of civil service exams. In fact, she has been credited with helping develop the group’s policy of challenging these types of standardized tests.

Is the way Judge Sotomayor treated the firefighters’ claims in the Ricci case what President Obama means when he says he wants judges who can “compete” with certain groups? Is this why Judge Sotomayor herself said she doubted that judges can be impartial, “even in most cases”? It is a troubling philosophy for any judge, let alone one nominated to our highest court, to convert “empathy” into favoritism for particular groups.

The Ricci decision is the tenth of Judge Sotomayor’s cases that the Supreme Court has reviewed. And it is the ninth time the Supreme Court has disagreed with her. In fact, she is 0 for 9 during the Supreme Court’s last term.

The President says that only 5 percent of cases that Federal judges decide really matter. I do not know if he is right. But I do know that, by necessity, the Supreme Court only takes a small number of cases, and it only takes cases that matter. And I know that in the Supreme Court, Judge Sotomayor’s been wrong 90 percent of the time.

In the Ricci case, her third and final reversal of this term, Judge Sotomayor was so wrong in interpreting the law that all nine justices, of all ideological stripes, disagreed with her. As we consider her nomination to the Supreme Court, my colleagues should ask themselves this important question: is she allowing her personal or political agenda to cloud her judgment and favor one group of individuals over another, irrespective of what the law says?

RESERVATION OF LEADER TIME

THE ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business for 1 hour, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half, with Senators permitted to speak for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

SOTOMAYOR NOMINATION

Mr. DURBIN. Mr. President, Republican Senate leader Senator MCCONNELL has just completed his leadership statement. I would like to respond to two or three of his points.

I am not surprised that he opposes Sonya Sotomayor, the President’s nominee to the Supreme Court. He has stated that earlier that he does not believe she should take this important position. I disagree. Sonya Sotomayor comes to us having first been nominated for a Federal judgeship under Republican President George W. Bush and then was nominated for a promotion to the circuit level, the next higher bench, by President Clinton. So she has enjoyed bipartisan support in her judicial career. In fact, she brings more experience on the bench to the Supreme Court if she wins the nomination, if it is approved by the Senate, than any nominee in modern memory.

So there is no question she was qualified both under a Republican President and a Democratic President for this effort to be part of the Supreme Court.

I have met her. She has met personally with over 80 Senators and talked to them about any judge’s ruling on any case. She has been asked about her background, her approach to the law. She is an outstanding candidate.

Her life story is one that is inspiring to all. She was raised in public housing in the Bronx, NY. There has been some mention of the fact that she was a volunteer attorney for the Puerto Rican Legal Defense Fund. It is a fact that she is of Puerto Rican national descent, and when she was a child her father passed away. Her mother, a very strong-willed and energetic person, raised her and her brother. Her brother is a medical doctor. She is an accomplished attorney. She went to Princeton University and is one of the highest academic honors and then went on to Yale Law School, where she also was acknowledged as being one of the most outstanding law students in her class.

This is a person who comes to this job with a resume that, as a lawyer myself, I look at with a great deal of envy. She is an extraordinarily gifted person. There could be questions raised about any judge’s ruling on any case. But the fact is, I believe she has a record that is unparalleled in terms of judicial experience. So I hope those who listened to Senator MCCONNELL’s remarks will also reflect on the fact that Judge Sotomayor is an extraordinary talented and gifted person. If Senator MCCONNELL is going to oppose her nomination—it sounds as if he will—I hope some on his side of the aisle will join us in a bipartisan effort to make her part of the U.S. Supreme Court.

THE ECONOMY FIT

Mr. DURBIN. Senator MCCONNELL was also critical of President Obama, the President’s attempt to deal with the economy he inherited from the previous President. The economy was in
the worst shape we have seen it since the Great Depression when President Obama was sworn into office. It was not, as he said, his choice to face that kind of an issue or challenge, but it was the reality of what he faced. He did the right thing: I am going to stand idly by and observe this economy continue to decline, with more and more people facing unemployment, businesses failing, and people losing their savings. I am going to step up and try to create jobs, save and create jobs here in America so that we do not see more people in the unemployment lines.

I supported that. Luckily, three Republican Senators at the time joined us; otherwise, we could not have passed it. So we had a bipartisan vote supporting President Obama’s recovery and reinvestment package. Senator McConnell, the Republican leader, opposed it. He came to the floor today to say that we wasted our money on this stimulus package and that we should be very skeptical of these things. The fact is, the Republicans in the Senate had nothing to offer as an alternative. Their alternative was to stand idly by and watch the economy continue to decline, continue to deteriorate, and maybe with a little prayer and hope that it would turn around. That is not good enough.

President Obama said: Let’s first, in this stimulus package, take at least 40 percent of all the funds I am asking for and give it back to Americans in tax breaks for working families. Families need a helping hand, the President said, and create jobs so we can help people get back on their feet. He also said: Let’s create good-paying jobs to do it. I think that was sensible. The President made that decision. Senator McConnell thinks that is wasteful, to give tax breaks to working families—at least he said it was wasted. I do not believe it is wasteful. It is time to get an initiative to try to revitalize the country.

The President said: Let’s invest in what will pay off for a long time to come. Let’s put money into infrastructure, let’s build that which will serve our economy and our country, and let’s create good-paying jobs to do it. I thought that was sensible.

The President said: Let’s look to the next generation of needs in America. Let’s make sure we are investing in energy projects which will pay back in years to come and lessen our dependence on foreign energy sources—an other good investment from where I am sitting.

He also said: Give a helping hand to those unemployed, a little extra money for them each month to get by. It was not a lot, but for many families it made a difference.

He also said: Give a helping hand to those unemployed, so they can keep their health insurance. If you lose a job, you lose your health insurance. Think about that if you are trying to raise a family. The President said: Let’s try to reduce the premiums unemployed people will pay.

Now Senator McConnell comes to the floor and said this was a waste of time and a waste of money for us to make that kind of investment in America. I believe the President did the right thing. I would commend to Senator McConnell, the Republican leader, the latest Pew Poll, which shows that when Americans are asked if America’s economy is on the right track or wrong track, they have come in with the highest number—53 percent on the right track, 39 percent on the wrong track—we have seen in months. There is a feeling that we still have a long way to go. We are still too many people unemployed, too many businesses failing. But at least we are on the right track toward recovery. It may take some time. Nobody predicted this would be fast or easy. But the President showed leadership, inheriting a bad economy and showing leadership to deal with it.

HEALTH CARE
Mr. Durbin. The major thrust of the remarks of the Senate Republican leader, day after day, has been in opposition to health care reform. I will tell you that I think the Republican leader is out of step with America. America understands something about our health care system. We are spending twice as much per person for health care in America as any nation on Earth—twice as much—and the medical outcomes in America are a little bit worse. I do not reflect that kind of major investment. In other words, we are wasting money in our current health care system.

That has to change. So what we need to do is preserve those things in our health care system today that are good and fix the things that are broken, and that is what the President has challenged us to do. This is not something new. This challenge has been waiting for 15 years since former President Clinton, unfortunately, could not pass it. We have seen our health care costs in America continue to skyrocket and our costs for health insurance following in track. Now we have to do something about it.

Time and again, the Senator from Kentucky says repeatedly, which is just plain wrong, is that under the proposals coming before the Senate, the government can take away people’s health insurance. How can the Senator say that? The Senate is not on the floor. I am sure some Members of his staff will alert him to the fact. I would like to read from the language from the HELP Committee bill which is presently being considered. This language makes it abundantly clear—in fact, says directly—that we can keep our health care plans, that they would not be taken away. That is something most Americans who have no health insurance and give them protection, bring them under the umbrella of protection. We should not be afraid of that challenge. Why would we be afraid? We know if we don’t tackle it, it will continue to cost us more and more money.

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among us and those who are disabled. So 105 million Americans today have either Medicare or Medicaid. That is a third of America being covered by government-run health care. That is a reality. Most Americans understand there are very positive things to be said for these programs. Would we do without Medicare; would we abolish it? I certainly wouldn't be part of that. In over 40 years, Medicare has brought peace of mind, dignity, and great medical care to millions of seniors across America. That is what we want to see go away. I think it is a program that has served us well.

A question was asked recently by CNN: In general, would you favor or oppose a program that would increase the Federal Government's influence over the country's health care system in an attempt to lower costs and provide health care coverage to more Americans? The numbers that came back on May 15, by CNN: 69 percent of the American people favor that statement, favor more government involvement in health care to reduce cost and expand coverage. Only 29 percent oppose. The position argued by the Republican leader does not reflect America's feelings about health care.

If Senator McConnell feels the current health care system is fine and we should not work to change it, he does not, I am afraid, reflect the feelings of most Americans. We can do better. We need to do better on a bipartisan basis. We need to work on the Republican side of the aisle in a bipartisan effort to find real solutions, compromise that would not compromise the values of our American health care system but give people a health care program that would not be taken away from them by some health insurance company bureaucrats, something the family can afford, something small businesses can afford.

We can do it. We should not be afraid. America has tackled bigger challenges in the past.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Delaware.

HONORING JOHN GRANVILLE

Mr. KAUFMAN. Mr. President, I rise once again to speak about the vital role our Federal employees play in keeping America safe, prosperous, and free.

Just days ago, on the Fourth of July, we celebrated the 233rd anniversary of our independence. For 233 years, ordinary Americans have chosen to give their energy, their time, and their talents in service to our government. Many have given their lives.

All Federal employees, as I have said previously, are bound together by a shared sense of duty and willingness to sacrifice.

When the Founders added their signatures to the Declaration of Independence, they did so with faith in their fellow Americans—that the 56 names

inked on that parchment were joined in spirit by millions of others in their own day and for generations to come. They knew that building a nation requires more than a handful of men. It entails the active participation of citizenship as a way of life.

This is why, a decade later, when the Framers assembled in Philadelphia to draft our Constitution, they did so with an expectation that regular citizens would be the form and substance of our government.

Indeed, they knew firsthand the value of service above all. This virtue would lead countless Americans who had fought for freedom to become the first generation of Federal employees.

The Founders and Framers had good cause to predict such participation among citizens beyond their appointed role as electors and jurors. The classical history and writings that influenced them are filled with praise for the values of duty and sacrifice that inspired public service.

Many educated Americans in 1776 were familiar with the story of Horatius the Roman.

When the armies of a tyrant approached the walls of Rome, the citizens of that infant republic were called to arms.

Horatius ran across the last bridge spanning the Tiber River where he alone held off the enemy as his compatriots destroyed the bridge behind him. With this personal act of courage, he prevented the capture of Rome.

Horatius was not a professional soldier. He was neither an elected leader nor a man of high birth. But he defended with pride that title of honor greater than any other—citizen. He gave his life so that others could remain free.

His act is an example of the kind of sacrifices that ordinary citizens are willing to make when they know freedom is in jeopardy.

Americans looked to classical figures like Horatius in 1776, when their own liberty was uncertain. It is this common willingness to risk safety and personal gain that sets apart a commonswealth of citizens from a nation of subjects.

It is these same qualities that make our Federal employees so worthy of praise.

On the Fourth of July, I thought about ordinary Americans who choose to serve their country in often perilous situations. Many of them risk harm while defending the liberty and values that infuse our citizenship with meaning.

As I have said before, our Federal employees exemplify the American value of service above self.

Throughout our history, Federal employees have traveled to dangerous corners of the globe, in order to represent the American people abroad, promote peaceful international cooperation, and provide aid to those in need.

John Granville was one of those who felt called to serve his country, even if it meant traveling to places where his own safety was uncertain.

A native of Orchard Park, NY, near Buffalo, John studied at Fordham and Clark Universities before joining the Peace Corps. His service in the Corps took him to Cameroon, in West Africa, from 1997 to 1999.

While there, he applied for and received a Fulbright fellowship to continue living in that country and conduct research on its society and development.

John was committed to serving his country and helping others, then joined the Foreign Service.

He worked for the U.S. Agency for International Development—or USAID—in Kenya before heading to Sudan in 2005.

It was a dangerous assignment. That year, the Sudanese Government signed a cease-fire to end a long civil war in that country's south. John's assignment was to distribute 75,000 radios to rural villagers.

These radios could be powered by the Sun or by handcrank. With democratic elections approaching, these radios would give the local Sudanese access to uncensored international news broadcasts.

As a former member of the Broadcasting Board of Governors, I can attest to the importance of providing access to free and uncensored news. It is a vital part of developing democratic cultures and press freedom. It also promotes hope and understanding, which help deter the spread of extremist views.

John worked with a dedicated team of USAID officials to distribute these radios and other aid to rural southern Sudanese. One of his coworkers later said that John was "the glue" that held their group together and that he kept up their spirits throughout the mission.

On New Year's Day, 2008, John was gunned down by four militants who targeted his car for its diplomatic plates. He was only 33 years old.

His loved ones back home remembered him as an "unselfish humanitarian," a "consummate professional," and someone who "worked with energy and imagination." John was an active member of the St. John Vianney Church community, and he was a mentor who inspired others to follow in his footsteps by helping others in need.

John Granville believed in the importance of service as part of citizenship. He crossed the ocean and stood on the other side, like the Roman Horatius at the far end of the bridge, carrying out the people's work and risking his own safety in service to his Nation.

He had told his mother on several occasions that despite the danger of his work, he would not want to do anything else.

There are thousands of Foreign Service officers, USAID workers, and journalists and employees with the Broadcasting Board of Governors all over the globe.
These dedicated men and women leave behind family, friends, and communities. Their careers often take them through dangerous parts of the world, where the threat from crime, disease, war, and terrorism is very real. All too frequently their sacrifices and achievements go unrecognized. On occasion, they make the ultimate sacrifice.

Because we just celebrated the Fourth of July, let me return for a moment to the founding generation.

Those first Americans who sacrificed for liberty established more than our Republic. They left us with a democratic legacy that reminds us everyday of our rights and our duties as equal citizens.

The descendents of those revolutionaries, when they designed and ornamented this magnificent Capitol, enshrined a powerful message. The paintings in the Capitol Rotunda, just steps from the story of how America achieved its greatness.

They tell not of the force of arms or the achievements of a powerful few. Rather, taken as a whole, these eight paintings celebrate the evolution of American citizenship.

The turning point in this narrative is highlighted by Trumbull’s iconic portrayal of the drafting of the Declaration of Independence.

But the last painting in the cycle is the most poignant and recalls the climactic movement in the development of our citizenship.

Washington, at his height of popularity, willingly yields his power and authority back to the people by resigning his commission.

With his sacrifice in that moment, the American people were truly free, and those who laid out this cycle of paintings did so to acclaim this birth of American citizenship.

They remind us that our citizenship is a pact between equals, that no American should ever rule arbitrarily over others. It is this notion of citizenship that governs the relationship between the American people and our Federal employees. As a commonwealth of citizens, we entrust our fellow Americans who work in the Federal Government to perform that noble task so yearned for by the 56 men who wrote and signed the Declaration.

They secure our unalienable rights by constituting a government deriving its “just powers from the consent of the governed.”

Their hard work and their sacrifices protect our lives, preserve our liberty, and enable all Americans to pursue happiness.

I call on my colleagues to join me in honoring and recognizing the immeasurable sacrifice made by John Granville and all civilian Federal employees who gave their lives in service to our Nation.

Their names will forever be inscribed on the eternal Declaration that continually secures our freedom.
that. They still have not come up with ways to pay for this grandiose takeover of the American health care system.

Americans are losing health care coverage every day. And it gets back to the issue of affordability, not quality. But the Democrats cannot produce legislation that responsibly makes coverage available to all Americans without trillions of dollars in new spending.

This weekend, after a 4-week delay, we finally received new provisions in their new government-run health care plans. Here is what we know about the legislation before us:

The Congressional Budget Office says the preliminary cost estimate for the new language they reviewed was nearly $900 billion in new spending. The other side says this is a cost reduction from an earlier version of the bill. Do not be fooled by the smoke and mirrors. After an inexplicable 4-year phase-in that delays several provisions in the Democratic bill in an effort to hide costs throughout the health care bill will actually spend $1.5 trillion when it is fully implemented. And that is not counting the hundreds of billions of dollars in new Medicaid spending promised by that legislation.

CBR also tells us the HELP Committee bill still leaves over 30 million Americans without coverage. Mr. President, for all the spending being proposed, don’t you think we should be covering more than 40 percent of the uninsured? When the final numbers come in, don’t be surprised if the cost of this “rush” proposal is at or above $2 trillion. What is worse, the sponsors cannot tell us how we will pay for such a massive price tag.

My colleagues and I plan to continue talking to the American public. I suggest the other side in the Senate talk to all Americans about what they need rather than making these decisions for them.

Again, Mr. President, we cannot risk running through a legislative proposal in the next 4 to 5 weeks and be sure that we are not making serious and fundamental mistakes. And the serious and fundamental mistake is the approach to this legislation, which is, the quality of health care in America can and must be preserved; it is the cost that needs to be brought under control. We can bring those costs under control by innovative techniques, by competition, by allowing Americans to go all across the country to better choose their health care at the place of their choice—the same way we have been able to reduce costs in other sectors of our economy, as technology has improved the quality of our lives.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I am glad I was here to listen to the thoughtful comments of the Senator from Arizona. His leadership on the HELP Committee is trying to help make certain we help Americans have access to health care they can afford and that we do that in a way that leaves them with a government they can afford and with choices so they do not have government in between themselves and their doctors has been very important. I thank him for his leadership.

TAXPAYER STOCK OWNERSHIP

Mr. ALEXANDER. Mr. President, the Senator talked about spending and debt. During my week in Tennessee last week, if I heard anything, it was about too much debt. People are genuinely worried about the amount of new debt and spending in Washington. But if I heard anything else last week, it was about too many Washington takeovers. Senator McCaIN mentioned some of them. He mentioned banking. He talked about, perhaps, student loans. He mentioned the health care industry. And he mentioned the automobile industry, which is what I would like to talk about for a few minutes this morning.

Yesterday was good news for General Motors. The judge in the bankruptcy case apparently approved a plan that by the end of the week should free General Motors of a tax liability or a tax dividend, and we could have a new GM, for which I wish great success because General Motors has made great contributions to our State of Tennessee over the last 25 years. Its Saturn plant has helped to attract hundreds of suppliers and has helped to produce cars, although they never made any money for one reason or another. But they made a great contribution to our State. So the good news is General Motors is going to get out of bankruptcy. The bad news is that the U.S. Government still owns 61 percent of General Motors, as well as about 8 percent of Chrysler. And it was paid for with real dollars.

Mr. President, $50 billion or so in taxpayer dollars went to buy 61 percent of a government corporation, which I would like to discuss, offered by the Senator from Utah, Mr. BennETT; the Senator from Arizona, Mr. KYL; the Senator from Kentucky, Mr. McCONNELL, other Senators, and myself. Our legislation would direct the Department of the Treasury, within 1 year after General Motors comes out of bankruptcy, to distribute all of the government stock in General Motors and in Chrysler to the 120 million Americans who paid taxes on April 15—Mr. President, in other words, a stock dividend. We want to give the stock to the people who paid for it. The idea is pretty simple: I paid for it, I ought to own it. Not only would that stop the incessant political meddling that seems to go on here in Washington with General Motors—Washington cannot seem to keep its hands off the car company—it would also create an investor fan base of 120 million Americans who might be interested in the success of General Motors or be a little more interested than they are today.

Think of the Green Bay Packers. The fans own the team, and the fans are even a little bit more interested in who the quarterback might be than they might otherwise be. Well, if 120 million Americans owned a little bit of General Motors, the New GM, they might be a little more interested in the next Chevy and it might help General Motors succeed.

I can suggest one thing that will make sure the company does not succeed, and that is to keep the ownership of General Motors in Washington, DC, with meddling politics interfering with the executives and the workers who are designing and building and selling cars—or who, I might say, ought to be designing, building, and selling cars.

Madam President, about how much time do I have remaining?

The PRESIDING OFFICER (Mrs. GILLIBRAND). The Senator has 6 minutes.

Mr. ALEXANDER. Thank you, Madam President.

I first suggested that what we ought to do is just give the stock to taxpayers. I think some of my colleagues thought I might be being faceless. But this is a very normal corporate event. It is called a stock distribution or a tax dividend. In 1969, Procter & Gamble did it with Clorox with its subsidiary. Procter & Gamble decided its Clorox subsidiary was not a part of the core business of Procter & Gamble anymore, so it simply gave shares of Clorox to people who paid for it. Procter & Gamble, Time Warner did it with Time Warner Cable in March of 2009. PepsiCo did it with its restaurant business in 1997 by spinning off KFC, Pizza Hut, and Taco Bell.

If you stop and think about it, it is the simplest way to solve the problem. The President has said he does not want to micromanage General Motors and that he plans to sell it. But the President himself has already fired the president of General Motors, put in the board, and called the mayor of Detroit and said he believes the headquarters ought to be in Detroit instead of Warren, MI. Next, you have the chairman of the House Financial Services Committee calling up General Motors saying: Don’t close a warehouse in my district. Senators from Tennessee and Michigan and other States are saying: Please put a plant in our states. We have at least 60 Congressional committees and subcommittees that could have General Motors. Mr. President, I yield the floor.

The PRESIDING OFFICER (Mrs. GILLIBRAND). The Senator has 4 minutes.

Mr. McCONNELL. Mr. President, I am pleased to follow the Senator from Tennessee.

The reason I have chosen to talk about this today is because of the President’s statement yesterday that he is determined to save General Motors. And I think the actions that the President announced yesterday strongly buttress the importance of saving General Motors. First, the President announced that the government would buy $2 billion of General Motors’ debt, which is an important step. Second, the President outlined a series of steps to help General Motors, including the restructuring of the company, the approval of tax reform that will help the company, and the creation of a stock dividend for the American people. These actions are significant in helping to ensure the success of General Motors, and I hope that they will be implemented as quickly as possible.

In addition, I would like to see the President take further action to help General Motors. Specifically, I would like to see the government take a more active role in overseeing the company’s operations. This would help ensure that the company is run efficiently and effectively, and that it is focused on producing high-quality products that meet the needs of American consumers.

Finally, I would like to see the government take a long-term view in its approach to General Motors. This means that the government should be willing to provide the company with the support it needs to succeed, even if that support is not immediately cost-effective. By taking a long-term view, the government can help ensure that General Motors remains a strong and competitive American company, and that it continues to play a vital role in the American economy.
Financial Services Committee, who called up the General Motors president and said: Don't close a warehouse in my district, and General Motors did not close the plant. Once I gave the award to myself and others, who met with the people and said: Please put a plant in our district. Today I would like to present it to a real car czar.

In the June 1 Wall Street Journal, there is an article by Lieutenant General Pacepa, who was literally the car czar of Romania.

Madam President, I ask unanimous consent that following my remarks, this article about what Lieutenant General Pacepa learned as car czar be printed in the Record.

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

(See exhibit 1.)

Mr. ALEXANDER. Madam President, basically, he says:

The United States is far more powerful than Great Britain was then, and no American Attlee should be capable of destroying its own political base. In the case of the U.S. administration, Congress, and the American voters will take a closer look at history and prevent our automotive industry from following down the [road of the Romanian cars.]

He cites many examples. For example, how the President of Romania decreed that the Oltcit parts were to be manufactured at 166 existing Romanian factories in parts of the country that corresponded to the voting districts. I can see that happening in the United States. We already have Congressmen saying: Don't buy a battery in South Korea; buy one made in my congressional district. General Motors might be buying a battery from South Korea because it would make the Chevy Volt a success.

In the New York Times in 1989, there was an article talking about Soviet cars in Romania. Of which we were co-brunt of many jokes, and the difficulty the Soviet Union had coming out of perestroika and glasnost.

There were jokes such as: What do you call a Lada with twin tailpipes? A wheelbarrow.

Why do Ladas have heated rear windows? So you can keep your hands warm when you are pushing them in the snow.

We politicians don't know anything about making cars. We should not pretend to do. The American people know that. They don't like the fact that the federal government has spent more than $50 billion bailing out the car companies, but the American people like it worse that we in Congress are not doing anything about manufacturing, cars, but neither did anyone else among Ceausescu's top men. However, my father had spent most of his life running the management of the Government of the General Motors affiliate in Bucharest.

My job at the time was as head of the Romanian industrial espionage program. I therefore had a close look at what the purchasers of a minimum, basic license for a small car from a major Western manufacturer, and then to steal everything else needed to produce the car.

Three Western companies competed for the honor. Ceausescu decided on Renault, because it was the western government (all Soviet bloc rulers distrusted private companies). We ended up with a license for an antiquated and about-to-be-discontinued Renault-12 car, because it was the cheapest. "Good enough for the idiots," Ceausescu decided, showing what he thought of the Romanian people. He baptized the car Dacia, to commemorate Romania's 2,000-year history, going back to Dacia Felix, as the ancients Romans called that part of the world. In that government-run economy, symbolism was the most important consideration, especially when it came to things in short supply (such as food).

too luxurious for the idiots," Ceausescu decreed. "Who are you going to buy the first Dacia car—made in Romania. Immediately, the radio, right side mirror and backseat heating were dropped. Other "unnecessary luxuries" were soon eliminated by the bureaucrats and their workers' union that were running the factories. The factory that finally hit the market was a stripped-down version of the old, stripped-down Renault 12. "Perfect for the idiots," Ceausescu approved. Indeed, the Romanian people, who had never before had any car, came to cherish the Dacia.

For the foreign market, however, the Dacia was a nightmare. To the best of my knowledge, no Dacia car was ever sold in the U.S.

Ceausescu, undaunted, was determined to see Romanian cars running around in every country in the world. He tasked me to buy Romanian cars running around in every country in the world. He tasked me to buy a minimum, basic license for a small car from a major Western manufacturer, and then to steal everything else needed to produce the car.

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that the U.S. administration, Congress and the American voters will take a closer look at history and prevent our automotive industry from following down the Dacia, Oltcit or Jaguar path.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Madam President, how much time is left?

The PRESIDING OFFICER. There is 12 minutes remaining.

SOTOMAYOR NOMINATION

Mr. SESSIONS. Madam President, I express my appreciation to the Senator from Tennessee for his insightful comments. Indeed, it is a tangled web we create when we first start to regulate. It is a tangled web, too, when we start owning automobile companies which we know nothing about. Madam President, we are looking forward to next week and working as hard as we can to ensure that we have a very fine confirmation hearing in the Judiciary Committee for the judge nominated to be a Justice of the Supreme Court by President Obama, Judge Sotomayor. I will share a few thoughts about that and what I think is important for my colleagues to think about as they study this issue and work to do the right thing about it.

The President’s nominee is, of course, his nominee, and it is our responsibility—and the only opportunity the American people have to know anything about this process is the hearing in which the nominee has to answer questions and respond. Senators will make comments and ask questions. When we elevate one of our citizens to a Federal judiciary, we give them an awesome responsibility, and particularly so when elevated to the Supreme Court. They are the final word on our Constitution, how the Constitution and our laws are to be interpreted. Some judges, I have to say, have not been faithful in their responsibilities. They have allowed personal views and values to impact them, in my view. We ask them as judges to take on a different role than they have in private practice. We ask them to shed their personal beliefs, their personal bias and, yes, their personal experiences. We ask them to take an oath to impartial justice.

Our wonderful judicial system—the greatest system the world has ever—rests upon this first principle. It is an adversarial system that is designed to produce, through cross-examination and other rules and procedures, truth—objective truth. The American legal system is founded on a belief in objective truth and its ascertainability. This is a key to justice.

But in this postmodern world, our law schools and some intellectuals tend to be of a view that words don’t really have meaning; words are just matters of powerful groups that passed one day, and they don’t have concrete meanings and you don’t have to try to ascertain what they meant.

And, indeed, a good theory of law is to allow the judge to update it, change it, or adopt how they would like it to be. I suggest this is not a healthy trend in America. It impacts this Nation across the board in so many ways. But I think it is why it is so precious when it comes to the law, if that kind of relativistic mentality takes over.

This notion of blind justice, objectivity, and impartiality has been in our legal system from the beginning, and it should not be eroded. Every judge takes this oath. I think it sums up so well the ideals of the fabulous system we have. A judge takes this oath:

I do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a judge of the United States, so help me God.

Well, I guess the Court hasn’t gotten around to striking their oath yet—at least that part that says “so help me God.” Those phrases have certainly been attacked by the country by Federal judges, in many instances. This oath—I have to say this—stands in contrast to the President’s standard for judicial nominees.

I am concerned, based on her speeches and statements, that it may also be the judicial philosophy of Judge Sotomayor.

In 2005, then-Senator Obama explained that 5 percent of cases, he believes, are determined by “one’s deepest beliefs, values, and the depth and breadth of one’s empathy.” He means a judge’s personal concerns, values, and empathy. Well, according to the President, in 5 percent of cases the concerns whose issues are close, that is acceptable. I think we must draw from his statement that it is acceptable for judges to not set aside their personal beliefs, not discard personal bias, not dispense with their personal experiences as they make rulings, as they decide cases, which is what judges do.

According to the President, in 5 percent of cases, Lady Justice should remove her blindfold, take a look at the litigants, and then reach out and place her thumb on the scales of justice on one side or the other. I think this is a dangerous departure from the most fundamental pillar of our judicial system—judicial impartiality. That is why judges are given lifetime appointments. They are supposed to be unbiased and impartial.

Whatever this new empathy standard is, it is not law. It is more akin to politics than law. Whenever a judge puts his or her thumb on the scale of justice in favor of one party or another, the judge necessarily disfavors the other party. For every litigant who benefits from this so-called empathy, there will be another litigant who loses not because of the law or the facts, but because the judge will not empathize or identify with them.

What is empathy? Is this your personal feeling that you have—you are a Protestant or a Catholic or your ethnicity or your race or some bias you brought with you to life and to the court? Is that what empathy is? Well, it has no objective meaning, it is merely what the President's standard, the oath of “impartiality” to “equal justice to the rich and the poor alike” is violated when such things infect the decision-making process.

With this as his stated standard, the President nominated Judge Sonia Sotomayor for the Supreme Court of the United States. Thus far our review of her record suggests that she may well embrace the President’s notion of empathy, and I will share a few thoughts on that.

On a number of occasions over the years, Judge Sotomayor delivered a speech entitled “Women in the Judiciary.” In it she emphasizes that she accepts the proposition that a judge’s personal experiences affect judicial outcomes:

In short, I accept the proposition that a difference will be made by the presence of women on the bench and that my experiences will affect the facts that I choose to see as a judge.

In fact, in one speech, she rejected another woman judge’s view that a woman and a man should reach the same decision in a case. She explicitly rejected that concept. She re-affirms:

I simply do not know exactly what that difference will be in my judging, but I accept there will be some (differences) based on my gender and the experiences it has imposed on me.

I think this would tend to be a rejection of even the aspiration, the ideal, of impartiality that is fundamental to our legal system and our freedoms.

In a later speech, Judge Sotomayor takes a giant step, expressing a desire to draw upon her experiences in her judging. She states:

Personal experiences affect the facts judges choose to see, and it is hard to take the good from my experiences and extrapolate them further into areas with which I am unfamiliar. I simply do not know exactly what that difference will be in my judging. But I accept that there will be some based on my gender and my Latina heritage.

Well, are the days now gone when judges should see their taking office as a commitment to set aside their personal experiences, biases, and views when they put on the robe? Gone are the days when judges even aspire to be impartial.

In that same speech, which has been given a number of times, Judge Sotomayor goes a step further, saying:

I willingly accept that we who judge must not deny the differences resulting from experience and heritage, but attempt continuously to judge when those opinions, sympathies and prejudices are appropriate.

She says a judge should attempt continuously to judge when those opinions, sympathies, and prejudices are appropriate. That means that a judge’s prejudices are appropriate to use in the decision-making process.

I find this to be an extraordinary judicial philosophy. Some might say you...
cases. We do know her particular life experiences with the Legal Defense Fund were contrary to the claims brought by the New Haven firefighters. We know she was a leader and board member and chair of that organization’s litigation committee. According to the New York Times, “she was involved and was an ardent supporter of their various legal efforts, frequently with the legal staff of the organization to review the status of cases.” According to the New York Times, “she was involved and was an ardent supporter of their various legal efforts, frequently with the legal staff of the organization to review the status of cases.”

Under her leadership, the Puerto Rican Legal Defense Fund, before she became a judge, involved itself in a series of cases designed to attack promotion patterns. The group concluded that after the fact, after the test, not enough minorities were being promoted. It sounds a lot like this firefighters case we talked a good bit about so far.

We are left to wonder what role did the judge’s personal experiences play when she heard the case. Did her personal views, as she has stated, “affect the facts she chose to see?”

The PRESIDING OFFICER. The Republican time has expired.

Mr. SESSIONS. Madam President, I ask unanimous consent for 1 additional minute.

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

Mr. SESSIONS. Madam President, those are important questions, and we will ask about them and give her full and ample opportunity to respond. I did wish to raise these issues.

The firefighters were denied promotion and, under her stated philosophy, her prior background, they are left to wonder: Was perhaps the reason they lost in her court because she brought her background and her prejudices to bear on the case and did not give them a fair chance? Very few cases are taken by the Supreme Court, but the Supreme Court did take this one, to the benefit of the firefighters, and reversed this decision. All nine Justices concluded the decision was improperly done and should be reversed, and five of them—a vindictive majority in favor of the firefighters on the record as existed then.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

ORDER OF PROCEDURE

Mr. DURBIN. Madam President, it is my understanding that the Senator from North Carolina is going to make a unanimous consent request; is that correct?

Mr. BURR. Madam President, the Senator is correct. I believe the Senator from Nebraska, as well. I ask unanimous consent to be recognized after the Senator from Nebraska, it is my understanding, for up to 10 minutes as in morning business.

Mr. DURBIN. The time suggested for the Senator from Nebraska is how much?

Mr. JOHNS. Madam President, I anticipate 10 minutes, and I ask unanimous consent to speak for 10 minutes.

Mr. DURBIN. My only hesitation is the fact that we are having a Senator sworn in at 12:15 p.m., and there is going to be a speech given before that by his colleague. We also wanted to have opening statements on the bill. If I may ask the Senators—I will not be close to the 5-minute mark. I think we can achieve all that in a timely fashion. I ask unanimous consent that the Senator from Nebraska be recognized for 5 minutes.

Mr. JOHNS. Five minutes.

Mr. DURBIN. In morning business and that the Senator from North Carolina be given up to 10 minutes. I know he said he would not use up to 10 minutes, and we will be protected with what time is used by these two Republican Senators being allocated to the Democratic side for morning business, which we will not likely use. I make that unanimous consent request.

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

The Senator from Nebraska.

HEALTH CARE

Mr. JOHNS. Madam President, I spent several days during the recess hosting a series of discussions on health care. I met with doctors and hospitals, underwriters, small business owners, and uninsured Nebraskans. Many of them feel as if they are one illness away from a crisis. The economic slowdown has only heightened this fear as they worry that they may lose their job and the health insurance their family depends upon to stay healthy.

Their concerns are real, and Congress should act carefully to address them. We need to create a health care system that protects patient rights, let’s them see their doctor, and is affordable.

But I am concerned about the discussions that occurred today. The American people deserve true solutions and should not be led down a path that is fraught with shadowy numbers and unfulfilled promises. Specifically, I have reservations about a government-run public plan. Some have attempted to portray that as simply an option. However, the more you learn about it, the more you realize there is nothing optional about it.
In my judgment, it is a one-way ticket to a single-payer, government-run health care system, one that will compromise patient access to quality care. It is impossible for private industry to compete with the government. The government will fix the prices and pick the rates that are in only one place—sensible—the government plan. When the government acts as both the player and the umpire, it’s not a level playing field. That close call at the plate will never to the frustration would ball magically will become a home run.

Some will say the government-run option will increase competition and keep the private insurers honest. Left unsaid is that government underpayments on Medicaid and Medicare are creating enormous cost shifting and increase the health care costs for others. Underpayments for Medicare and Medicaid are estimated to shift about $89 billion onto people who have private insurance. Each family pays an additional $6,000 a year to make up for the government’s flawed payment system. Hospitals and doctors literally told me they could not keep their businesses open on the Medicaid and Medicare reimbursement rate. So the creation of a government plan, a government plan, will only rob from Peter to pay Paul. Eventually, there will be no private insurance companies left to bear the burden.

The government-run plan does not break the bank, and it views itself as not having to. Washington seems happy to keep on printing money and raising taxes. How can private business compete with that? If a government-run public plan was truly going to compete, it would face the same regulations and the same risks that the private industry feels. No bailouts if it becomes insolvent. Does anyone think the bill’s proponents would honestly let that happen? The Administration would probably claim it is too big to fail, like AIG. Citibank, General Motors.

A system with a competitive government option, I fear, is a fairy tale. A government-run plan will undercut the private market and ultimately drive them out of business. I am not defending the private insurance industry. Far from it. But we need to be honest with the American people. No bailouts if it becomes insolvent. Even the President has told me they could not keep their businesses open. They go into small villages and find ways. They go into small villages and find ways. They go into small villages and find ways. They go into small villages and find ways. They go into small villages and find ways.

Mr. BURR. Madam President, one of the privileges of being a Senator is that we have the opportunity to meet extraordinary people every day of the week. But sometimes we get to meet amazing individuals whom we can honestly call heroes, who lay their lives on the line for their country and sacrifice themselves for our freedom.

MSG Brendan O’Connor, a medic in the 7th Special Forces Group, is one of those very special people. In June of 2006, Matt Maholluck and Staff Sergeant Joe Feurst—to take a fire suppression position and cover Sergeant Maholluck and the remaining Afghan Army contingents while they stormed the compound.

We have all heard news reports and heard of suicide bombers driving cars loaded with explosives into markets and crowded areas killing innocent people every day. But sometimes we get to meet amazing individuals whom we can honestly call heroes, who lay their lives on the line for their country and sacrifice themselves for our freedom.

We cannot fault employers that are trying to save money. In the Senate, businesses that employ 25 or more employees would be required to pay an annual penalty of $750 per employee. When you do the math, this carries penalty compared to the cost of private insurance.

In 2008, the average employer’s cost for an individual health care plan was $3,900. Putting their employees on the public plan option would save them over $3,200 a year per employee. So as you can see why this shift would occur. Ultimately, people will not have a choice. Their employer will make the choice, and they will be forced onto the government plan. To promise otherwise is misleading. Even the President has recognized that shift is going to occur.

I conclude my comments today by saying: Don’t be fooled. A government plan that does not compete on a level playing field means people will migrate to the government plan, and the choice to keep their insurance will not be a viable option.

The PRESIDING OFFICER. The Senator from North Carolina.

HONORING OUR ARMED FORCES

BRENNAN’S TEAM"
Maholluck was cut off from Staff Sergeant Binnie and Staff Sergeant Feurst, so he radioed for help.

Back at the main perimeter, Brendan O’Connor got the call and put a team together to go get his wounded soldiers. When the team got to the area, the Taliban had taken positions along the route to the wounded soldiers, leaving Brendan only one path—an exposed field. Brendan instructed his team to take up positions to support the wounded and started on his mission to save the lives of these soldiers.

At first, Brendan started crawling through an open field with his gear on. He quickly realized this wasn’t going to work. So under a hail of small arms, RPG, and machine gun fire, Brendan removed all his armor and crawled through an open field to get to the two wounded. Brendan couldn’t locate the two soldiers by sight, only by calling out. And as he heard them, he would get closer and closer.

When he arrived at the two wounded, he had to make a quick decision about Joe’s injuries, which were life threatening. Brendan quickly got Staff Sergeant Binnie taken care of and instructed him to crawl through the culvert to get to safety. Staff Sergeant Feurst wasn’t so easy. He was unconscious and unable to move. Brendan pulled him down as far as he could into the culvert. He started to drag him, but he realized he couldn’t drag him the entire way.

As if the actions of Brendan and his team weren’t heroic enough at this point, the next part of this account will send chills down your spine.

At this time during the fight, it was estimated that nearly 300 Taliban fighters had engaged the approximately 15-member U.S. force. I say approximately because several Afghan Army members who originally accompanied Brendan’s team had fled by this point. As Brendan’s natural cover was coming to an end, he pulled Joe on to his shoulder, and he ran across an area while 300 Taliban fighters were shooting at him. God was watching Brendan that day. God saw one man risk his life to save another, and he saw fit to keep him safe.

The PRESIDING OFFICER. The previous order, the Senate will proceed to the consideration of H.R. 2892, which the clerk will state by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2892) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes.

The PRESIDING OFFICER. The majorCY leader.

AMENDMENT NO. 1373

(Purpose: In the nature of a substitute)
Mr. REID. Madam President, I call up the amendment at the desk on behalf of Senator BYRD and Senator INOUYE.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. Reid] for Mr. Byrd and Senator Inouye, proposes an amendment numbered 1373.

Mr. DURBIN. Madam President, I ask unanimous consent to dispense with the reading of the substitute amendment.

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

(The text of the amendment is printed in today’s RECORD under “amendments Submitted.”)

Mr. DURBIN. Madam President, we now turn to the fiscal year 2010 Department of Homeland Security Appropriations Act. The chairman of the Homeland Security Subcommittee, Senator ROBERT C. BYRD, is home from the hospital and is improving daily and is eager to return to the Senate as soon as he can.

He has been in regular consultations with his staff in the development of the bill that was approved by the Appropriations Committee on June 18 by a vote of 30-0. This is the bill. I thank the ranking member on the Appropriations Committee, Senator THAD COCHRAN, and the ranking member on the subcommittee, Senator GEORGE VOINOVICH, for their cooperation in the development of the bill.

The establishment of the Department of Homeland Security was the devastating events of September 11, 2001, was one of the most ambitious Federal reorganizations since the Department of Defense was created following World War II. Regrettably, it was the official position of the Bush administration that the Department could be created at no cost to the taxpayer. This translated into a Department with aging assets, an inability to prepare for and respond to natural disasters and other hazards, and management and employee morale problems.

In response, Congress, on a bipartisan basis, increased homeland security spending by an average of $2 billion per year above the President’s request. These increases were invested in border security, chemical security, port security, transit security, aviation security, and cyber security. Congress also ensured State and local partners in homeland security received adequate resources to equip and train our first responders. These investments have paid off, making our Nation more secure and making us better prepared for any disaster. But we have much more work to do.

The committee-reported bill totals $123 billion of discretionary budget authority, an increase of 7 percent over fiscal year 2009.

Chairman BYRD has set five major goals for the bill: No. 1, securing our borders and enforcing our immigration laws; No. 2, protecting the American people from terrorist threats and other vulnerabilities; No. 3, preparing and responding to all hazards, including natural disasters; No. 4, supporting our State, local, tribal and private sector partners in homeland security with resources and information; and finally, giving the Department the management tools it needs to do its work.

To meet these goals, the bill provides $10.2 billion for Customs and Border Protection, including an initiative to combat drugs and violence on the Southwest border; $5.4 billion for Immigration and Customs Enforcement, including increased funds for the Southwest border initiative, and the Secure Communities and Criminal Alien Programs, which identify dangerous criminal aliens for deportation when they are released from prison. It includes $7.7 billion for the Transportation Security Administration, including a $513 million increase for the
purchase and installation of explosives
detection systems at airports. And
funding is included for 50 additional air
cargo inspectors to help meet the Au-
gust 2010 mandate in the 9/11 act for 100
percent air cargo screening.

The bill also provides $345 million for
surveillance and detection, including 100
additional inspectors and 15 additional
security teams to improve security on
our transit and rail systems, and $8.9
billion for the Coast Guard, including
funding to complete national security
cutter construction, provide lead long
materials for NSC No. five.

The bill also funds 4 fast response
cutters, 2 maritime patrol aircraft, 40
medium-sized response boats, and in-
cludes funding for interagency oper-
ations centers, which are required by
the Safe Port Act. And $4.2 billion is
provided for first responder grants, in-
cluding $800 million for fire grants, $387
million for urban area security grants,
$850 million for State homeland secu-
ry grants, with $550 million for emer-
gency management performance
grants.

Port security grants receive $350 mil-
ion and transit/railroad/bus grants re-
ceive $355 million. The bill also includes
$399 million to combat the evolving cyber
security threat.

Since its inception, the Department
has had significant management prob-
lems.

The committee bill includes funding
increases and clear direction to
strength financial, procurement, and
information systems to the Depart-
ment of Homeland Security.

This is a good bill. By focusing on the
two goals that Chairman BYRD estab-
lished for this bill, we provide the re-
sources and the information necessary
to build confidence in our ability to
secure the homeland. I urge adoption of
the bill.

I yield the floor to the ranking Re-
publican on this appropriations sub-
committee, Senator VOINOVICH of Ohio.

The PRESIDING OFFICER. The Sen-
a tor from Ohio is recognized.

Mr. VOINOVICH. Madam, President,
I thank Senator DURBIN. I would like
to acknowledge the cooperation we re-
ceived from Senator BYRD and his staff.
We are pleased Senator BYRD is out of
the hospital and recuperating at home.
I appreciate the fact that the Senator
from Illinois has stepped in to pinch-
hit for him this morning.

I think the Senator from Illinois has
done an outstanding job of covering the
details of the bill. I would like to con-
centrate on some of the highlights I
think need emphasis.

The bill recommends a total of $44.3
billion in appropriations to support
programs and activities of the Depart-
ment of Homeland Security. Of this
amount, $42.7 billion is for discre-
tionary spending. This is roughly $145
million less than the President’s total
discretionary request and is consistent
with the subcommittee’s spending allo-
cation.

In addition, $1.4 billion is provided
for Coast Guard retired pay—the only
mandatory funding in the bill—and
$241.5 million is provided for Coast
Guard overseas contingency opera-
tions, the same amount as requested by
the President in the Department of
Defense budget to be transferred to the
Coast Guard and instead of being ap-
propriated in the Defense Appropria-
tions bill is being appropriated here.

The bill includes significant re-
sources for readiness and en-
forcement of our immigration laws, for
continued improvements in security at
our Nation’s airports and modes of sur-
face transportation, for the Coast
Guard’s operations and Deepwater Pro-
gram recapitalization efforts, for help-
fuling our citizens prepare for and recover
from natural disasters, and for equip-
ning and training our Nation’s first re-
sponders.

As Senator DURBIN has indicated,
there is much in this bill to rec-
cognize the Secretary of
the Department of Homeland Security
understands we have done our best to
fund her priorities. I will not list all
the bill’s funding recommendations,
but I do want to note some.

Full funding is provided for border
security, including the funds to sup-
port 20,063 border patrol agents; 21,12
customs and border protection officers;
33,400 detention beds; and $800 million
for continued work on the virtual bor-
der fence and improved radio commun-
ications.

Starting in fiscal year 2005, signifi-
cant increases have been provided for
border security and immigration en-
forcement. This bill alone provides an
increase of $880 million from the fiscal
year 2009 level, excluding emergency
appropriations. Progress has been made
with these investments.

Fewer people are illegally crossing
our borders. This can be seen in the de-
ecrease in the number of illegal aliens
our borders—from 1,198,075 in fiscal
year 2005 to 723,825 in fiscal year 2008.
In other words, we have made it more
difficult for 474,250 illegal aliens to
cross our borders. More fencing, roads,
and personnel have allowed the border
patrol to increase the number of miles
over which it has effective control—
from 241 miles in October 2005 to 625
miles in October 2008. Additional
agents and detention beds have allowed
US. Immigration and Customs En-
forcement to increase total removals of
aliens—from 246,431 removals in fiscal
year 2005 to 347,184 in fiscal year 2008.
We are making progress but we still
have a long way to go and at great ex-
 pense.

In particular, I am pleased that the
bill includes funds above the request to
implement a biometric air exit capa-
bility. As the chief Senate sponsor of
the Secure Travel and Counterter-
rorism Partnership Act of 2007, expand-
ing and improving the Visa Waiver
Program is one of my top priorities.

The Visa Waiver Program has become
an important national security tool be-
cause under that law, countries who
participate in the program are required
to share information on terrorists and
criminals, report lost and stolen pass-
ports, and maintain high counterter-
rorism and document security prac-
tices. Since enactment of this law, 8 new countries have been accepted into
the program and we are seeing im-
provements in the security practices of
the 27 countries that were already par-
ticipating.

I was just returned from Lithuania
and Latvia, where I was joined by sev-
eral other Members of the Senate, in-
cluding Senator DURBIN. Lithuania and
Latvia are two countries that were re-
cently admitted into the visa waiver
program. From a public diplomacy
point of view, it has been a home run
and has been well received by govern-
ment officials and citizens alike.

I was up in Latvia. They pointed out
to me that General Mullen was in Lat-
via, which should have been the biggest
thing in the newspaper the next day,
that he was there. The thing that blew
him away was the fact that Latvia was
approved for visa waiver status. It was
so well received by the people of Lat-
via.

I must note however the two areas
which continue to be of concern to me.
One is the way this administration has
budgeted for disasters. The President’s
fiscal year 2010 request for disaster re-
 lief is only $2 billion. We know now from
FEMA that an appropriation of $5.8
billion is required. I understand we
cannot afford that within the discre-
tionary spending limits for this bill,
but I am hopeful this is addressed in fu-
ture budgets.

This administration has worked hard
to break the cycle of requesting emer-
gency funding for the wars in Iraq and
Afghanistan. Yet not fixed is the way we budget for natural
disasters. Last year alone, $11.757 bil-
 lion in emergency supplemental appro-
priations were provided for disaster re-
 lief.

We cannot continue to “kick the can
down the road,” relying on supple-
mental emergency appropriations to pay
for known costs. Hurricane Katrina
was a catastrophic event. Ex-
ceptions were made to regulations and
speeded up the flow of funds. Yet not
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 lief.

It is kind of interesting that at the
time of Katrina I commented we were
doing some things we ordinarily do not
do in a FEMA environment and pre-
scribed that what we were doing at
Katrina would become the rule model
for other disasters that have been expe-
rrienced by States. The fact is, more and
more States are now asking for
more and more FEMA money, saying: You did it in Katrina, why can’t you do it in Texas? Why can’t you do it wherever else we have a disaster? This has to change if we are going to handle Federal spending and do something about the deficit.

In addition, this bill provides almost $16 billion for border and immigration enforcement. That does not even include Coast Guard funding to protect our maritime borders. This is a 99.6 percent increase for U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and US-visit from fiscal year 2004 levels in the first Department of Homeland Security Appropriations Act.

It is a significant increase. I think the citizens of our country should know that. They have been saying, for a long time, that we have not been doing the job in enforcing the security of our borders. I must tell them we are doing a much better job than ever before by allocating the resources to get the job done.

As we have increased the resources for border I have often wondered if there was another way we can secure our borders and deal with 11 or so million illegal immigrants other than by fencing our borders and dealing with 11 or so million unauthorized aliens. At the current pace of removals, it could require a further investment of $272 billion and 31 years to locate and remove the estimated 11 million unauthorized aliens in the United States. We must ask whether we are willing or can afford to make that kind of investment in enforcement rather than investing time in comprehensive immigration reform.

I appreciate very much the courtesies of the distinguished Senator from West Virginia and his staff and all members of the Appropriations Committee during our preparation of this bill. I believe it reflects our careful consideration of the President’s budget request for the Department and our best effort to address the Department’s resource requirements of the Department for the coming fiscal year. I look forward to considering amendments which Senators may suggest to the bill and to work with the Appropriations Committee to ensure the Department has the funds to carry out its duties and responsibilities.

In closing, I would point out that the President’s budget was received on June 24. It is unfortunate that Senate consideration of this bill did not conclude that same week, which would have put us in a position now to go to conference with the House.

Expedi tious consideration of the fiscal year 2010 appropriations bills by the Senate required if the Congress is to complete its work on all twelve of the appropriations bills by the October 1 start of the fiscal year. I have long been concerned about our failure to complete our appropriations work on time and the consequences of inaction, and I intend to speak at greater length on that during our consideration of this bill.

But, I do want to note here that a letter, dated March 24, 2009, to the majority leader, which included the signatures of all Republican Members, asked that the legislative schedule for this session:

- allocate an appropriate amount of time for the Senate to consider, vote and initiate the passage of the 12 appropriations bills independently through a deliberative and transparent process on the Senate floor.

The letter goes on to point out that:

For a variety of reasons, over the past several years, the Senate has failed to debate, amend and pass each of the bills separately. And far too often this has resulted in the creation of omnibus appropriations bills that have been brought to floor so late in the fiscal year that Senators have been forced to either pass a continuing resolution, shut down government or consider an omnibus bill. These omnibus bills have not allowed for adequate public review and have clouded what should otherwise be a transparent process.

The letter further points out that President Obama, on March 31, 2009, said that he expects future spending bills to be

- debated and voted on in an orderly way and sent to [his] desk without delay or obstruction so that we don’t face another massive, last minute omnibus bill like this one.

So let us proceed with this bill and debate and dispose of amendments Senators may wish to offer to it without unnecessary delay to allow us to complete the Senate’s spending and this session. And, I would like to add that it is incumbent on our side of the aisle to make sure our amendments are relevant and germane.

I recommend this bill to my colleagues for their consideration and support, and I yield the floor.

THE PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. INOUYE. Madam President, today the Senate begins its consideration of the Homeland Security Appropriations Bill, which was passed by the House and marked up by the Senate Appropriations Committee late last month. This week the Committee on Appropriations will meet, to consider five additional appropriations bills.

Over the next several weeks we expect to have many of these bills debated and hopefully passed by the Senate so that we can begin final conference deliberations on these critically important measures.

The bill before the Senate was prepared by our Homeland Security Subcommittee chaired by Senator ROBERT BYRD. Senator BYRD along with this ranking member Senator VOINOVICH of Ohio and all the subcommittee members crafted this bill which provides $42.7 billion in discretionary spending for the critical programs to defend our Nation, protect our borders and coastline, and respond to natural disasters.

The amount represents a 7 percent increase over the funding provided in fiscal year 2009, but is approximately $150 million less than requested.

An additional $241 million was also included in the bill for the overseas contingency operations of the Coast Guard. This sum was requested in the defense bill for the same purpose.

Our colleagues should thank Senators BYRD and VOINOVICH for completing the bill for the other 11 spending bills which will soon be before us. We know that Senators have been forced to either pass uncontroversial bipartisan measures.

As the Senate reviews this and the other spending bills which will soon be before us I urge it to be mindful of the importance of this task.

It is imperative to the efficient operation of our Federal Government that we move to pass this measure and complete a conference with the House. For too long we have relied on cumbersome omnibus spending measures to fund our Federal agencies.

In order to break this habit, the Appropriations Committee will continue to report noncontroversial bipartisan measures which will be considered expeditiously by the Senate. Passage of this bill will quickly demonstrate the Senate’s ability to act responsibly and collegially in fulfilling its constitutional responsibilities.

The bill before the Senate deserves the support of every Member of this body. It is a clean bill free of unnecessary legislative riders. It is within the conf guration approved by both chambers, and should be considered expeditiously by the Senate. Passage of this bill will quickly demonstrate the Senate’s ability to act responsibly and collegially in fulfilling its constitutional responsibilities.

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Mr. SESSIONS. 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 make the pilot program for employment eligibility confirmation for aliens permanent and to improve verification of immigration status of employees.)

On page 72, strike lines 8 through 14 and insert the following:


SEC. 546. Section 401(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a note) is amended by striking “Unless” and all that follows.

SEC. 547. The head of each agency or department of the United States that enters into a contract shall require, as a condition of the contract, that the contractor participate in the pilot program described in 401 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a note) to verify the employment eligibility of—

1. all individuals hired during the term of the contract by the contractor to perform employment duties within the United States; and

2. all individuals assigned by the contractor to perform work within the United States under such contract.

SEC. 548. (a) Sections 401(c)(1), 403(a), 403(b)(1), 403(c)(1), and 405(b)(2) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a note) are amended by striking “basic pilot program” each place that term appears and inserting “E-Verify Program”.

(b) The heading of section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 is amended by striking “Basic Pilot” and inserting “E-Verify”.

SEC. 549. (a) Section 406(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 8 U.S.C. 1324a note) is amended by striking “under a pilot program” and inserting “under this subtitle”.

Mr. SESSIONS. This is an amendment to make permanent the E-Verify system that is supported by Secretary of Homeland Security Napolitano and would require that all governmental contractors who do work for the Federal Government use it before they hire people to ensure that the individuals they hire are Americans and not illegally in the country.

At a time when our unemployment rate is now 9.5 percent, this is more important than ever.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

SENATOR-ELECT AL FRANKEN

Ms. KLOBUCHAR. Madam President, today, a new Senator from Minnesota is being sworn in. It is my honor, along with former Vice President Mondale, to escort AL FRANKEN as the new Senator from our State. I think it was AL who told me the third year of his campaign would be the best, and he was right.

I did want to thank my staff, first of all—some of them, many of them, are here—for the hard work they did in the past 6 months doing double duty. They never complained, they did it without extra resources, and they are as happy as can be this has finally been resolved. I also want to say something about Norm Coleman. Last week, he made a difficult decision. He had the right to pursue a legal challenge, but he did what was right for Minnesota. Norm was my Senate colleague for 2 years. We often worked together on issues for Minnesota, and we all wish him and his family the best.

So despite a little delay, to be exact, 246 days since election day and 183 days since AL was declared the winner—

So then AL asked: Why did the fact fail?

His father said: Well, your grandfather wanted to open a factory in the Midwest, and the railroad went right through Albert Lea.

Eventually the family, including AL and his older brother, settled into a two-bedroom, one-bathroom home in the Minneapolis suburb of St. Louis Park. His father became a printing salesman and his mom was a homemaker and worked at a state agent. Because of the security and opportunity his family enjoyed living in America, he says he felt like the “luckiest kid in the world.”

While AL likes to tell jokes, and he has some good ones, he is not one to make fun of family values because there is no husband or father who is more devoted to his family than AL is.

He met his wife—I see her right now up there in the gallery—Franni during his first year at college. They have been married 33 years, and together they have raised two children.

AL often tells the story about Franni’s family. Her dad, a decorated World War II veteran, died in a car accident when she was 17 months old. Her dad left her mom suddenly widowed and alone with five children.

It was a lesson for the family, and it was an example of how one family pulled themselves up with help. He knows how difficult it is for so many families who are struggling to make it, squeezed over high health care costs, college costs, housing costs.

During the past 2 years, AL has traveled to every corner of Minnesota, from the Iowa border to the Canadian border. He has had coffee at the Main Street cafes, and he has spoken at local bean feeds. He has toured homegrown businesses, and he has stood with workers. He has been to veterans halls, and he has gone to colleges.

He has been there day in and day out listening to the people of Minnesota. Now he has the honor and the responsibility to serve them in the U.S. Capitol. The Senate is an old and established institution. For any newcomer, it takes some getting used to the arcane rules and unique customs, but I am confident AL can adapt.

This is a big moment for Franni and their kids as well. AL and his friends and relatives have been waiting for a while. The State has been waiting. The Senate has been waiting. But, most importantly to me, Franni has been waiting.
My favorite image from the last few months was this idea that Franni had actually packed a bag with her toothbrush in it; that she had it right next to her bedside in case at any moment the court would come with a decision and she and AL would have to rush to Washington so he could take a critical vote.

Well, today the time has come and AL will cast his first vote. If there is any silver lining to the past 8 months, it is that AL has had time to prepare for this moment. The times are tumultuous, the stakes are high, and history will forever judge whether we fail or succeed, whether we are courageous or timid.

AL FRANKEN is ready for this job. It is time to get to work, and, AL FRANKEN, there is a desk waiting for you in the Senate.

I yield the floor.

Mr. REID. I suggest the absence of a quorum. 

The PRESIDING OFFICER. The clerk will call the roll.

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

The VICE PRESIDENT. Without objection, it is so ordered.

CERTIFICATE OF ELECTION AND CREDENTIALS

The VICE PRESIDENT. The Chair lays before the Senate the certificate of election for a 6-year term, beginning January 3, 2009, for the representation of the state of Minnesota. The certificate, the Chair is advised, is in the form suggested by the Senate. If there is no objection, the reading of the certificate will be waived, and it will be printed in full in the Record.

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

STATE OF MINNESOTA
Executive Department
CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the fourth day of November, 2008, in the city of Saint Paul, Minnesota, Al Franken was duly chosen by the qualified electors of the state of Minnesota a Senator from said state to represent said state in the Congress of the United States for the term of six years, beginning on the 3rd day of January, 2009.

Witness: His excellency our governor Tim Pawlenty, and our seal hereto affixed at Saint Paul, Minnesota this 30th day of June, 2009.

By the governor:

TIM PAWLENTY, Governor.
MARK RITCHIE, Secretary of State.

[State Seal Affixed]

ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. If the Senator elect will present himself at the desk, the Chair will administer the oath of office as required by the Constitution and prescribed by law.

The Senator elect, escorted by Mrs. Klobuchar and former Vice President Walter Mondale, advanced to the desk of the Vice President, the oath prescribed by law was administered to him by the Vice President; and he subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senator.

(Appause; Senators rising.)

The PRESIDING OFFICER (Mrs. Gillibrand). The majority leader.

MAJORITY PARTY COMMITTEE MEMBERSHIP

Mr. REID. Madam President, I have a resolution at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows: A resolution (S. Res. 208) to constitute the majority party’s membership on certain committees for the One Hundred Eleventh Congress, or until their successors are chosen.

The PRESIDING OFFICER. Without objection, the resolution is considered agreed to.

The resolution (S. Res. 208) was agreed to, as follows:

S. Res. 208

Resolved. That the following shall constitute the majority party’s membership on the following committee for the One Hundred Eleventh Congress, or until their successors are chosen:

COMMITTEE ON THE JUDICIARY: Mr. Leahy (Chairman), Mr. Kohn, Mrs. Feinstein, Mr. Feingold, Mr. Schumer, Mr. Durbin, Mr. Cardin, Mr. Whitehouse, Ms. Klobuchar, Mr. Kaufman, Mr. Specter, and Mr. Franken.

Mr. DURBIN. I move to reconsider the vote.

Mr. NELSON of Florida. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Madam President, under the authority granted pursuant to S. Res. 18, I announce that Senator Franken has been assigned to the following committees: the Committee on Indian Affairs, the Select Committee on Aging and, as was just agreed to, the Committee on the Judiciary. As soon as the markup is completed in the HELP Committee on the health care bill, he will go on to the HELP Committee.

RECESS

Mr. REID. Madam President, I ask unanimous consent that we recess 10 minutes early today.

There being no objection, the Senate, at 12:20 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Acting President pro tempore.

Mr. SCHUMER. Mr. President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2010—Continued

AMENDMENT NO. 171

Mr. SCHUMER. Mr. President, I rise in opposition to Senator Sessions’ amendment to the Department of Homeland Security appropriations bill. The Sessions amendment would make E-Verify permanent and would immediately mandate all Federal contractors and subcontractors to use E-Verify.

First of all, obviously, legislating on and delaying a critical appropriations bill which is necessary to help quickly secure our borders, ports of entry, and our interior points of vulnerability, is a delay we do not need. But, secondly, and more importantly, despite claims that this amendment only seeks to reauthorize E-Verify for 3 years, which I do not oppose, the actual language of the amendment of my distinguished colleague would make E-Verify permanent and mandatory.

There would be nothing wrong with the idea that the system should be made permanent, but it does not. The distinguished Senator from Alabama and I agree upon one of the main seven principles for immigration reform which I issued 2 weeks ago; namely, that an employer verification system which is necessary to pass quickly secure our borders, ports of entry, and our interior points of vulnerability, is a delay we do not need. But, secondly, and more importantly, despite claims that this amendment only seeks to reauthorize E-Verify for 3 years, which I do not oppose, the actual language of the amendment of my distinguished colleague would make E-Verify permanent and mandatory.

As we speak, even under the E-Verify system, any individual who steals a Social Security number—and that is easy these days—and has access to a credible fake ID can get a job in the United States. What is more, nothing about E-Verify stops a U.S. citizen from “loaning their identity” to their friends and family to get a job. In either of these cases—an illegal immigrant stealing a Social Security number and getting a fake ID done or some citizen, an employer or whatever, giving a Social Security card to the person—it doesn’t do the job because that illegal immigrant can enter into the system. Once they are in the system, they stay in it, never to be removed. So E-Verify, frankly—and I know many in the immigrant community object to it because it only affects immigrants. But there is also another objection, and that is that it is just not tough enough, it is not strong enough. If we are going to make a system permanent, it really ought to work.
The current E-Verify system creates havoc for both employers and employees. No one has any certainty. Employers who accept all credible documents in good faith are not guaranteed they will never be targeted by ICE for turning a blind eye toward illegal immigrants in their workplace, and employers who question suspicious documents face potential lawsuits from U.S. citizen employees who can claim they were wrongly profiled as illegal immigrants.

There is only one way to really get a system that will stop illegal immigration and stop employers from hiring, and that is by creating a biometric-based, federal employer verification system that will give both employers and employees the peace of mind that employment relationships are both lawful and proper. It will also give the American people the same peace of mind. This system will be our most important asset in dramatically reducing the number of illegal aliens who are able to live and work in the United States.

There are many proposals for practical and effective biometric-based employment verification systems, and the immigration subcommittee, which I chair, will be vetting each proposal during our upcoming hearing on July 22. The distinguished Senator from Alabama, my friend, is a member of the immigration subcommittee. I invite him to engage in this critical process for our country during the hearing and ask all of the questions he would like to. He will be questioned by the witnesses who will be appearing. We are not seeking to delay. I am eager to enact comprehensive reform with a strong, tough employer verification system.

An amendment making the flawed E-Verify system permanent and mandatory will only create more problems than it solves. Once we go down the road of making this flawed system permanent and mandatory, without fixing what is broken, we will waste substantial amounts of taxpayer money and we will make life more difficult, rather than simpler, for employers who wish to do the right thing, and for employees.

The time has come for comprehensive immigration reform. The legislation will create the best employment verification system possible that will be a product of deliberation and consensus informed by the world's foremost experts on this issue. It will be tougher, tighter, and more effective than E-Verify. I believe we can get that done this year.

Let's do nothing hasty and counterproductive just to say we are doing something, and, just as important, let's not do it as an amendment to an appropriations bill. I urge my colleagues to vote against this amendment, and let's get to work on crafting an employer verification system that really works, prevents identity fraud, and actually curtails the illegal immigration job magnet.

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

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

The assistant bill clerk proceeded to call the roll. Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. THUNE. Mr. President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CAP AND TRADE

Mr. THUNE. Mr. President, like many of my colleagues, last week, over the Fourth of July break, I spent much of the week traveling in my State of South Dakota. Many of my colleagues were in other States and they have probably heard a lot from their constituents about what they perceive to be the challenges facing our country's economy. First and foremost is jobs and the economy.

I think there is a real concern—and rightly so—about in which direction the economy is headed and what are the things Congress ought to properly be focused on, and I think that discussion is always informed by the American people by commonsense realizations. One realization is that you cannot spend money you don't have. That is something I think the American people get very clearly, largely because that is their reality. They cannot spend money they don't have. They have to live within a budget. The same is true with many small businesses.

The second realization is that when you borrow money, someday you have to pay it back. You cannot continue to borrow endlessly and rack up more and more debt, and there is an end to that. Certainly, that is true for family budgets and small business budgets. The only place it is evidently not true is in Washington, DC, where we continue to borrow and spend and put massive amounts of borrowing and debt upon future generations. Even most State governments—mine included—have balanced budget amendments that require them in any given year to make sure the revenues they take in equal expenditures. If they don't do that in South Dakota, the legislature has to stay until the budget is balanced. So most Americans, as they observe what is happening in Washington these days, are increasingly concerned by the massive amounts of spending and borrowing and, frankly, the taxes they perceive to be in their future as well.

One of the things that is clear to me in doing parades and public events over the Fourth of July break is how much people are concerned about the cap-and-trade bill, which is a national energy tax on the American people. It passed in the House a little over a week ago—before the break—by a seven-vote margin. There was big pressure to move it very quickly and jam it through the process. It was over 1,200 pages long. One amendment was 300 pages long. There weren't many Members of the House—before the bill passed—who had an opportunity to review it and study it closely to determine what the ramifications will be on their constituents if the bill passed. Yet it did. It was a very close vote. At some point, it will be considered by the Senate.

The one thing we know, at a minimum, is that we can debate about how much or how big the cost of that bill will be, but we do know it is going to impose significant increases in costs on the American public for power, whether it is electricity, fuel, natural gas, or home heating oil—the things the American people depend upon every day of their lives to exist. They are going to see the cost of those things go up if this cap-and-trade bill passes. We have seen different estimates by different organizations. The recent one was a CBO report, which concluded that it will have a $700 billion impact. I think that if you reduced it to a per-family cost, it ends up being several hundred dollars a year in increased rates that they are going to see. I argue that it will be much higher for people in the Midwest, where I come from, because of the way we derive our power. Most of it comes from coal-fired power. It is true that we get a good amount in South Dakota and others states around us, but even more from those sources. There will be additional costs imposed upon the people in the Midwest, where the people on the west or east coasts may not see their costs go up as much. This will discipline the Midwest, but everybody's electricity costs and fuel costs are going up if this passes.

The American people are asking: OK, if you are going to put a new tax on us with a new energy tax, what kinds of benefits do we derive? I think there is increasing concern and questions being raised about whether the environmental benefit that would be derived as a result of this massive new tax on energy in this country would be in any way close to the cost that would be associated with it. I think most Americans have concluded that it will not. Most of the data bears that out. Other countries that are not going to participate in this system, and America will be unilaterally implementing this regime, if passed, and the Americans will pay the costs for little benefit.

There are many ways you can get reduction in carbon emissions, and we are all looking for ways to reduce pollutants in the atmosphere. You can give incentives and drive investment in certain directions, and we could make more use of nuclear power, which is clean, green energy—something we do very little of relative to our counterparts in other parts of the world.
France gets 80 percent of its power from nuclear energy. There is no reason why the United States could not turn to that clean, green energy source, as well as renewable energy sources that we have an abundance of in my part of the country, such as wind energy. If we were to take the brakes off investment in that direction, you can achieve the same ends without lifting the big cap, top-down government mandate on the American economy at an enormous cost to the American consumers.

HEALTH CARE

That is the issue, I would say, probably as much as anything else I have heard people talk about, but not far behind it was this notion that the government is now going to take over one-sixth of our economy because of the legislation that is moving through the Congress right now that would “reform” our health care system.

It is, I guess, no surprise to most Americans that we spend a lot on health care. Most of us would like to see us spend less on health care. Many of us think we can do that, that we can get costs under control, that we can do it through reforms that preserve what is best about the American health care system, that doesn’t copy what is happening in other places around the world, Europe being an example, where care is rationed, where people don’t have access to the types of therapies and treatments because the government or the procedure is going to be covered, which procedures are cost-effective.

Those are decisions made by government. In this country, those are decisions made by patients and doctors, by physicians, by health care providers and those they serve. We believe that is a basic relationship we ought to preserve when we talk about reforming our health care system.

But let us be clear, Americans are very concerned that the government may take over one-sixth of the American economy and run it, imposing the government in the place of, as I said before, what has typically been a relationship between physicians and patients.

What I would argue is that whether it is the issue of new energy taxes on the American consumer, whether it is the issue of the government taking over the health care system in this country at a cost of $1 trillion in new spending and would either have to be financed by tax increases, by revenue raisers the economy is going to pay for at a time we can least afford it, or by borrowing at a time when we are running over the next decade at least on average $1 trillion a year in deficits.

We cannot continue on this path. It is unsustainable. I believe the American people are coming to that realization about the catastrophe that putting the brakes on this energy tax, will put the brakes on this massive rush to take over one-sixth of our economy by talking over the health care system in this country.

I believe as the American people start to weigh in to this debate those of us in Washington who are in positions to make some of these policies and shape some of these policies will be getting an earful, and I hope so because we need to put the brakes on this massive takeover of the health care system, and we need to put the brakes on this cap and trade, this energy tax imposed on the American people, if it is passed in the Senate as it was a week ago in the House of Representatives.

I hope we can stop those things. I hope at least we can bring some sense to the debate about health care that does reform our system, that does get costs under control, that does not allow the government to get in the way of making decisions that rightfully ought to be made by patients and their doctors.

I yield the floor and yield back the remainder of my time.

Mr. DE MINT. Mr. President, I thank my colleague, Senator THUNE, for pointing out, again, the disastrous course we are on as a nation with the level of spending, borrowing, and debt we are creating and the amount of government intrusion into so many areas of our economy that have alarmed so many Americans. I appreciate the Senate bringing to the floor this AMENDMENT NO. 1397 TO AMENDMENT NO. 1373

I rise today to express my grave concerns about the administration’s response to the situation in Honduras.

There are few absolutes in the arena of diplomacy and international affairs. As circumstances and regimes change, so do our interests and allegiances. But one principle that should stand as a bedrock constant is this: a friend of freedom is a friend of America. Our foreign policy must be limited to defending freedom confined to a culture or a continent. It is absolute and universal.

It was this principle, hardwired into our DNA, that President Obama appeared to violate during his 8 days of silence while innocent demonstrators were tortured and murdered in the streets of Tehran by Iran’s tyrannical regime.

Thankfully, the President finally changed his rhetoric and offered some support to the people of Iran risking their lives for their freedom. But he stopped short of any criticism or action that might be construed as “meddling,” in his words, in the domestic affairs of a sovereign nation.

In the last week, the President has reversed course, meddling up to his ears in the domestic affairs of another sovereign nation, Honduras. Depressingly, the President has once again sided with an illegitimate and anti-democratic leader—former dictator, the rule of law, and an oppressed people who only want to be free.

The facts on the ground in Honduras are neither disputed nor confusing, but they have been largely ignored by an international media distracted by the death of a celebrity.

Let me read these facts into the record.

Honduras is a constitutional republic and a longtime ally of the United States. It is one of the poorest nations in the Western Hemisphere, especially since it was ravaged by the direct hit of Hurricane Mitch in 1998.

In 2005, Hondurans elected as their President Manuel Zelaya, a left of center, seemingly moderate candidate from the Liberal Party. Given Latin America’s troubling history of military coups and self-appointed Presidents for life, the Honduran Constitution strictly limits Presidents to one term.

So seriously do Hondurans take their Presidential term limits that in Latin America, the phrase—and I will butcher this Spanish, but I want to give it a try—“continuar en el poder.” It means to continue in power. It carries with it the consequences to the region for everyone living there.

For a President to overthrow the Constitution and violate term limits is violating the constitutional form of government. So seriously that article 298 of the Honduran Constitution says any President who even proposes an extension of his tenure in office “shall immediately cease performing the functions of his post.” So it is a de facto resignation of office in Honduras for the President to attempt to do what their President did.

Zelaya’s 2005 campaign was supported by Hugo Chavez, the Marxist Ven- ezuelan dictator bent on amassing...
power in the Western Hemisphere at the expense of what he calls "the North American empire." That is us.

Zelaya quickly aligned his government with Chavez's and joined anti-American socialists, such as the Castro brothers in Cuba and Daniel Ortega in Nicaragua, in Chavez's economic car-
tet.

With Zelaya's term coming to an end early next year, Chavez convinced him to do as he has done in Venezuela: to force a constitutional amendment retaining his Presidential term. This would be in direct violation of what their Constitution says.

Earlier this year, Zelaya called for a referendum to initiate a constitutional convention. In the ensuing litigation, the Honduran courts ruled the refer- endum was unconstitutional and ille-
gal, as the Honduran Constitution ex-
plicitly gives only its Congress the power to call such a vote.

Zelaya forged ahead, calling his re-
ferendum a "nonbinding survey." This,
too, the supreme court found unconsti-
tutional.

Zelaya then ordered the head of the Honduran military, General Vasquez, to conduct the election anyway. Vasquez, concerned about the vote's legality, so Zelaya fired him.

The supreme court ordered Zelaya to reinstate Vasquez, and Zelaya refused. The supreme court ordered the military to seize the referendum ballots to prevent Zelaya from going ahead, but the illegal vote. Zelaya then personally led an armed mob to steal back the bal-
lots, which, it should be noted, were suspiciously printed in Venezuela. Zelaya ordered his government to set up 15,000 polling places to conduct the referendum for June 28.

On Friday, June 26, the Attorney General of Honduras, Luis Rubi, filed a complaint before the Honduran Su-
preme Court petitioning for an arrest warrant for President Zelaya. The court issued the warrant unanimously and, according to the Constitution, or-
dered the Honduran military to exe-
cute it.

Early in the morning of Sunday, June 28, the day of the vote, the milit-
ary arrested President Zelaya at his home. They put him on a plane to Costa Rica, as Honduras has no prison capable of containing a mob riot of the sort they feared Chavez and Ortega might whip up. So they did it for his safety.

That same day, the Honduran Con-
gress, controlled by his Liberal Party— his own party—voted 125 to 3 to replace Zelaya with their speaker, Roberto Micheletti, as a member of the Liberal Party. This transfer of power was strictly in keeping with Honduras's constitutional line of succession as the Vice President had recently resigned.

The regularly scheduled general elec-
tions remain set for this November, and if President Micheletti is not a candidate. The previously nominated candidates from the two major parties remain on the campaign trail, and both candidates and parties overwhelmingly approved the ouster of Zelaya.

At every step in the process, the leg-
imate democratic government strictly adhered to the Honduran Con-
stitution and civilian leadership of the military remained intact. The military did not secede, thwarted the coup plotted by Hugo Chavez and im-
plemented by Manuel Zelaya.

Honduras's democratic institutions are operating today, and its govern-
ment functions are secure. The only cause for alarm is Mr. presidential coup

Zelaya, whose brazen attempts to cor-
rupt Honduran democracy was thwart-
ed by what has now been nicknamed "the little country that could."

The people of Honduras stood up to Hugo Chavez, Daniel Ortega, the Castro brothers, and they stood up for freedom and the rule of law. For their courage, President Obama has condemned them. He has called the constitutional ouster of President Zelaya not legal, claiming an illegal Honduran legal power and above that of a unanimous Honduran Supreme Court and a nearly unani-
mosous Honduran Congress.

Secretary of State Clinton lazily joined the international media in call-
ing the removal of President Zelaya "a coup," a term fraught with dark memories of military juntas and ba-
nana republic. Of course, this is the same administration that insists on calling the recent fraud in Iran an elec-
tion.

The Obama administration joined Chavez's preposterous Soviet-style propaganda resolution in the Organiza-
tion of American States condemning Honduran democracy. Hondurans I have spoken with—I have spoken with a number of folks who have missionary groups there, medical groups. I have talked to Miguel Estrada who was born and raised in Honduras and is now a constitutional expert in this country. This morning I talked to former Hon-
duran President Maduro. They are all totally befuddled at the strange response they are getting from the sup-
posedly free world, including our own administration. Why are we siding with Hugo Chavez?

This morning in Russia, President Obama reiterated his support for Zelaya, the would-be dictator, as the rightful President of Honduras. Accord-
ing to ABC News, he said:

America supports now the restoration of the democratically elected President of Hon-
duras, even though he has strongly opposed American policies.

Continuing with the quote from President Obama:

We do so not because we agree with him. We do so because we respect the universal principle that people should choose their own leaders, whether they are leaders we agree with or not.

The President appears to think his support for Zelaya is based on some principle of non-recognition. He speaks as if opposition to Zelaya is based on partisan political differences. Zelaya was not ousted by political en-
emies; he was ousted by a government controlled by his own party. He was ousted by a unanimous supreme court operating in accordance with the Hon-
duran Constitution and in conjunction with the nation's attorney general and Supreme Electoral Tribunal. These forces approved the ouster of Zelaya.

The Honduran people have chosen their own leaders. Those leaders—in a constitutional, bipartisan, and nearly unanimous process—removed Manuel Zelaya from office. Honduran people upheld our President's so-
called universal principle. The people seeking to undermine that principle are Hugo Chavez, the Castro brothers, Daniel Ortega, Mel Zelaya, and—unbe-
believably—the Obama administration.

This is not about politics. This is about the rule of law, freedom, and de-
mocracy, all of which are being de-
ferred by the Hondurans right now against their enemies—of which we ap-
pear to be one. Why are we not stand-
ing with them? In Iran while we stood idly by, Zelaya's return to Honduras on a Venezuelan jet and with the moral authority of the United States will almost certainly lead to more bloodshed. What are we doing on the side of tyrants? Is that the role of freedom; going as far, on their be-
half, to threaten economic sanctions against one of our poorest and bravest allies?

Secretary of State Clinton is report-
edly planning a meeting with Mr. Zelaya in Washington this week. I im-
plore her to reconsider that meeting. Elevating an impeached and disgraced autocrat is more than an insult to Hon-
duran democracy, it is a green light to other would-be Chavezes around Latin America. It is a signal to the enemies of democracy and freedom that the United States no longer stands as a beacon of liberty. It is a signal that the rule of law is now passe in Latin Amer-
ica and that Hugo Chavez and his cor-
rupt and brutal ideology has free rein to meddle wherever he pleases in the Western Hemisphere.

What do we stand for, if not for free-
dom, democracy, and the rule of law? Where is the spine of the administra-
tion to stand up to anti-American and antidemocratic thugs in our own back yard? Where is the intellectual clarity to see the facts on the ground as they are? Manuel Zelaya is a criminal, a constitutionally removed former Presi-
dent of a proud and noble country. To my knowledge, no administration offic-
ial has refuted or even grappled with the facts regarding Zelaya's attempted coup.

Given those still undisputed and docu-
dmented facts, on what basis does the administration demand Zelaya's rein-
statement? His removal from office was no more a coup than was Gerald Ford's ascension to the Oval Office or the removal of our new-
comer colleague, Arlen Specter. It is bad enough that the President's ad hoc and highly personalized foreign policy seems to be less about supporting the
rule of law than it is about supporting particular rulers. But the last 4 weeks suggest that the President cannot even be counted upon to support our legitimate allies.

What happened in Honduras last week was a tragedy. It was a triumph of democratic courage and the unyielding determination of a free people to stand up to despotism. The tragedy has been the failure of the West and of our own government in Washington to stand up for justice and freedom in Latin America.

It is not too late. I have written to Secretary Clinton, and there is growing congressional support for the legitimate government in Honduras. Everywhere I go someone comes up to me and tells me to stand up for freedom in Honduras. There is still time to look at the facts, even to visit Honduras itself. Call down there, talk to the people, even Americans in the Peace Corps or on missionary work, and ask them if they believe in the current military junta. They will laugh and tell you they are living under an independent and vibrant democracy, with a representative government led by people they elected. They will tell you about their plans and vision for the ongoing presidential campaign and whom they are supporting in the November elections.

There is still time to correct our position and support our true allies. And because we can, we should. We must. Because today—and I will try my Spanish again—‘‘un amigo de libertad es un amigo de Honduras’’—a friend of freedom is a friend of Honduras.

Mr. President, before I yield, I ask unanimous consent to set aside the pending amendment and call up the DeMint amendment.

The PRESIDING OFFICER (Mr. MENNIT). The amendment is as follows:

The PRESIDING OFFICER. The amendment is as follows:

The Senator from South Carolina [Mr. DeMINT] proposes an amendment numbered 1379 to amendment No. 1373.

Mr. DeMINT. I ask unanimous consent to dispense with the reading of the amendment.

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

The amendment is as follows:

SEC. 12. BORDER FENCE COMPLETION.
(a) MINIMUM REQUIREMENTS.—Section 102(b)(1) of the Illegal Immigration Reform and Responsibility Act of 1996 (8 U.S.C. 1103 note) is amended—

(1) in subparagraph (A), by adding at the end the following:

‘‘(A) in clause (ii), by striking the period at the end and inserting ‘; and’; and

(B) in clause (ii), by striking the period at the end and inserting ‘;’ and

(C) by adding at the end the following:

‘‘(iii) FUNDING NOT CONTINGENT ON CONSULTATION.—Amounts appropriated to carry out this paragraph may not be impounded or otherwise withheld for failure to fully comply with the consultation requirement under clause (i).’’

(b) REPORT.—Not later than September 30, 2009, the Secretary of Homeland Security shall submit a report to Congress that describes—

(1) the progress made in completing the reinforced fencing required under section 102(b)(1) of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (8 U.S.C. 1103 note), as amended by this Act; and

(2) the plans for completing such fencing before December 31, 2010.

Mr. DeMINT. Mr. President, I will speak to the amendment later. I see a colleague wanting to speak and so I will yield the floor.

The PRESIDING OFFICER. The Senator from Arizona [Mr. MCCAIN] is recognized.

Mr. MCCAIN. Mr. President, what is the pending business?

The PRESIDENT PRO Tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to set aside the pending amendment and to call up amendment No. 1460.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 1460 to amendment No. 1373.

Mr. MCCAIN. Mr. President, I ask unanimous consent to dispense with the reading of the amendment.

The PRESIDING OFFICER. The amendment is as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 1400 to amendment No. 1373.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 1400 to amendment No. 1373.

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

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

The amendment is as follows:

(Purpose: To require the completion of at least 700 miles of reinforced fencing along the southwest border by December 31, 2010.) At the appropriate place, insert the following:

(a) MINIMUM REQUIREMENTS.—Section 102(b)(1) of the Illegal Immigration Reform and Responsibility Act of 1996 (8 U.S.C. 1103 note) is amended—

(1) in subparagraph (A), by adding at the end the following:

‘‘(F) in clause (ii), by striking ‘and’ at the end;
There is $3 million for the Distributed Environment for Critical Infrastructure Decision-making Exercises. We need $3 million for the infrastructure decision-making exercises. Money is also given to the Cyber Security Consortium, which is a group of schools, including Miami University of Ohio, Utah State University, University of Nevada at Reno, and Potomac Institute for Policy Studies.

A certain thread may become apparent throughout this conversation and that is that States which are generally getting most of this money happen to have representatives in the Senate on the Appropriations Committee.

There is $2 million for the City of Whitefish Emergency Operations Center in Montana. And because we wouldn’t want to leave them out, there is $1 million for the City of Chicago Emergency Operations Center. No requests were requested by the administration or authorized or competitively bid in any way. No hearing was held to judge whether these were national priorities worthy of scarce taxpayers’ dollars. They are in this bill for one reason and one reason only: because of the selective prerogatives of a few Members of the Senate. Sadly, these Members choose to serve their own interests over those of the American taxpayers.

I hope that I intend to offer, amendments to strike each and every one of these earmarks. Enough is enough. The American people are tired of this process, and they are tired of watching their hard-earned money go down the drain. I intend to fight every single unoRequested, unrequested, unAuthorized earmark in every appropriation bill.

In addition to the earmarks I covered, this bill includes millions of dollars for programs that the administration has sought to cut due to the program’s ineffectiveness or lack of necessity. The amendment I propose as an example: The Over-the-road Bus Security Program. The administration proposed in its 2010 budget to eliminate the Over-the-Road Bus Security Program since the awards are not based on risk, as recommended by the 9/11 Commission, and has not been assessed as effective. The Office of Management and Budget stated:

> Recently, the funding (for this program) has gone to private sector entities for business investments in GPS-type tracking systems that are not working without Federal funding. For now, this program should be eliminated in favor of funding initiatives aimed at mitigated verified transit threats.

Again, in the Office of Management and Budget submission the administration says:

> The Government Accountability Office has recommended that TSA conduct an in-depth risk analysis of the commercial vehicle sector before more funding is allocated.

> But it is not. Here, on the one hand, we have the President announce with great fanfare a group of reductions and terminations and savings that the administration is going to make and is strongly urging be done. Here we have on the bill an earmark that, indeed, funds these very same programs the administration wants eliminated.

> There is another one, and that is the U.S. Coast Guard Loran-C. Loran-C sounds like a pretty good program, but the fact is, this $35 million, by the way, is a federally funded radio navigation system for civil marine use in coastal areas. I will quote from the Office of Management and Budget:

> The Nation no longer needs this system because federally supported civilian Global Positioning System—GPS—has replaced it with superior, capable, and cost-effective System. Therefore, including recent limited technological enhancements, serves only the remaining small group of long-time users. It no longer serves any government function and is not capable as a backup for GPS.

> So we are going to spend $35 million on GPS that is useless. It is useless for Loran-C. Why? Why would we want to do that? Why would we want to spend that kind of money? It is amazing.

> Then there is the emergency operation centers, of course, some $20 million for operation centers in Ohio, Illinois, Indiana, New Jersey—et cetera. Of course, of course, are obviously the result of earmarks. Again, the Office of Management and Budget says the administration is proposing to eliminate the Emergency Operations Center Grant Program in the 2010 budget because the program’s award allocations are not based on risk assessment.

> Oh, really. Also:

> . . . other Department of Homeland Security grant programs can provide funding for the same purposes. It goes on to talk about how the grant program was established:

> . . . by supporting flexible, sustainable, secure and interoperable EOCs, with a focus on addressing identified deficiencies and needs.

> . . . The EOC Grant Program uses award criteria that are not risk-based, and the administration supports a risk-based approach to homeland security grants.

> I wonder how many of these would be awarded if they were risk-based and how many of them are awarded because of the influence of members of the Appropriations Committee.

> In addition, in 2009, EOC construction and renovation was approved as an allowable expense under the Emergency Management Performance Grant Program, thus providing a more effective funding mechanism through which potential grantees prioritize expenditures on EOCs against other emergency management initiatives.

> In other words, we are spending these millions of dollars—$20 million I guess it is—in an unnecessary fashion that has nothing to do with risk but has everything to do with influence.

> It is business as usual in our Nation’s Capitol. We just came off a recess. A lot of us spent time, as I did, traveling around our States. People in my State are hurting. People in my State are wondering whether they are going to be able to keep their jobs; whether they will be able to afford health care; whether they are going to be able to educate their children. They are having to tighten their belts in ways that the majority no one has ever had to do before in their lifetime.

> So what do we do here? Business as usual: $97-some million of unnecessary and unwanted pork. Last year, Congress appropriated many millions of dollars. This, on MA, is $97 million more than the budget request, and much of that is obviously unnecessary and unneeded and in some cases even unwanted.

> On behalf of the citizens of my State who are having to tighten their belts, who are undergoing unprecedented difficulties and hard times while we are on this spending spree and accumulating trillions of dollars of debt—we are not setting their children and grandchildren to pay these bills, laying it on our children and grandchildren. I intend to fight for their tax dollars, and I intend to fight until this egregious practice of porkbarrel earmarked spending, which has bred corruption, is brought to a halt.

> I ask for the yeas and nays on this amendment. The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. MCCAIN. Mr. President, before I yield the floor I would like to include in the RECORD at this time a list of the various bus companies and the States in which they operate. I ask unanimous consent they be printed in the RECORD at this time.

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

<table>
<thead>
<tr>
<th>State</th>
<th>Entity name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>MA</td>
<td>Peter Pan Bus Lines, Inc. (PBL)</td>
<td>$258,749</td>
</tr>
</tbody>
</table>
The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. MARTINEZ. Mr. President, I ask unanimous consent I be permitted to speak as fast as I can, recognizing a need for a period of about 10 minutes.

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

Mr. MARTINEZ. Mr. President, let me begin by thanking my dear friend from the State of Arizona for once again reminding us of this egregious practice of earmark spending that continues to not only grow but continues to be a dark mark on our record as Members of Congress.

I think, as he rightly pointed out, at a time of serious economic distress in places such as Arizona—and I certainly could say as well in Florida—it is a bit out of sync for us to continue the spending as usual just for the mere fact that there is a member of the Appropriations Committee who can, in fact, command something be done only because it would benefit a narrow interest in their State, within their district, and which, would not be requested and which may not be needed.

HONDURAS

Mr. MARTINEZ. Mr. President, I rise, though, to speak about the events in Honduras. The events that are taking place right now are the unfortunate result of the silence of both the United States and the inter-American community to the assault on Honduras' democratic institutions.

It is difficult for Hondurans and other democrats within the region to understand the full significance of President Zelaya's expulsion from Honduras. Up until this point, there has not been any significant voice in the opposition to the dismantling of democratic institutions in Honduras—Venezuela, Bolivia—and as Honduras was going down the path, you might also add Nicaragua to that, to name only a few of the most visible cases.

It is also hard to explain why there was this silence in the Presidential election in Honduras; why there was this silence when Zelaya's earlier unconstitutional actions, especially the event that appeared to precipitate his ouster: the storming of a military base to seize and distribute ballots for a referendum that previously had been declared unconstitutional by the Honduran Supreme Court.

A fundamental tenet of democracy is the separation of powers. You have a President in the executive branch and you have the judicial branch of government, a coequal and separate branch, and that branch told the President the referendum he was seeking to have to extend his rule beyond the constitutional term was illegal, it should not be done and yet he was completely unrepentant as he sought to continue his plan to have a referendum, even though the Congress, even though the judiciary had already told him that was in contravention of the Constitution of their country.

Whatever was the region's outrage over Hugo Chavez's support for Mr. Zelaya's unconstitutional actions in Honduras?

Mr. Chavez supported Mr. Zelaya because they are kindred spirits, because Mr. Chavez is not making the United States an issue, not making the American community to the assault on democracy. The result of this has been a signal of acceptance to antidemocratic actions and abandonment of those fighting for democracy in Venezuela, Bolivia, Nicaragua, Ecuador, and elsewhere.

The OAS has a responsibility to condemn and sanction Presidents, just as it has now against the Cuban dictatorship. Because of the OAS failure to uphold the checks and balances within democracies, it has become an enabler of authoritarian leaders throughout the region. The result of this has been a signal of acceptance to antidemocratic actions and abandonment of those fighting for democracy in Venezuela, Bolivia, Nicaragua, Ecuador, and elsewhere.
So here is what occurred: The OAS, filled with a desire to reincorporate Cuba into the family of nations, completely ignored that for 50 years Cuba has been a military dictatorship without even the vestiges of a free and fair election, and they invited Cuba to be readmitted to the club—setting up a standard by which they would have to live.

President Zelaya, with his partner Hugo Chavez, was leading the charge in saying Cuba should be welcomed back and that no conditions should be imposed for what they called democratic reform. So here is what occurred: The OAS, filled with a desire to reincorporate Cuba into the family of nations, completely ignored that for 50 years Cuba has been a military dictatorship without even the vestiges of a free and fair election, and they invited Cuba to be readmitted to the club—setting up a standard by which they would have to live.

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fact is, they did not seek power for themselves but they established a congressional order. So it is important.

Mr. KYL. Mr. President, that is precisely the way I see it as well. I hope that helps to clarify for the American people why this participatory government is 20 years old and that we can support our friends in Honduras and that relationship which has existed all these years can continue to be the productive one it has been.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I ask unanimous consent that I be able to speak as in morning business.

Mr. CARDIN. Mr. President, I take this time as the Chairman of the U.S. Helsinki Commission, for which I had the opportunity to lead a delegation of 13 members representing the United States at the 18th Annual Parliamentary Assembly of the Organization for Security and Cooperation in Europe. We attended meetings in Europe, along with representatives, parliamentarians from 56 countries representing Europe, central Asia, Canada, and the United States.

We first decided to stop in Bosnia, and we did that because I am sure my colleagues recall the bloody conflict that erupted in the former Yugoslavia, in Bosnia, communities were dielocated and people were killed because of their ethnic background.

We found in Bosnia, because of outside interference, the three ethnic communities that had coexisted for many years were drawn into a conflict. The United States, in the Dayton Accords, took the leadership in trying to figure out a way in which we could get the ethnic communities to live together in peace. As a result of the Dayton Accords, there was this government established for Bosnia which is a bit unusual. There are three Presidents, one representing the orthodox community, the Serbs, one representing the ethnic Bosnians, and one representing the ethnic Croats. And this government brought an end to the open violence.

But we knew in recent weeks and months there had been problems in Bosnia. So we traveled to Sarajevo to talk to all of the ethnic community leaders to see what was happening. And I must tell you there has been progress in that region, particularly with the neighboring countries that are now progressing, some of which are our strong allies in NATO, and we have seen progress to integration in Europe. So we can take pride in what we have been able to achieve in that region of Europe in the Balkans.

But Bosnia needs our attention. I am pleased we were there. I think it is clear to each member of our delegation that if Bosnia is going to be able to continue its integration into Europe—we hope that will occur—if Bosnia is going to be able to move on a path toward NATO membership, it needs to have constitutional reform so it has a functioning federal government protecting the rights of the three entities. But it needs to have a government that can function, and during our trip I think we delivered that message. We were there shortly after Vice President BIDEN was there.

We then traveled to Vilnius, where the annual meeting was taking place. But we took the opportunity to visit Minsk, the capital of Belarus. We did this because Belarus is a repressive state in which the President, Mr. Lukashenko, rules with an iron fist. The political opposition is denied the normal opportunities of a government.

We went there because we wanted to have an opportunity to advance the OSCE principles. The Helsinki Commission, which is our arm in implementing the OSCE, is known for advancing human rights, it is known for advancing economic cooperation, it is known for addressing security issues. And we went to Belarus because we wanted that country, which is a member of OSCE, to live up to its OSCE commitments, to allow its people basic human rights, the right of a free press, the right to organize, the right to challenge their government peacefully, the right to organize the religions of their choice, and the right for economic reform, which is being denied to the people of Belarus. We met with the President, Mr. Lukashenko, and we met with the leaders of the different factions, of the activists.

We also carried a humanitarian request. There was an American, Mr. Zeltser, Emanuel Zeltser, who was imprisoned in Belarus. We do not know why he was imprisoned. There were secret indictments and a secret trial. The United States was not permitted to monitor the trial. He was sentenced to 3 years. He has a very serious medical condition. It is said he could not survive if he remained in Belarusian prisons. So we carried a humanitarian request that he be released. Mr. Lukashenko had the power to do that, and we were very pleased that our humanitarian request was granted. During our meetings, the President told us he would honor our request that he be released immediately, and Mr. Zeltser was released later that afternoon, and he is now back in safe care. So we appreciated that effort, and we hope that represents a change in the direction of Belarus.

We made it clear that if the Belarusian Government made concrete steps toward the OSCE-type reforms on human rights, on economics, and other issues, then it would be a signal to the international community that we would bring Belarus more into the family of nations.

This Congress passed the Democracy Act, which imposed sanctions against Belarus because of their repressive regime. I hope our trip, which was the highest delegation to visit Belarus in over a decade, will be the first step to seeing change in that country and a better relationship between Belarus and other countries in Europe and the United States.

The main reason for our visit was to go to Vilnius, Lithuania, to participate in the Parliamentary Assembly. One member of our delegation visited Latvia in order to advance relations. At the Parliamentary Assembly, I was pleased that Congressman ROBERT ADERHOLT was elected chairman of the Third Committee, which is human rights. There are only three committees in the OSCE: for human rights, economics, and security. An American, Congressman ADERHOLT, will be vice chairman of the Helsinki Committee. I was elected vice president. That follows in the footsteps of Congressman ALCEE HASTINGS, former President of the Parliamentary Assembly.

The United States proposed three resolutions in addition to the normal work. All three were adopted—one on maternal mortality, one on Afghanistan encouraging the Obama administration's policies in Afghanistan, and one on Internet freedom. All three of these resolutions were adopted by the Parliamentary Assembly.

We also recommended 26 amendments to the core resolutions. All 26 amendments were adopted. I wish to cover some quickly because I think they are important to U.S. policy and we now have the support of the OSCE, of the European and central Asian communities in advancing these goals.

As we seek to solidify our interest in becoming an OSCE partner. They are not eligible for membership because it is central Asia, Europe, and North America. But we have partners in cooperation that work with us. We have Mediterranean partners, including Israel and Jordan and Egypt. We have Asian partners that belong, including Afghanistan. We think it would be helpful if Pakistan sought membership as a partner in cooperation within OSCE. By way of example, Belarus has a mission in Afghanistan that deals with border security. They know how to do nation building, how to help countries. We think that could be useful in dealing with U.S. policies against terrorists in Afghanistan and Pakistan. We also had an arrangement with the Organization for Security and Cooperation in Europe. That amendment was approved by the Parliamentary Assembly.

We offered another amendment dealing with combating anti-Semitism. The U.S. Helsinki Commission has been a leader in developing strategies to deal with the rise of anti-Semitism. We have made a lot of progress. We continue to make progress at this meeting in dealing with the rise of anti-Semitism.

There were amendments offered dealing with water issues, energy, climate change, and preserving cultural heritage sites. We had a very active delegation, and we advanced many causes that were important to the United States.
We had bilateral meetings. We met with our counterparts from Russia to try to improve the dialog between Russia and the United States. This was a day or two before the meeting of our Presidents in Moscow. I think it is in keeping with President Obama's strategy of trying to have a more effective dialog between the United States and Russia. We have differences, but we need to understand each other's positions to try to bring about the type of change that would benefit both countries and both nations.

Senators informed on the progress we are making.

We also met with the parliamentarians from Lithuania. We also had a chance to meet with the Lithuanian Prime Minister, who had already visited the United States. We were grateful to have had a chance to meet with the Lithuanian parliamentarians.

We also met with the parliamentarians from Georgia. We were very disappointed that the OSCE mission in Georgia was terminated as a result of Russia's veto of the continuation of that mission. That mission deals with conflict prevention. It is there to keep peace in Georgia, where we know there is still the potential for conflict to erupt. We had a chance to meet with the Georgian parliamentarians to go over those issues.

We met with the parliamentarians from Lithuania. The last time I was in Lithuania was February 1991, when the Soviet occupation of Lithuania was still ongoing. We had a chance to visit the parliament building where it was barricaded in 1991 because of Soviet tanks.

Now we were able to enter a free country, a close ally of the United States, a member of NATO. It was a proud moment to return to that site and see what has happened. The United States has a proud record of always recognizing the independence of Lithuania and never recognizing the Soviet takeover of that independent country. We had a chance to meet with the President, to meet with our counterparts from Russia, and we met with the Prime Minister. We mentioned an issue that is still pending that needs to be resolved; that is, property restitution issues and community property issues dating back to the Nazi occupation. We urged the Lithuanian Parliament to promptly pass an appropriate law so that the payments can be made to the appropriate victims as quickly as possible since many of the families are dying out and it is important that this issue be resolved as quickly as possible. I hope Lithuania will follow through on those recommendations.

We had a very busy agenda. I am very proud of the work of each member of our delegation. We advanced the interests of the United States. We will be following through on the different discussions we had to make sure progress continues in each of these areas. It was an honor to represent the Senate with the Helsinki Commission. We will keep Senators informed on the progress we are making.

I yield the floor and suggest the absence of a quorum.
As part of the TARP, it was made very clear that the $700 billion that was going to be spent to stabilize the financial system, or maybe more—some of it was spent—not all of it was spent—that those dollars, when they came back—and we expected them to come back because it was an investment; it was not spent like a stimulus package where we essentially put money out the door and it never comes back; we were buying assets, the preferred stock of these banks. When those moneys came back to the Treasury, it was understood that those moneys would be used to reduce the deficit and the debt. That was the understanding that was written in the bill. The moneys from TARP, as they came back in, would be used to reduce the debt.

We knew when the first group came in. Mr. President, $70 billion has come back to the Treasury as a result of four or five major banks paying off the TARP moneys through repurchasing their preferred stock. Interestingly, other taxpayers made some of our money here. We made about $4.5 billion on that investment—a pretty good deal over 4 months to make $4.5 billion. That money is also coming to the Treasury. Those dollars should be used to reduce the debt. That is what the whole idea was: Buy assets, stabilize the financial industries, as the assets come back, pay down the debt that was run up in order to purchase those assets.

Unfortunately, some of my colleagues in the other body have suggested that we now start spending this money as it comes in on what happens to be, I am sure, very worthwhile initiatives. The point is that we were on track and we have successfully addressed the challenges to our financial system.

Sincerely,
TIMOTHY F. GEITNER,
Secretary of the Treasury.

Mr. GREGG. Mr. President, Secretary Geithner has made it very clear that they understand this money should go to reduce the debt. They would like to hold it so it is at the desk for a few months to make sure they are not going to need it for another event of maybe severe fiscal strain. But it is pretty obvious we are past that time and I think they probably are not going to need it. So this money is coming back to the Treasury and will only be used to reduce the debt unless we, as a Congress, change the law.

I wished to come to the floor and say it would be a real failure of fiscal stewardship for us to use these dollars for anything other than what their purpose was, which was to reduce the debt. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) 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 47, nays 51, as follows:

[Roll Call Vote No. 218 Leg.]

YEAS—47

Barrasso
Baucus
Begich
Brown
Burris
Byrd
Casey
Chambliss
Colburn
Conrad
Corker
DeMint
Durbin
Feinstein
Gillibrand
Graham
Harkin
Inouye
Johnson
Kerry
Kaufman
Kohl
Landrieu
Leahy
Levin
Lieberman
Mikulski
Mitch McConnell
Nelson (FL)
Nelson (NE)
Nelson (Nev)
North Carolina
Oregon
Pennsylvania
Rhode Island
South Carolina
South Dakota
Texas
Vermont
Virginia
Webb
Wyden

NAYS—51

Akaka
Alexander
Baucus
Bingaman
Brownback
Brown
Burris
Canwell
Cardin
Carper
Casey
Chambliss
Cochran
Collins
Cornyn
Corker
Coburn
Cochrane
Dodd
Dorgan
Durbin
Feinstein
Franken
Gillibrand
Gregg
Hagan
Harkin
Inouye
Johnson
Kossack
Kerry
Kaufman
Koch
Landrieu
Langer
Leahy
Levin
Lieberman
Menendez

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

The question is on agreeing to McCain amendment No. 1400. The yeas and nays were previously ordered. The clerk will call the roll.

Mr. DURBIN, I announce that the Senator from West Virginia (Mr. BYRD) 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 47, nays 51, as follows:

[Roll Call Vote No. 218 Leg.]

YEAS—47

Barrasso
Baucus
Begich
Brown
Burris
Byrd
Casey
Chambliss
Colburn
Conrad
Corker
DeMint
Durbin
Feinstein
Gillibrand
Graham
Harkin
Inouye
Johnson
Kerry
Kaufman
Kohl
Landrieu
Leahy
Levin
Lieberman
Mikulski
Mitch McConnell
Nelson (FL)
Nelson (NE)
Nelson (Nev)
North Carolina
Oregon
Pennsylvania
Rhode Island
South Carolina
South Dakota
Texas
Vermont
Virginia
Webb
Wyden

NAYS—51

Akaka
Alexander
Baucus
Bingaman
Brownback
Brown
Burris
Canwell
Cardin
Carper
Casey
Chambliss
Cochran
Collins
Cornyn
Corker
Coburn
Cochrane
Dodd
Dorgan
Durbin
Feinstein
Franken
Gillibrand
Gregg
Hagan
Harkin
Inouye
Johnson
Kossack
Kerry
Kaufman
Koch
Landrieu
Langer
Leahy
Levin
Lieberman
Menendez

The amendment (No. 1400) was rejected.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, the Senate just voted against the President of the United States—I think we should know that—and his recommendation. The President, on May 7 of this year, as part of his budget submission, recommended terminating or reducing 121 Federal programs, which was estimated to save the taxpayers $41 billion over the next decade. One of the programs the President hopes to see terminated is the Intercity Bus Security Grant Program.

What the Senate did was to tell the President of the United States: No, we are sorry, this is a vital program, the Intercity Bus Security Grant Program. I am sure the folks in Maryland at Cavaller Coach Trailways that got $8,000 and Crystal Transport, Inc., that got $5,000—there is one in here that is a limousine service that got several thousand dollars, the Rimrock Stages got only $8,000. But Busco, Inc., doing business as Arrow Stage Lines, they
got $137,000 in Nebraska. Maybe they will take people to visit the library that just got $200,000, those from outside of Omaha.

What we are talking about is that we cannot even eliminate a program, with a decent number of Democratic votes, about which the President told the American people: We will reduce spending, we will cut spending, don’t worry; here are the 121 Federal programs. There are two more that are coming, my friends, that you will be able to vote against the President on because there are two more on his list that are included in this appropriations bill.

Anybody in the United States who thinks we got the message that it is time to tighten our belts, including especially members of the Appropriations Committee on both sides of the aisle, they are sadly mistaken. They are sadly mistaken. We are going to vote on all 27. We are going to be on record, and the American people are going to hear about it. They are going to vote for that. It is business as usual. The pork barrel spending continues even to the point where we cannot even eliminate a program the President of the United States said we would eliminate. There are 60 votes over there. We could not get 51.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

AMENDMENT NO. 1402 TO AMENDMENT NO. 1373

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

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

Mr. FEINGOLD. I rise to call up amendment No. 1402 to the bill.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Wisconsin [Mr. FEINGOLD] proposes an amendment numbered 1402 to amendment No. 1373.

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

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

The amendment is as follows:

(Purpose: To require grants for Emergency Operations Centers and financial assistance for the predisaster mitigation program to be awarded without regard to earmarks

On page 32, strike line 19 and all that follows through page 33, line 22, and insert the following:

Assistance Act (42 U.S.C. 5196c), which shall be awarded on a competitive basis:

(A) in accordance with section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196c), which shall be awarded without regard to any congressional directed spending item (as defined in rule XLIV of the Standing Rules of the Senate) or any congressional earmark (as defined in rule XXI of the Rules of the House of Representatives) in a committee report or joint explanatory statement relating to this Act.

Mr. FEINGOLD. This amendment would prohibit the earmarking of two critically important homeland security grants: the Emergency Operations Centers and the Pre-Disaster Mitigation Program.

The Emergency Operations Centers, or EOC program, is intended to improve emergency management and preparedness capabilities, and it funds, among other things, construction of State and local EOCs. These centers are a vital part of the comprehensive national emergency management plan.

The Pre-Disaster Mitigation Program is intended to implement hazard reduction measures before disasters strike. Eligible projects can include, for example, preparing mitigation plans, or retrofitting public buildings against hurricane-force winds, and constructing so-called “safe rooms” in tornado-prone areas.

While we may not all agree on the appropriateness of earmarking in general, I think we can all agree certain things should not be earmarked, including FEMA grant programs such as those that protect Americans from terrorist attacks and natural disasters.

Obviously, these funds should be awarded by an impartial entity that is expert in matters of emergency operations and disaster mitigation. It is FEMA that actually possesses these qualities; Members of Congress do not. Indeed, FEMA has informed me that many past earmarks would not have even qualified for the Pre-Disaster Mitigation Program under the established guidelines. The result is that low-priority projects get funded and high-risk areas do not have adequate resources they need so people in those areas can truly be protected from natural disasters. I think these funds are too important to be passed out based on political dealings.

The Association of State Floodplain Managers supports this amendment and notes that a key element of the Pre-Disaster Mitigation Program is the encouragement of hazard mitigation planning. According to the Association:

Congressional earmarks, unfortunately, undercut the local planning process when it became evidently the process could be short-circuited by getting a Congressional earmark.

This year, the House has earmarked all of its Emergency Operations Centers funds in its Homeland Security appropriations bill. The Senate has earmarked nearly half of its funds. The earmarks in the Senate are directed to 10 States. That means 40 States will have to compete for the remaining half of these funds.

If my amendment fails, 10 States get half and the other 40 States only get half combined. Many of these earmarks have historically gone to small communities while at the same time many State operations centers in major cities still need assistance. So my amendment would strike the earmarks in the text of the Senate bill so that FEMA can decide which projects are homeland security priorities and Federal responsibilities.

With regard to the Pre-Disaster Mitigation funds, the House report has earmarked one-fourth of the funds, and the Senate has so far not earmarked any of them. However, last year, both the House and the Senate earmarked roughly 27 percent of the funds in conference. So my amendment directs FEMA to disregard any such earmarks in the explanatory statement of managers. As the majority of us will not be members of the conference committee, I urge my colleagues to consider whether it is in the best interests of your State to permit the earmarking of these critical homeland security funds outside of the regular legislative process.

The chairman and the ranking member of the Homeland Security and Governmental Affairs Committee introduced legislation last year to mandate that the Pre-Disaster Mitigation funds be awarded competitively. I, of course, commend both of them for their leadership on this issue.

Given that a percentage of these funds are guaranteed for every State in light of the fact that all States are at risk of natural disasters, there is even less reason for these funds to be earmarked.

President Obama has stated that he would like these funds to be awarded on the basis of risk. Federal law lays out the criteria for the competitive awarding of these grants and focuses on the need to fund those projects that will mitigate the most high-risk areas.

Therefore, I think this amendment is consistent with the President’s request that we focus on those communities that are in most need of assistance. I urge my colleagues to support this amendment.

I seek unanimous consent that Senator MCCAIN be added as a cosponsor.

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

Mr. FEINGOLD. Not only will the amendment restore objectivity to two homeland security grant programs, it will also help ensure important decisions about Federal spending are actually made on the merits not on the basis of political backroom deals.

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

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

Mr. BROWN. Mr. President, I ask unanimous consent that the quorum call be rescinded.

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

Mr. BROWN. I ask unanimous consent to speak as in morning business.
Mr. BROWN. Mr. President, I thank my colleague from Ohio, Senator Voinovich, for allowing me to go first. I appreciate his public service as he concludes his Senate career in the next year. This week Congress is debating whether to broaden access to affordable generic drugs for millions of Americans. Let me explain how access to generic drugs—and generic drugs for pharmaceuticals—are called generic drugs, just to make this clear, for live—what are called biologics they are called follow-on biologics. But either is the same concept.

Let me explain how the access to generic, or follow-on biologics, would benefit millions of Americans who cannot afford the crushing drug costs they face, whether prescription drugs or biologics.

Sergio from Rocky River, a suburb west of Cleveland, wrote about how he and his family lost their health insurance last year and are heavily burdened with debt. His young son has type 1 diabetes, a terrible disease that an increasing number of young people have. His wife, Susan, and Sergio, had quadruple heart bypass surgery, along with surgeries to repair a hernia and treatment for back and knee injuries, all within the last 3 years. Sergio and his family have cut back on the medications they were taking and stopped going to the doctor because they can’t afford the $35,000 in outstanding medical bills, much of it in prescription drug costs. Sergio writes that his family walks on eggshells each day hoping they don’t get sick and slide further into debt.

For far too long, Americans like Sergio have struggled with the exorbitant cost of prescription drugs. For far too long, soaring drug costs have meant millions of Americans simply cannot afford these expensive brand-name drugs. These drugs provide promise and hope to those suffering from devastating diseases and chronic illness: cancer, Parkinson’s, diabetes, Alzheimer’s. For example, annual treatment for breast cancer in the 1990s was with a drug called Taxol which cost an exorbitant amount of money—$24,000 a year for treatment for some cancers—in this case, breast cancer—is with the biologic drug Herceptin, which costs $48,000 a year or $4,000 a month. Annual treatment for rheumatoid arthritis with Remicade costs approximately $30,000 a year, almost $2,000 a month. These drugs are simply too expensive for many people to afford.

Liz from Brecksville is a director of a breast cancer advocacy group in northern Ohio, and one of the many of her members and clients face impossible financial barriers after being diagnosed with breast cancer and needing treatment. Liz works with breast cancer patients who face excessive copays and deductibles for prescription drugs, often with 10-year preexisting condition restrictions. That is why we must provide broader access to generic drugs to help lower prescription drug costs for millions of Americans.

This week Congress is debating whether to broaden access to affordable generic drugs for millions of Americans who need them. By setting a reasonable period of exclusivity for many brand-name drugs, we will speed up the generic approval process and speed up cost savings for families in Toledo, Lima, Canton, Youngstown, and Cincinnati, OH.

It is estimated that biologics, those drugs that increasingly are used to help treat cancer and Parkinson’s and diabetes and Alzheimer’s and MS, will account for 50 percent of the pharmaceutical market by 2020. These are becoming more and more common. Yet there is not even a process to establish generic drug alternatives. Therefore, there is no price competition and the price for these biologics goes up and up and up. The prices go up and up and up, yet there is no competition and they can keep charging outrageous prices. For example, where they used to pay $4,000 a month for Herceptin, which costs $48,000 a year or $4,000 a month. Annual treatment for rheumatoid arthritis with Remicade costs approximately $30,000 a year, almost $2,000 a month. These are costs for which consumers are paying $2,000 a month, $3,000 a month. They simply can barely afford it in many cases and can’t afford it at all in other cases. These are costs that employers have to pay, that taxpayers have to pay if they are in Medicaid.

It is pretty clear these are huge profits these companies are making. And I want more innovation. You bet I want to see these companies succeed. But they don’t need to make these kinds of profits at the expense of taxpayers and small businesses that are paying the freight and larger businesses that are less competitive because they have to pay such high costs for health care. That makes it harder for GM to compete with overseas auto manufacturers, one after another after another.

Sales in 2008 for the average biologic, not just the blockbuster, totaled over $666 million. That means it takes less than 2 years for the average brand-name biologic to recoup the R&D cost. Why are some of my colleagues advocating for a 12-year monopoly period? They want to give these companies that are recovering this kind of money this quickly each year, this kind of monopoly, where they have had, they want to give them 12 years to recoup this $1.5 billion. Many of them recoup it in the first year, let
Mr. VOINOVICH. I ask unanimous consent to speak as in morning business.

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

Mr. VOINOVICH. Mr. President, it is time we unite in a bipartisan way to help the President deal with the unbelievable challenges he has domestically and internationally. One easy way to help our Nation is by passing our appropriations bills by September 30. Our getting it done this year is urgent because of the state of our economy and the impact Federal spending has on that economy. Our reliance on continuing resolutions to fund the Federal Government continues to plague Congress and has a cascading effect on government agencies and the citizens they serve.

In recent decades, it has become common for appropriations bills to be enacted after the start of the fiscal year, during the last quarter of the calendar year, or even in the next session of Congress, as was the case this year. Repeatedly managing by continuing resolution is inefficient. It results in wasteful spending, disruption and chaos in the operations of Federal programs, and decreased productivity slowdowns. This is not a good record for either party and is an irresponsible approach to managing our limited resources. It has to stop.

Last year, because the Senate did not do its job, agencies were rushed to spend their budgets before the end of the fiscal year and used overtime to ensure requests were processed before midnight on September 30, making it ripe for overspending as agencies stockpiled to try to meet future needs. This also means fewer dollars being returned to the Treasury to help reduce our growing budget deficit.

We need to get back to basics to solve it. This is one problem the Congress should be focused on this year. Congress may hold the power of the purse, but we undermine our credibility by starving good managers and agencies of necessary resources and by turning a blind eye to failing programs. This is about more than allocating funds. It is about good management and good public policy. I can assure you, as a county commissioner, mayor, and Governor, if the appropriations were not done on time we would have been run out of town for not doing our job.

Inaction causes chaos in the operations of our Federal Government. Continuing resolutions do exactly what their name implies: they continue funding at prior year levels, without regard to whether changes in funding are necessary or appropriate. As a result, agency program managers are now in the untenable position of having to manage on the prior year’s budget, which often results in a loss of productivity, including completion of re-programming requests.

Managing by continuing resolution has the effect of delaying construction,
reducing overall efficiency, wasting time and paper resources, and disallowing any new starts in procurement. Fortune 100 companies do not walk away from difficult budget choices by taking a pass to the next fiscal year. Neither does Main Street USA. Regardless of whether one subscribes to the belief that CRs save money, this is no way to run an organization. It is part of our obligation to the American people to ensure our scarce resources are given to projects that have been clearly identified.

I want to share a few examples of the true impact of continuing resolutions, taken from a memo prepared by the Congressional Research Service and hearings before the Committee on Homeland Security and Governmental Affairs.

Let’s take the Department of Education. The Impact Aid Program is an elementary and secondary education program that does not receive forward funding or advance appropriations and, therefore, is more easily affected by an interim continuing resolution. Payments for children with disabilities are delayed when the Department of Education is operating under a continuing resolution.

USAID: The delay of funding of the President’s Malaria Initiative, which was enacted in order to reduce deaths due to malaria by 50 percent, lasted until February 15, 2007, 5 months or 138 days into fiscal year 2007. Doing the math, this delay in funding relates to the loss of, say, 198,000 lives unnecessarily. In other words, by delaying it, the money was not there. We did not get the job done, and this resulted in the deaths of individuals.

NASA: On June 8, 2009, the Federal Times reported the following from NASA Administrator Michael Griffin:

Any time Congress passes a continuing resolution that holds agencies to their current spending levels at a time when the economy is experiencing inflation translates into a budget cut. And so we will be cutting the budget at NASA and the only question is how much is decided, is will the continuing resolution be broadly applied and left to the discretion of agency heads to implement or will special programs be targeted to be either favored or disfavored.

FEMA: In fiscal year 2008, the Emergency Food and Shelter Program, which “provides emergency food and shelter to needy individuals,” did not receive funds under the CR. Thus, the program did not have funds available for communities and their respective homeless provider agencies during what many view as critical winter months until February 26, 2008, or 49 days into fiscal year 2008.

The judiciary: The judiciary has had to resort to hiring freezes or furloughing employees under continuing resolutions. In fiscal year 2004, the judiciary reduced 1,350 positions, with probation and pretrial services receiving significant cuts.

HUD: During fiscal year—I am just giving you examples that have been pointed out by CRS. During fiscal year 2004, the Department of Housing and Urban Development had to temporarily suspend the General Insurance and Special Risk Insurance Fund of the Federal Housing Administration because the continuing resolution did not allow sufficient credit subsidy to continue with the programs. During the suspension, HUD was unable to meet the needs of the borrowers who would ordinarily be served by the respective programs, which created uncertainty for current and potential borrowers. Mr. President, I think most of us have seen what happens when we have uncertainty in our mortgage system.

Just jerk them around.

Research and development: Most research and development programs continue to receive funding at the prior year’s level when operating under a continuing resolution. However, this funding mechanism can only support existing R&D priorities rather than shifting to new ones because only existing programs retain funding. New and emerging technologies must be funded in real time.

The Social Security Administration: Operating under a continuing resolution for fiscal year 2010 will hamper efforts to reduce backlogs in the agency’s disability program, which would result in decreased efficiency. Also, in previous years continuing resolutions caused the agency to implement a hiring freeze that contributed to service delivery problems. While Commissioner Astrue has taken extraordinary steps to send additional resources, for example, to my home State, Ohio still has people waiting more than 500 days for a decision on their Social Security disability claim.

I was very critical of SSA. I started looking back on the continuing resolutions that were passed. It was a chaotic situation. They were not able to keep the people they had. They were not able to hire more people, and we have a 500-day wait now. I am sure the Presiding Officer gets the same complaints from his people that they cannot get their disability appeals heard.

DHS: In testimony before the House Homeland Security Subcommittee on Management, the Department of Homeland Security’s Deputy Program Officer, Richard Gunderson, spoke to the impact continuing resolutions have on the key homeland security programs. Gunderson testified:

A CR would stop those programs in their tracks and we would not be able to grow the way that everybody is saying that we need to grow.

Mr. President, there are a lot more examples of what I am talking about. I think this has to be the year we do our job. The Senator from Nevada, our leader, and the Senator from Kentucky, our minority leader, have both publicly stated that the need is now to our hands are clean. None of our hands are clean. I have been here when we have deliberately not passed appropriations with the idea that maybe our guy is going to get elected President or we are going to get the majority in the Congress and so then we can tweak it the way we want to because a majority is no longer in the majority.

This game has been played for too long around here, and it is about time we recognize it and did something about it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mrs. MURRAY. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak therein for 5 minutes each.

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

The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that I be permitted to speak in morning business for up to 15 minutes.

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

Mr. WHITEHOUSE. Thank you, Madam President.

HEALTH CARE

Mr. WHITEHOUSE. Madam President, I have spoken many times on the floor of the Senate about the desperate need for reform of our broken health care system. Today the Congress stands at a moment of historic opportunity. The attention, hopes, and anxieties of the American people are focused on us like never before.

We have seen over the course of the last 60 years constant lament over the
Changes in government policy have the potential to improve the efficiency and effectiveness of the tax system and help to "level the playing field" between large and small businesses. The rising share of health expenditures also has dire implications for government budgets. Almost half of current health care spending is covered by Federal, state, and local governments. If health care costs continue to grow at historical rates, the share of GDP devoted to health care in the United States is projected to reach 34 percent by 2040. For households with employer-sponsored health insurance, this trend implies that a progressively smaller fraction of employees' compensation will be in the form of take-home pay and a progressively larger fraction will take the form of employer-provided health insurance.

Perhaps the most visible sign of the need for health care reform is the 46 million Americans currently without health insurance. The Council of Economic Advisers (CEA) has undertaken a comprehensive analysis of the economic impacts of health care reform. The report provides an overview of current health care costs and a forecast of where we are headed in the absence of reform; an analysis of inefficiencies and market failures in the current health care system; a discussion of the drivers of trends in health care costs; and an analysis of the economic effects of slowing health care cost growth and expanding coverage.

The findings in the report point to large savings in both the short and medium run (relative to the no-reform baseline), by over 2 percent in 2020 and nearly 8 percent in 2030. Slowing cost growth would lower the unemployment rate consistent with steady inflation by roughly one-quarter of a percentage point for a number of years. The beneficial impact on employment in the short and medium run (relative to the no-reform baseline) is estimated to be approximately 500,000 each year that the effect is felt.

Expanding health insurance coverage to the uninsured would increase net economic output by roughly two-thirds of a percentage point per year, which is roughly two-thirds of a percent of GDP.

Reform would likely increase labor supply, remove unnecessary barriers to job mobility, and help to "level the playing field" between large and small businesses. WHERE WE ARE AND WHERE WE ARE HEADED

...
care expenditures as a share of GDP across countries, without corresponding differences in outcomes, also suggest that health care expenditures in the United States could be lowered without GDP suffering or reducing inefficiency in the current system.

The sources of inefficiency in the U.S. health care system include payment systems that reward rather than deter inefficiencies; high administrative costs; and inadequate focus on disease prevention. Market imperfections in the health insurance market create incentives for socially inefficient behavior. Asymmetric information causes adverse selection in the insurance market, making it difficult for health care providers to receive actuarially reasonable rates.

CEA’s findings on the state of the current system should focus on two key components of successful health care reform: (1) a genuine containment of the growth rate of health care costs, and (2) the expansion of insurance coverage. Because slowing the growth rate of health care costs is a complex and difficult process, we describe it in general terms and give specific examples of the types of reforms that could help to accomplish the necessary outcomes.

THE ECONOMIC IMPACT OF SLOWING HEALTH CARE COST GROWTH

The central finding of this report is that genuine health care reform has substantial benefits. CEA estimates that slowing the growth of health care costs would have the following key effects:

1. It would raise standards of living by improving efficiency. Slowing the growth rate of health care costs by increasing efficiency raises standards of living by freeing up resources that can be used to produce other desired goods and services. The effects are roughly proportional to the degree of cost containment.

2. It would prevent disastrous budgetary consequences and raise national saving. Because the Federal government pays for a large fraction of health care, lowering the growth rate of health care costs helps keep the budget deficit to be much lower than it otherwise would have been (assuming that the savings are dedicated to deficit reduction). The poverty mirror for national saving increases capital formation.

Together, these effects suggest that properly measured GDP would be more than 2 percent higher in 2020 than it would have been without reform and almost 8 percent higher in 2030. The real income of the typical family of four could be $2,600 higher in 2020 than it otherwise would be and $10,000 higher in 2030. And, the government budget deficit could be reduced by 3 percent of GDP relative to the no-reform baseline in 2030.

3. It would lower unemployment and raise employment in the short and medium runs. When health care costs are rising more slowly, the economy can operate at a lower level of unemployment without triggering inflation. Our estimates suggest that the unemployment rate may be lower by about one-quarter of a percentage point for an extended period of time as a result of serious cost growth containment.

THE ECONOMIC IMPACT OF EXPANDING HEALTH CARE COVERAGE

The report identifies three important impacts of expanding health care coverage:

1. It would increase the economic well-being of the uninsured by substantially more than the costs of insuring them. A comparison of the total benefits of coverage to the uninsured, including such benefits as longer life expectancy and reduced financial risk, and the costs of insuring them (involving both the public and private costs), suggests net gains in economic well-being of about two-thirds of a percent of GDP per year.

2. It would likely increase labor supply. Increased insurance coverage and, hence, insurability would likely increase labor supply by reducing disability and absenteeism in the workplace. This increase in labor supply would tend to increase GDP and reduce the Federal budget deficit to be much lower than it otherwise would be.

3. It would improve the functioning of the labor market. Coverage expansion that eliminates restrictions on pre-existing conditions improves the efficiency of labor markets by removing an important limitation on job-switching. Creating a well-functioning insurance market also prevents an inefficient supply of health care from small firms by leveling the playing field among firms of all sizes in competing for talented workers in the labor market.

The CEA report makes clear that the total benefits of health care reform could be very large if the reform includes a substantial reduction in the growth rate of health care costs. This level of reduction will require hard choices and the cooperation of policymakers, providers, insurers, and the public. While there is no guarantee that the policy process will give of change the benefits of achieving successful reform would be substantial to American households, businesses, and the economy as a whole.

Mr. WHITEHOUSE. This report compares the share of America’s gross domestic product spent on health care to the share spent by our international industrialized competitors. It also looks to the wide variation in health care spending across regions within the United States of America. From each of these measures, the report comes to the same conclusion: They estimate excess health care expenditures of about 5 percent of GDP, which translates to $700 billion per year. Former Treasury Secretary O’Neill has written recently that the target is $1 trillion per year. Whether $700 billion or $1 trillion, that is a savings target that is worth an enormous expenditure of executive and legislative effort to achieve, particularly when all the evidence suggests that achieving it will actually improve health care outcomes for the American people.

Perfect examples of the savings that await us are in quality of care. We have spoken before about the Keystone Project up in Michigan which reformed care in a significant number of Michigan’s intensive care units. It reduced infections, respiratory complications, and other medical errors. Between March 2004 and June 2005, just a little over a year, the project is documented to have saved $1,578 lives, 81,020 days patients otherwise would have spent in the hospital, and over 165 million health care dollars—just in a little over a year, the project is documented to have saved 1,578 lives, 81,020 days patients otherwise would have spent in the hospital, and over 165 million health care dollars—just in a little over a year, just in intensive care units, just in one State, and not even all of the intensive care units in that State.

In my home State, the Rhode Island Quality Institute has taken this model nationwide with participating medical centers in participating, and we are already seeing hospital-acquired infections and costs declining.

Why aren’t these quality reforms happening spontaneously all over the country? Because government and private insurers haven’t set up the right rules for the game. When we began our intensive care unit reform in Rhode Island, the Hospital Association of Rhode Island estimated that they would save for a potential $8 million savings from the ICU reform program. That is a $20-to-1 return on investment. Super deal, right? Who wouldn’t take that? Well, the hospitals pointed out that all the savings—the $8 million—would go to the payers—to Medicare, to the insurance companies—and all the costs and all the trouble and all the risk came out of their own pockets. The savings actually cut hospital revenues. So with a lot of business experience around this Chamber, do we know a lot of businesses that would spend $400,000 in cash in order to lose $8 million in revenues? That is not a good economic proposition. We have made the rules such that it is not a good economic proposition to reduce the cost of care this way.

That is why the HELP Committee bill changes payment incentives and invests in grant programs so it begins to make economic sense for doctors and hospitals to invest in lifesaving and cost-saving quality improvements. It will make it an economic proposition for providers to improve quality this way, think of the torrent of American ingenuity that will unleash. Now we are stuck. We are stuck in a bog of market failure, with the connection between price and quality—between risk and reward—the fundamental connection between risk and reward that is the basic engine of American capitalism—interrupted and disabled. But CBO can’t score that innovation because we haven’t been down this road before. There is nothing in the rearview mirror for us to work with to determine what those savings will be.

There is a similar problem in disease prevention. A study by the Trust for America’s Health found that investing $10 per person per year in proven community-based programs to increase physical activity, improve nutrition, and prevent tobacco use could save the country more than $16 billion annually within 5 years. Out of the $16 billion in savings, Medicare could save more than $5 billion, Medicaid could save more than $1.9 billion, and private payers could save more than $9 billion, but those program providers don’t get funded. That is why the HELP Committee bill establishes a prevention and public health investment fund to provide expanded and sustained nationwide investment in preventing illness. Well run, the savings could be enormous. But CBO can’t score it because we haven’t been down this road before, and there is nothing in the rearview mirror for CBO shelf to work with.

A third area for significant efficiencies and savings is the contentious, inefficient billing and approval process.
Right now, doctors and insurance companies are locked in an arms race. Private insurers delay claims and deny claims for reimbursement and throw up barriers to payment, and the providers, in turn, staff up and hire consultants and add layers of red tape. Little creates a colossal burden on the system, consuming perhaps 10 to 15 percent of all private insurance expenditure and then creating a reciprocal and probably actually greater cost spiral that the provider community from having to fight back against that 10- to 15-percent expenditure. It all adds no overall health care value—none. It is pure administrative cost doubling. Even the insurance industry estimates that $30 billion per year could be saved through simplification of that process. That is why the HELP Committee bill has strong administrative simplification requirements. But again, CBO can’t score it because this is another new road.

Again, there is nothing in the rearview mirror for CBO to work with.

Finally, multiple studies show that the private insurance market is plagued by inefficiency and waste. While administrative costs for Medicare run about 3 to 5 percent, overhead for private insurers is an astounding 20 to 27 percent—charges that consumers pay for higher premiums. A Commonwealth Fund report for indicators that private insurer administrative costs increased 109 percent—they more than doubled—private insurer administrative costs more than doubled from 2000 to 2006, just in 6 years. The McKinsey Global Institute and a leading health economist indicate that Americans spend roughly $128 billion annually on “excess administrative overhead”—that is, $128 billion on excess administrative overhead—in the private health insurance market.

That is why the HELP Committee bill establishes a strong nonprofit public health insurance option that would compete on even terms with private insurance companies, bringing down premiums, negotiating more efficient provider payments, and increasing consumer access—all through the power of free market competition. All this is done through the power of free market competition. But again, CBO cannot score it because we have not been down that road before. There is, again, nothing in the rearview mirror for CBO professionals to work with.

In the 1930s, Franklin Delano Roosevelt’s proposal for an innovative program called the “Tennessee Valley Authority” faced this dour prediction from a Member of the House of Representatives:

Mr. Speaker, I think I can accurately predict that any legislation which will see materialize the industrial empire dream of the Tennessee Valley.

Another Member remarked:

The development of power in that particular locality of the Nation . . . can be of no general good.”

Had FDR been cowed and discouraged by such pessimism, by the difficulty and uncertainty and novelty of his task, the TVA would never have brought electricity, jobs, and prosperity to millions of Americans.

Likewise, today, it is precisely because our reforms are innovative and because they will take energy, commitment, and perseverance to achieve that they are unscorable. That should be an inspiration to us, not a discouragement. Through this reform bill, we must challenge ourselves and the Obama administration to do that which cannot specifically score and analyze. With strong leadership and dedication, we can not only bend the cost curve, we can break it.

Let’s set a hard target, say, $500 billion in annual savings, and see how fast we can get there. Let’s make this the Apollo project of our generation. The stakes are high enough to justify that effort.

I thank the Chair and yield the floor.

Mr. BARRASSO. Madam President, I ask unanimous consent to speak for up to 10 minutes in morning business and that Senator Sessions be recognized when I have finished.

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

Mr. BARRASSO. Madam President, most everybody knows I am an orthopedic surgeon. In Wyoming, many refer to me as the Wyoming doctor. That is because for over two decades folks have invited me into their home with statewide television and radio health reports, where I gave people information on how they can stay healthy and how to keep down the cost of their medical care. I ended each report by saying: “Here in Wyoming, I’m Dr. John Barrasso, helping you care for yourself.”

That is also my philosophy for government—helping people help themselves. As medical director of the Wyoming Health Fairs, I worked to give people around the Cowboy State access to lifesaving preventative tests and low-cost medical screenings. My goal was always to encourage families to eat right, exercise, manage chronic diseases, and stop smoking because prevention is one of the keys to a long and happy and healthy life.

As I travel home every weekend, I hear the concerns about what health care and the cost of their medical care. They are concerned about the specific cost of their medical care and how it affects them and their family budgets. Many families across Wyoming and in this country worry that they will lose the health care coverage they currently have. Others cannot afford insurance today. That is what is wrong with our current health care system. That is what we need to fix.

I know from firsthand experience that doing nothing is simply not an option. We must be careful, thoughtful, and deliberate about the changes we make. Health care is a very complex and an intensely personal issue. It deserves a national debate—a serious, open, and transparent national debate.

I welcome the opportunity to talk about the concerns of people living longer and needing more care and more advanced care. The concerns are affordability, access to care, and high-quality care.

In the midst of this debate, we cannot stand for rural Americans to be left behind. They need access to high-quality, affordable health care like everybodys else.

When I first came to the Senate, I promised the people of Wyoming I would fight each and every day to protect and modernize our rural health care delivery system. I committed to do my part to strengthen our rural hospitals, rural health clinics, and community health centers. I committed to do my part to increase rural America’s access to primary health care services and to aid in the successful recruitment and retention of nurse practitioners, doctors, and physician assistants all across rural and frontier America.

There are obstacles faced by our hospitals, clinics, and our providers—obstacles they have to overcome to deliver quality care to all the families in rural America. They end up having to do it in an environment of markedly limited resources. The Federal Government needs to recognize these important stakeholders and then respond with appropriate policy.

The people of Wyoming know I am here not just as their Senator but also as a rural doctor who has practiced medicine, fighting on their behalf.

Recently, I joined three of my colleagues to introduce S. 1157, the Craig Thomas Rural Hospital and Provider Equity Act.

Today, I rise to talk about a different bill that I have introduced alongside my colleague from Wyoming, Senator HEDEN. It is called the Rural Health Clinic Patient Access and Improvement Act.

This legislation is a great example of what true bipartisanship can produce. I thank Senator WYDEN and his staff for working so hard to collaborate with me on this very important bill. I commend him for his dedication to helping rural Americans have equal access to the high-quality medical care they deserve.

This legislation strengthens America’s 3,500 rural health clinics that serve rural and frontier communities. Rural health clinics are a highly valued medical provider in communities all across this country. In Wyoming, we have rural health clinics located in communities that many people have never heard of, such as Baggs, Glenerock, Hulett, Lovell, Medicine Bow, Saratoga, and my wife Bobbie’s hometown of Thermopolis. These clinics make sure people have access to primary care as close to home as possible. That is not easy to do.

To give you a snapshot of Wyoming’s health care landscape, we have only 26
hospitals and 18 rural health clinics spread over nearly 100,000 square miles, which is a remarkably large distance. With vast distances, complex medical cases, and increased demand for technologically advanced medical care, the rural health care system is certainly not one size fits all.

Let me explain what this Rural Health Clinic Patient Access and Improvement Act actually does.

First, the rural health clinics currently receive an all-inclusive payment rate that is capped at $76. That payment has not been adjusted—except for inflation—since 1988. We all know that medical inflation has gone up at a much greater rate than regular inflation.

This bill addresses this problem by raising the rural health clinic cap from $76 to $92. Rural health clinics are a key component of the rural health care delivery system, and we need to make sure there is fair pay for patients who are treated in those facilities. We also need to give them enough flexibility to meet their community’s health care needs.

Additionally, this measure would establish a new quality reporting program for rural health care providers.

Third, the Rural Health Clinic Patient Access and Improvement Act would create a provider retention demonstration project. It is a five-State project that will study the extent to which a medical professional can be encouraged and enticed to practice in an underserved rural and frontier area.

The States would be given grants to help physicians, physician assistants, nurse practitioners, and certified nurse midwives to pay a small portion of their medical liability costs.

I believe these incentives will help draw more providers—especially those who deliver babies—to work in an underserved area because their malpractice insurance is the same whether they deliver 1 baby or 100. In these small areas, there aren’t that many babies born each year, so the cost, while it is the same for malpractice insurance, has to be distributed over a fewer number of patients. This will encourage them to practice in underserved areas.

Wyoming has too few primary care providers for the population we must serve. My State is not alone. This bill that Senator WYDEN and I have introduced reflects our commitment to ensure rural Americans have access to high-quality health care services.

I strongly encourage all my colleagues with an interest in rural health to cosponsor this bipartisan piece of legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

HOMELAND SECURITY APPROPRIATIONS

Mr. SESSIONS. Madam President, I offered an amendment to the Homeland Security legislation that is before us which would make that system permanent, and make its use mandatory for contractors that do business with the U.S. Government.

Essentially, all employers all over America are accessing the E-Verify online system that allows them to have an instant check to determine whether the person who has applied for employment with them is legally in the country. They simply check their Social Security number against the Social Security Administration and Department of Homeland Security databases.

When the system determines a person is not here legally, employers don’t hire them. Over 96 percent of the people are cleared automatically, when business checks. Of the remaining 3.9 percent of queries with an initial mismatch, only 37 percent of those were later determined to be work authorized. A certain percent of applicants are found to be here illegally and they should not get a job or any taxpayers’ money from a part of the stimulus package.

Stimulus funds were set aside to help us reduce our unemployment rate in this country and to hire American workers. The prospect of jobs should not be a magnet to illegal workers. So why? I suggest there is only one logical conclusion: They like the idea of hiring illegal workers. But how can we as Members of the Senate represent the American taxpayers possibly justify this use of tax dollars when the purpose was to hire American workers?

I moved the Senate version of the bill to be work authorized and mandating use of E-Verify by federal contractors. Certain business groups oppose this amendment. It scares them. Why? I have no doubt we would create a magnet to draw more illegal workers into the country.

The first thing you do, if you have an immigration problem, is stop rewarding those who break the law. One of the things you do not do is reward people who come illegally with jobs. You do not have to arrest them or do anything unkind. You simply do not hire them, especially with taxpayers’ money that is designed to create American jobs.

This is a very important point we have talked about for some time. It is very important in this time of economic slowdown because the Bureau of Labor Statistics reported that the unemployment rate for June, just a week or so ago, had jumped to 9.5 percent, 687,000 jobs lost, the highest unemployment rate in 25 years. We have massive job losses. A lot of good people are out of work, they need work and are willing to work.

E-Verify is not a perfect system. People can find ways to beat it, no doubt, but it actually works. One study by the Heritage Foundation concluded that as much as 13 percent of the jobs created under the stimulus plan would go to people illegally in the country the way we were operating. By utilizing the E-Verify system, I have no doubt we could drop that percentage dramatically.

I am very concerned about it. I am a bit baffled by the difficulty we have had in moving forward with this amendment.

I will say that two bits of progress—small progress, I know—have occurred. The House Homeland Security appropriations bill for fiscal year 2010 has come over to the Senate, and it includes a 2-year extension of E-Verify. That is better than letting it expire. In addition, the Senate version of the bill includes a generous 3-year extension of this proven system. I have to say that is OK, but neither bill has any language that would make this system permanent. It leaves it on very shaky ground, making businesses that might voluntarily want to utilize it wonder if it really is the policy of our country to do that.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

HOMELAND SECURITY APPROPRIATIONS

Mr. SESSIONS. Madam President, I offered an amendment to the Homeland Security legislation that is before us to pass legislation designed to help deal with this recession, to try to create American jobs and not make sure federal contractors only hire lawful workers? What basis could we utilize to say that those contractors should not at least take about 2 minutes—that is about all it takes to punch in a Social Security number into the system—to see whether a person applying for a job is legally in the country.

There is a long history on this amendment. For some reason, interest groups have been lobbying against permanent authorization and mandating use of E-Verify by federal contractors. Certain business groups oppose this amendment. It scares them. Why? I suggest there is only one logical conclusion: They like the idea of hiring illegal workers. But how can we as Members of the Senate represent the American taxpayers possibly justify this use of tax dollars when the purpose was to hire American workers?

I have offered this amendment to the appropriations bill to ensure this successful program be made permanent. And, of course, any time in the future if it ceases to be practical, we could end it. But this amendment would make it permanent, sending a signal—that is part of what we want to do—and it would also be mandatory for government contractors. If a Federal contractor gets a contract to do work, at
least they ought to determine whether a worker is legally in the country before they hire them. I don’t think that is too much to ask, and I cannot imagine why anyone would oppose it. But I understand, once again, we are going to have to do it the hard way, and it is not moving forward with making it permanent, I ask. I ask Members of Congress in the House and in the Senate, why don’t we play a role in this? Why leave it totally up to the President, who is subjected to all kinds of political and corporate lobbying to not do this program? Why not have the Senate just pass it, as we do so many other things, and make it law? If Secretary Napolitano plans to do this in the future, it wouldn’t conflict with anything she planned to do. If they were not going to do it, it would be mandated and it would come into effect.

We have to be aware that we have had a lot of obstacles before with the implementation with this system and it has not gone forward in an effective way. I don’t think we should wait any longer. Jobs are being lost every single day. They are being lost in significant numbers to people illegally in our country.

I think that is a pretty good affirmation of it. In fact, that has been a known reality for years. We have known this system has worked for years. We have seen people say: Oh, it is a bureaucratic nightmare. Why do businesses voluntarily sign up to use it, then? They say some people might be held up in employment. Under the bill, if something in the system raises questions about your employability, the person can still be hired while the problem is worked out. What we found is that 96 percent of the people are cleared immediately and only a very small number have turned out to have some sort of mistake in their situation. It is not a practical objection, in my view.

I understand that some are claiming—my colleagues on the other side of the aisle—that it looks as if Secretary Napolitano will announce something with regard to federal contractors soon, maybe even tomorrow. That would be good. It would be a Presidential directive that could, in the short run, solve this problem. But we have heard that talk before.

President Bush finally, after being subjected to some criticism about this, issued Executive Order 12989 last June. That order mandated the use of the E-Verify system for Federal contractors and subcontractors and was supposed to take effect in January of this year. President Obama came in, as he has the power to do, and he delayed implementation of the order. Indeed, we have had four delays to date in implementing this Executive Order. The first was May 15. Then Obama said, the January 28 date was not appropriate. He put it off to February 20 and said that on February 20, businesses that get government contracts have to use the system. Then a few weeks later, the implementation was pushed back to May 21. Before May 21 got here, they pushed it back to June 30. A few weeks ago, we heard it would not be implemented until some time in September. And now we are hearing that they may implement it soon.

E-Verify is certainly one of the most effective tools we have, as the Secretary herself has stated. Why are we not moving forward with making it way. I don’t think the argument can rationally be made that extending it would be “a waste of taxpayers’ money.” We already have the system up and running. In reality, it is not going to cost any more money to have people use it. The system is working. I guess if people want to use that as an excuse to vote against the amendment, they can, but it makes little sense to me.

I would like to see an enhanced biometric system. It is absolutely something that can work. We need to do that. There are a lot of things we can do this very day, but you have to admit, if we cannot get the votes to maintain the E-Verify system, it looks as if we may have even more difficulties with an advanced system.

I won’t go on at length about this anymore. We have debated it before. Earlier this year on the stimulus bill, I offered an amendment to make E-Verify apply to the stimulus bill and the people who got government contracts would have to use it. The House put that in their bill. I kept getting objections from the Democratic leadership. I couldn’t understand why. And then I began to think about it, and it dawned on me what was happening. If my amendment were to pass and the language was in the House bill, unless real skullduggery were to occur, that language should be in the final bill. But if they could keep the language out of the Senate bill, even though the House had put the language in their bill by an overwhelming vote, they would take the consequence when they meet in secret to deal with the conflicts between the House bill and the Senate bill. So I brought it up three or four times, and every time I tried to get a vote, it was blocked.

Then, finally, the bill passed without my amendment having passed. And do you know what happened? When they met in secret, in conference, the House leadership—the Speaker and her team—receded to the Senate bill, and tried to eliminate it, and therefore the language wasn’t in the bill. And what happened politically? All the House Members, Republicans and Democrats, could say: I voted for E-Verify. And the Senate Members, when hearing complaints, could say: Well, I would have voted for it if it had come up. It just never came up.

See, this was the plan all along. I just have to tell you what the truth is and how this happened and what is at work out there.

So I hope Secretary Napolitano will do what she can do and the President will do what he can do and order that this system be mandatory for government contractors and subcontractors, and thereby authorize it. But I don’t see any reason in the world why we should wait on that. What we should do as a Congress, if we believe in what we say about our goal to eliminate the surge of illegal immigration and protect American jobs at this time of economic recession, is we ought to vote for the amendment. What harm can there be?
So I urge my colleagues to do the right thing on this amendment and vote for it. I am baffled as to why there would be hesitation about it. I think if people look at it, it is very simple. The E-Verify system is up and running. The government in a way. If somebody says: You knowingly hired illegal workers, they can say: I checked and they had a good I.D. and a good name, and I did my best. And that will protect them from complaints against them. Most employers want to do the right thing. They do not want to hire people who are not lawfully in the country. So that is why it is working even as a voluntary program. We are not hearing complaints about it. It is not violating people’s civil rights. It is working in a health way.

All we need to do now is make this system permanent, not keep leaving it out here in limbo. And secondly, let’s make sure it applies to people who not only go directly to work for the U.S. Government but for contractors who do work for the government, people who are getting money under the stimulus bill, which was designed to create jobs for American citizens.

I thank the Chair, and I yield the floor.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

HEALTH CARE REFORM

Mr. BROWN. Madam President, earlier today, just a couple of hours ago, I spoke in this Chamber about the need to expand access to generic drugs. I spoke about expanding generic access for biologics—drugs that treat cancer, and diabetes, and rheumatoid arthritis, Alzheimer’s, multiple sclerosis, Parkinson’s, and a whole host of disabling and often fatal diseases. I talked about how much money could be saved with a pathway to what are called follow-on biologics—or generics—and how much better access that would be for people who simply can’t afford the thousands of dollars per month that it often costs for these biologics, these very expensive treatments. I talked about how it could save money for small businesses that so often pay the freight for health care, for health insurance for their employees. I could save money for large companies that simply aren’t able to be as competitive around the world because of the high cost of these biologics. All this is part of a larger debate about health care reform.

Just a few short days after celebrating our Nation’s birthday, we are fighting for what should be a right for every American; that is, access to affordable health care. This isn’t about the Republicans. It is not about my part of the country, the Midwest, or the Presiding Officer’s part of the country, New England. It is not about Ohio or New Hampshire or Pennsylvania or Florida or Nebraska. It is about America. It is about fighting for the next great progressive chapter in our Nation’s 233-year history.

Think of the progress as a nation we have made in the last hundred years. I wear on my lapel a pin depicting a canary in a bird cage. The mine workers used to take a canary down in the mines. If the canary died from lack of oxygen or toxic gas, the mine worker knew he had to get out of the mines. This was a strong mechanism to make sure enough to protect him or no government that cared enough to protect him. Think of the progress this country has made over these past 100 years since the canaries went down in the mines with the miners.

A baby born in America at the turn of the last century, say, in 1900, had a life expectancy of only about 46 years. Today, we live three decades longer because of our progressive government, because of a bad child, because of civil rights and women’s rights, because of safe drinking water and clean air, because of seatbelts and airbags, because of Medicare and Social Security and minimum wage and workers’ compensation, and so many great things this institution has done.

Over the Fourth of July weekend, I was honored to have spent time with the Scalia family from Australia. Natalie and Greg Scalia lived in the United States with their family when she was a struggling single parent. Greg Scalia was an intern. I believe at the Cleveland Clinic, making very little money. They had two children then. They now have four children. Will and Issy were born and were here a dozen years ago when they lived in the United States for a couple of years in the 1990s. Born to the Scalia family from Australia.

Fourth of July over the weekend, it mines. If the canary died from lack of oxygen or toxic gas, the mine worker knew he had to get out of the mines. This was a strong mechanism to make sure enough to protect him or no government that cared enough to protect him. Think of the progress this country has made over these past 100 years since the canaries went down in the mines with the miners.

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same kind of health insurance that people in this Chamber have—Senators, staff people, all of us.

This is a great moment, a historic moment, as we move forward in the history of our great country.

DISCLOSURE OF CONGRESSIONALLY DIRECTED SPENDING ITEMS

Mr. INOUYE. Mr. President, pursuant to Senate rules, I submit a report, and I ask understanding that it be printed in the RECORD.

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

DISCLOSURE OF CONGRESSIONALLY DIRECTED SPENDING ITEMS

I certify that the information required by rule XLIV of the Standing Rules of the Senate related to congressionally directed spending items has been identified in the committee report which accompanies S. 1298 and that the required information has been available on a publicly accessible congressional website at least 48 hours before a vote on the pending amendment to H.R. 2892.

VOTE EXPLANATION

Mr. ISAKSON. Mr. President, I was unavoidably detained during rollcall vote No. 215, an amendment to strike the earmark for the Durham Museum in Omaha, NE, from H.R. 2918, the Legislative Branch Appropriations Act of 2010; rollcall vote No. 216 on a point of order with respect to amendment No. 1365; and rollcall vote No. 217 on passage of H.R. 2918, the Legislative Branch Appropriations Act of 2010.

Had I been present I would have voted yea for rollcall vote No. 215; nay for rollcall vote No. 216; and nay for rollcall vote No. 217 and ask that the RECORD reflect that.

OBSTRUCtionISM OF NOMINATIONS

Mr. LEAHY. Mr. President, I am sorry to see Republican obstructionism in the Senate return with such a vengeance. Just last November, the American people voted for change. They sent a new President to the White House to lead our government and sent a strong message that they expected Washington to put aside pettiness and work on the serious problems facing them and the country. After only 6 months, it seems Republicans in the Senate have already forgotten that message.

The Senate majority leader has spoken about the difficulties he is having getting any semblance of reasonable cooperation from across the aisle. The Republicans' obstruction of Presidential nominees is a stark example. Just a few years ago, they were intent on employing the "nuclear option" and risking destruction of longstanding Senate rules and practices in order to ensure that every one of President Bush's nominees was confirmed. This year, with President Obama making the nominations, they have reverted to the anonymous holds that characterized their actions during the Clinton years. It is impossible to find a principle that justifies this obstruction. It is likewise difficult to see what "extraordinary circumstances" exist to justify filibusters and unwillingness to proceed to consider these nominations.

The Senate's last week in session before the July 4th recess witnessed a Republican filibuster of the President's nominee to serve as the Legal Advisor at the State Department. The target was Harold Koh, the distinguished dean of the Yale Law School, a former high-ranking official in the State Department as well as a former official at the Office of Legal Counsel at the Justice Department. That filibuster was unsuccessful, although 31 Republican Senators supported it. That was not the first attempt by Senate Republicans to filibuster executive branch nominees. Earlier this year, the Senate was forced to file for cloture to avert a Republican filibuster against the nomination of David Ogden to serve as the Deputy Attorney General.

The destructive strategy culminated on June 25 when Republicans objected to confirming nine executive branch nominees reported by the Judiciary Committee for action by the Senate. They included five U.S. attorneys, 3 Assistant Attorneys General and the Chairman of the U.S. Sentencing Commission. In addition the Judiciary Committee has reported 3 judicial nominees to begin filling the 74 vacancies in our Federal courts around the country. Republicans are turning the clock back to 10 years ago, when their obstructionism led to more than 100 judicial vacancies and earned rebukes from Chief Justice Rehnquist.

In an editorial entitled "Call It Obstructionism," the New York Times on June 26 noted that the Senate adjourned for recess with 41 nominees for important posts awaiting confirmation." Thirteen had been reported by the Senate Judiciary Committee but remained stalled before the Senate by Republican objections. I hope this work period sees the cooperation from Senate Republicans that the American people have demanded.

REMEMBERING TERRY BARNICH AND MAGED HUSSEIN

Mr. KERRY. Mr. President, I would like to say a few words about two brave Americans who were tragically killed in Iraq earlier this year. On May 25, 2009, Terrance Barnich of Illinois and Maged Hussein of Florida died when an improvised explosive device detonated near a construction site outside of Fallujah.

Terry Barnich was the deputy director of the Assistance Office in Baghdad. He had signed on for multiple tours in Iraq and was the senior American expert responsible for expanding the generation of electricity across Iraq. Mr. Maged Hussein was the senior adviser for water resources in the Iraq Transition Assistance Office and a civilian member of the Army Corps of Engineers. He, too, volunteered for multiple tours in Iraq.

These two men represent the very best America has to offer. Both gave up the comforts of home to live in trailers in Baghdad in an effort to help provide a better future for Iraq. Countless thousands of Iraqi civilians have access to electricity and potable water as a result of Terry's and Maged's efforts. Along with the personal tragedy, their loss represents a serious setback for American reconstruction efforts in Iraq. We mourn their passing and offer our deepest condolences to their families.

ADDITIONAL STATEMENTS

COMMENDING LIEUTENANT GENERAL SCOTT C. BLACK

Mr. GRAHAM. Mr. President, today I wish to recognize and pay tribute to Lieutenant General Black for his many years of loyal and excellent service to our Nation culminating in his steadfast devotion, stewardship, and leadership of the Army Judge Advocate General's Corps as the 37th and first 3-Star Judge Advocate General. Lieutenant General Black will retire from the Army on 1 October 2009 having completed a distinguished military career of over 35 years. We owe him a debt of gratitude for his many contributions to our Nation and the legal profession, particularly during operations in support of the global war on terror.

Born on September 1, 1952, in Camp Cook, CA, this great patriot grew up traveling around the world in a military family but always considered California his home and is a resident to this day. He graduated in 1974 from California Polytechnic State University with a bachelor of arts in political science. While attending Cal Poly, Lieutenant General Black was enrolled in the Reserve Officers' Training Corps. Upon graduation, he began his military career as a commissioned armor officer. After completing the armor officer basic course and Airborne and Ranger schools, he returned to California for his first duty assignment and served at Fort Ord from 1974-1977. In 1977, the Army selected him to attend law school through the Funded Legal Education Program. He remained on the west coast and graduated in 1980 with his Juris Doctor degree from the California Western School of Law.

He then attended the Judge Advocate Officer Basic Course in Charlottesville, VA, before heading to Fort Bliss, TX, where he honed his legal skills serving as the chief of legal assistance; trial counsel; and leadership of the Criminal Careers Program.

In 1984, he returned to California to practice law as a contracts attorney. In 1984, he returned to Charlottesville to attend the judge advocate officer graduate course. In

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the short time he was a judge advocate before attending the graduate course, Lieutenant General Black quickly distinguished himself from his peers by possessing the legal acumen and interpersonal skills to serve in the Judge Advocate General's Corps' most challenging and challenging positions. From 1985–1989 he served in the general law branch, administrative law division, Office of the Judge Advocate General. During this time period, he received the high honors and rare distinction of being selected to serve as an assistant counsel to the President of the United States. After leaving the White House, his stellar performance led to his selection to attend the U.S. Army Command and General Staff College at Fort Leavenworth, KS. In 1990, he returned to Fort Ord, CA, where he served as the deputy staff judge advocate for the 7th Infantry Division, Light, until 1993. After leaving Fort Ord, Lieutenant General Black continued to expertly fill increasingly challenging positions. In 1993, Lieutenant General Black and his family moved to Europe where he was the chief, military and civilian law division, Office of the Judge Advocate, U.S. Army Europe and Seventh Army, Germany. In 1994 he became the judge Advocate, 3d Infantry Division, later redesignated 1st Infantry Division, U.S. Army Europe and Seventh Army, Germany. In 1996, he returned to Washington, DC, where he served as the legislative counsel and chief, investigations and legislative division, Office of the Chief of Legislative Liaison, Office of the Secretary of the Army, until 1998. From 1998–1999, Lieutenant General Black attended the Industrial College of the Armed Forces. In 1999 he returned to the Office of The Judge Advocate General to serve as the chief, personnel, plans, and training office. In 2000, Lieutenant General Black returned to Germany as the staff judge advocate for U.S. Army Europe and Seventh Army, Germany. In 2001 Lieutenant General Black was selected for promotion to brigadier general, and so he returned to Washington, DC, to serve as the assistant judge advocate general for military law and operations. In 2003 he was assigned as the first commanding general of the U.S. Army Judge Advocate General's Legal Center and School. In 2005 he became the 37th Judge advocate general of the Army. He was promoted to lieutenant general on 8 December 2008 to become the Army’s first 3-star the judge advocate general.

As the judge advocate general of the Army, Lieutenant General Black served as the principal staff officer responsible for the largest legal services corps within the Department of Defense, with over 9,000 uniformed and civilian attorneys, paralegal noncommissioned officers, and civilian support staff across offices in 19 countries. Lieutenant General Black expertly advised the Secretary of the Army and the Army Staff on sensitive issues affecting the Army and the Department of Defense during a tumultuous and difficult time in our Nation’s history. Along with the judge advocate generals of the other services he was the conscience of the nation as he provided counsel on novel legal issues in international law and the ethical values fundamental to the United States.

Under his leadership the Judge Advocate General’s Corps transitioned along with the rest of the Army so that judge advocates were more accessible and effective to the commanders who rely on their advice. Lieutenant General Black’s awards include the Legion of Merit with Oak Leaf Cluster, Army Meritorious Service Medal with four Oak Leaf Clusters, Army Commendation Medal with Oak Leaf Cluster, and the Army Achievement Medal with Oak Leaf Cluster. He has earned the Ranger Tab and the Paratrooper Badge.

Lieutenant General Black and his wonderful wife Kim have been married for 33 years. They have four children and one grandchild. I know all my colleagues join me in saluting LTG Scott C. Black and his family for their many years of truly outstanding service to the Judge Advocate General’s Corps, the U.S. Army, and our great Nation.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

The nominations received today are printed at the end of the Senate proceedings.

MESSENGES PLACED ON THE CALENDAR

H.R. 2954. An act to create clean energy jobs, achieve energy independence, reduce global warming pollution and transition to a clean energy economy.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2190. A communication from the Director of Regulatory Management, Office of Policy, Economics and Innovations, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Sodium 1, 4-Diaryl sulfo succinimides; Exemption from the Requirement of a Tolerance” (FRL No. 8423-3) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2191. A communication from the Director of Regulatory Management, Office of Policy, Economics and Innovations, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Cyanato methyl; Pesticide Tolerances” (FRL No. 8423-4) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2192. A communication from the Director of Regulatory Management, Office of Policy, Economics and Innovations, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Pyrimethani; Pesticide Tolerances” (FRL No. 8423-2) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2193. A communication from the Director of Regulatory Management, Office of Policy, Economics and Innovations, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “2-Phenothrin; Pesticide Tolerances” (FRL No. 8423-1) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2194. A communication from the Director of Regulatory Management, Office of Policy, Economics and Innovations, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “d-Phenothrin; Pesticide Tolerances” (FRL No. 8423-5) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2195. A communication from the Director of Regulatory Management, Office of Policy, Economics and Innovations, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Cyazofamid; Pesticide Tolerance” (FRL No. 8423-5) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2196. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Movement of Hass Avocados From Areas Where Mexican Fruit Fly or Sapote Fruit Fly Exist” (92670–9–AC97) (Docket No. APHIS–2006–0199) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2197. A communication from the Director of Regulatory Management, Office of Policy, Economics and Innovations, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “2-Propenoic acid, 2-methyl– polyethylene glycol methacrylate C16–18-alkyl ethers; Tolerance Exemption” (FRL No. 8423-3) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2198. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to certifying, pursuant to law, that DDTC 019-9, of the proposed sale or export of defense articles, including technical data, and
defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel’s Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC–2199. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to certification, transmittal number: DDTC 039–90, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel’s Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC–2200. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to certification, transmittal number: DDTC 039–90, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel’s Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC–2201. A communication from the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Motor Carrier Fuel Surcharge” (RIN0750–AG11) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Armed Services.

EC–2202. A communication from the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Lease of Vessels, Aircraft, and Combat Vehicles (DFARS Case 2006–D013)” (RIN0750–AG30) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Armed Services.

EC–2203. A communication from the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Use of Commercial Software (DFARS Case 2008–D044)” (RIN0750–AG32) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Armed Services.

EC–2204. A communication from the Secretary, Department of Defense, transmitting a report on the approved retirement of General James G. Roudebush, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–2205. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General John D.W. Corley, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–2206. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General David D. McKiernan, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–2207. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Samuel T. Helland, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–2208. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General Bantz J. Craddock, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–2209. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General Samuel T. Helland, United States Marine Corps, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–2210. A communication from the General Counsel of the Department of Defense, transmitting proposed legislation relative to the approved retirement of Lieutenant General William J. Perry, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–2211. A communication from the Director, Office of Legal Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled “Processing of Deposit Accounts in the Event of an Insured Depository Institution Failure” (RIN3064–AD37) as received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–2212. A communication from the Director, Office of Legal Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled “Modification of Temporary Liquidity Guarantee Program” (RIN3064–AD44) as received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–2213. A communication from the Director, Office of Legal Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled “Incentive Fee Rates on Insured Deposit Institutions That Are Not Well Capitalized” (RIN3064–AD45) as received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–2214. A communication from the Director, Office of Legal Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled “Special Assessments” (RIN3064–AD55) as received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–2215. A communication from the Director, Office of Legal Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled “New Use Rules” ((RIN2070–AP27)(FRL No. 8398–5)) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Environment and Public Works.

EC–2216. A communication from the Director of Regulatory Management, Office of Policy, Economics and Innovations, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Dodecanedioic acid, 1, 12-dihydrazide and Thiophene, 2,5-dilromo-3-hexyl; Significant New Use Rules” ((RIN2070–AP25)(FRL No. 8398–5)) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Environment and Public Works.

EC–2217. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ireland; to the Committee on Banking, Housing, and Urban Affairs.

EC–2218. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Norway; to the Committee on Banking, Housing, and Urban Affairs.

EC–2219. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Egypt; to the Committee on Banking, Housing, and Urban Affairs.

EC–2220. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Israel; to the Committee on Banking, Housing, and Urban Affairs.

EC–2221. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to transactions involving military equipment sold by the Naval Petroleum Reserves for fiscal year 2008; to the Committee on Energy and Natural Resources.

EC–2222. A communication from the Director of Regulatory Management, Office of Policy, Economics and Innovations, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “American Recovery and Reinvestment Act of 2009 Clarification of April 30, 2009, Addendum to Supplemental Funding for Brownfields Revolving Loan Fund Grantees” (FRL No. 8925–6) as received during adjournment of the Senate in the Office of the President of the Senate on June 29, 2009; to the Committee on Environment and Public Works.

EC–2223. A communication from the Director of Regulatory Management, Office of Policy, Economics and Innovations, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “New York: Final Authorization of State Hazardous Waste Management Program Revision” (FRL No. 8916–7) as received during adjournment of the Senate in the Office of the President of the Senate on June 29, 2009; to the Committee on Environment and Public Works.

EC–2224. A communication from the Office Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicaid Programs: Recission of School-Based Administration/Transportation Final Rule, Outpatient Hospital Services Final Rule, and Partial Reversal of Case Management Interim Final Rule” (RIN9098–AP75) as received during adjournment of the Senate in the Office of the President of the Senate on June 29, 2009; to the Committee on Finance.

EC–2225. A communication from the Office Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicaid Programs: Health Care-Related Taxes”
The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. STABENOW (for herself, Mr. ROBERTS, Mr. SCHUMER, Mr. CHAMBLISS, Mr. HARKIN, Mr. BURFORD, Mrs. SHAHEEN, Mr. GRAHAM, Ms. LANDRIEU, Mr. LUGAR, Mr. KYL, Mr. DURBIN, and Mr. ISAKSON):

S. 1409. A bill to amend the Internal Revenue Code of 1986 to make permanent the depreciation classification of motorsports entertainment complexes; to the Committee on Finance.

By Mr. MARTINEZ (for himself, Mr. CASHEY, Mr. ENSHIN, and Mr. UDALL of Colorado):

S. 1401. A bill to provide for the award of a gold medal on behalf of Congress to Arnold Palmer in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MERKLEY (for himself and Mr. ALEXANDER):

S. 1402. A bill to amend the Internal Revenue Code of 1986 to increase the amount allowed as a deduction for start-up expenditures; to the Committee on Finance.

By Mr. INOUYE (for himself and Mr. BACHICH):

S. 1403. A bill to amend title VII of the Public Health Service Act to ensure that social work students or social work schools are eligible for support under certain programs that would assist individuals in pursuing health careers or for grants in projects in geriatrics, in fostering a social work training program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. INOUYE:

S. 1404. A bill to implement demonstration projects at federally qualified community health centers to promote universal access to family-centered, evidence-based behavioral health interventions that prevent child maltreatment and promote family well-being by addressing parenting practices and skills training from diverse cultural, racial, ethnic, and other backgrounds, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY:

S. 1405. A bill to redesignate the Longfellow National Historic Site, Massachusetts, as the ‘‘Longfellow House-Washington’s Headquarters National Historic Site’’; to the Committee on Energy and Natural Resources.

By Mr. KOHL:

S. 1406. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; from the Committee on Appropriations.

By Mr. JOHNSON:

S. 1407. A bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes (Rept. No. 111–38).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:
By Mr. BARRASSO:  
S. Res. 208. A resolution recognizing the 40th anniversary of the National Eye Institute and expressing support for designation of the years 2011 through 2020 as the ‘‘Decade of Vision’’; considered and agreed to.

By Mr. ISAKSON (for himself and Mr. CARDIN):  
S. Res. 209. A resolution recognizing the 40th anniversary of the National Eye Institute and expressing support for designation of the years 2011 through 2020 as the ‘‘Decade of Vision’’; considered and agreed to.

ADDITIONAL COSPONSORS  
S. 231  
At the request of Mr. REID, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 21, a bill to reduce unintended pregnancy, reduce abortions, and improve access to women’s health care.

S. 144  
At the request of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Nebraska (Mr. JOHANNES) were added as cosponsors of S. 144, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 200F.

S. 211  
At the request of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services and volunteer services, and for other purposes.

S. 213  
At the request of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 213, a bill to amend title 5, United States Code, to ensure air passengers have access to necessary services while on a grounded air carrier, and for other purposes.

S. 348  
At the request of the Senator from New Jersey (Ms. CANTWELL) was added as a cosponsor of S. 348, a bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act.

S. 422  
At the request of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 422, a bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 451  
At the request of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 451, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of the Girl Scouts of the United States of America.

S. 461  
At the request of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 461, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 491  
At the request of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 491, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 511  
At the request of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 511, a bill to amend part B of title XVIII of the Social Security Act to provide for an exemption of pharmacies and pharmacists from certain Medicare accreditation requirements in the same manner as such exemption applies to certain professionals.

S. 560  
At the request of the Senator from New Jersey (Mr. FRANKEN) his name was added as a cosponsor of S. 560, a bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during the organizing efforts, and for other purposes.

S. 599  
At the request of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 599, a bill to amend chapter 81 of title V, United States Code, to create a permanent period for individuals with life-threatening conditions, and for other purposes.

S. 609  
At the request of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 609, a bill to require an inventory of radio spectrum bands managed by the National Telecommunications and Information Administration and the Federal Communications Commission.

S. 654  
At the request of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 654, a bill to amend title XIX of the Social Security Act to cover physician services delivered by pediatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care.

S. 693  
At the request of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 693, a bill to amend the Public Health Service Act to provide grants for the training of graduate medical residents in preventive medicine.

S. 700  
At the request of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 700, a bill to amend title II of the Social Security Act to phase out the 24-month waiting period for disabled individuals to become eligible for Medicare benefits, to eliminate the waiting period for individuals with life-threatening conditions, and for other purposes.

S. 711  
At the request of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 711, a bill to require mental health screenings of members of the Armed Forces who are deployed in connection with a contingency operation, and for other purposes.

S. 811  
At the request of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 811, a bill to amend the Public Health Service Act to promote mental and behavioral health services for underserved populations.

S. 812  
At the request of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 812, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 846  
At the request of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 846, a bill to award a congressional gold medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty.

S. 849  
At the request of the Senator from North Carolina (Mr. BURR) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 849, a bill to recognize and clarify the authority of the States to regulate intrastate helicopter medical services, and for other purposes.

S. 908  
At the request of the Senator from Ohio (Mr. BROWN) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 908, a bill to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran.
At the request of Mr. HARKIN, the names of the Senator from Rhode Island (Mr. REED), the Senator from Wisconsin (Mr. KOHL), the Senator from South Dakota (Mr. JOHNSON), and the Senator from Washington (Ms. CANTWell) were added as cosponsors of S. 934, a bill to amend the Child Nutrition Act of 1966 to improve the nutrition and health of schoolchildren and protect the Federal investment in the national school lunch and breakfast programs by updating the national school nutrition standards for foods and beverages sold outside of school meals to conform to current nutrition science.

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 979, a bill to amend the Public Health Service Act to establish a nationwide health insurance purchasing pool for small businesses and the self-employed that would offer a choice of private health plans and make health care more affordable, predictable, and accessible.

At the request of Mr. REID, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 981, a bill to support research and public awareness activities with respect to inflammatory bowel disease, and for other purposes.

At the request of Mrs. BOXER, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 984, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

At the request of Mr. BINGAMAN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 999, a bill to increase the number of well-trained mental health service professionals (including those based in schools) providing clinical mental health care to children and adolescents, and for other purposes.

At the request of Mr. BAYH, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1022, a bill to amend the Public Health Service Act to establish a graduate degree loan repayment program for nurses who become nursing school faculty members.

At the request of Mrs. GILLIBRAND, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1109, a bill to amend title 10, United States Code, to provide for the treatment of autism under TRICARE.

At the request of Mr. KAUFMAN, the names of the Senator from Washington (Mrs. MURRAY), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Hawaii (Mr. INOUYE) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 1210, a bill to establish a committee under the National Science and Technology Council with the responsibility to coordinate engineering, and mathematics education activities and programs of all Federal agencies, and for other purposes.

At the request of Mr. BINGAMAN, the names of the Senator from New York (Mr. SCHUMER) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 1293, a bill to amend section 340B of the Public Health Service Act to revise and expand the drug discount program under that section to improve the provision of discounts on drug purchases for certain safety net providers.

At the request of Ms. SNOWE, the names of the Senator from New York (Mr. SCHUMER) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 1294, a bill to require the implementation of certain recommendations of the National Transportation Safety Board, to require the establishment of national standards with respect to flight requirements for pilots, to require the development of fatigue management plans, and for other purposes.

At the request of Mr. GRASSLEY, the names of the Senator from Alaska (Mr. BEGICH) and the Senator from Utah (Mr. BENNETT) were added as cosponsors of S. 1304, a bill to restore the economic rights of automobile dealers, and for other purposes.

At the request of Mr. LUTENBERG, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1308, a bill to reauthorize the Maritime Administration, and for other purposes.

At the request of Mr. LUTENBERG, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1313, a bill to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory.

At the request of Mr. COBURN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1319, a bill to require Congress to specify the source of authority under the United States Constitution for the enactment of laws, and for other purposes.

At the request of Mr. VITTER, the names of the Senator from Oklahoma (Mr. COBURN), the Senator from Nevada (Mr. BUNKER) and the Senator from Texas (Mr. COBETTA) were added as cosponsors of S. 1344, a bill to temporarily protect the solvency of the Highway Trust Fund.

At the request of Mr. KLOBUCHAR, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1397, a bill to authorize the Administrator of the Environmental Protection Agency to award grants for electronic waste recycling research, development, and demonstration projects, and for other purposes.

At the request of Mr. DEMINT, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. J. Res. 16, a joint resolution proposing an amendment to the Constitution of the United States relative to parental rights.

At the request of Mrs. FEINSTEIN, the names of the Senator from New York (Mr. BROWN), the Senator from Illinois (Mr. BURRIS), the Senator from Pennsylvania (Mr. CASEY), the Senator from North Carolina (Mrs. HAGAN), the Senator from Louisiana (Ms. LANDRIEU), the Senator from New Jersey (Mr. LANTENBERG), the Senator from Vermont (Mr. LEAHY), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Vermont (Mr. SANDERS), the Senator from Pennsylvania (Mr. SPECTER) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

At the request of Mr. MENENDEZ, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. Con. Res. 25, a concurrent resolution recognizing the value and benefits that community health centers provide as health care homes for over 18,000,000 individuals, and the importance of enabling health centers and other safety net providers to continue to offer accessible, affordable, and continuous care to their current patients and to every American who lacks access to preventive and primary care services.

At the request of Mr. WYDEN, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Illinois (Mr. BURRIS) were added as cosponsors of S. Res. 71, a resolution condemning the Government of Iran for its state-sponsored persecution of the Baha’i minority in Iran and its continued violation of the International Covenants on Human Rights.

At the request of Mr. UDALL of Colorado, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. Res. 200, a resolution designating September 12, 2009, as “National Childhood Cancer Awareness Day”.

At the request of Ms. KLOBUCHAR, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1397, a bill to authorize the Administrator of the Environmental Protection Agency to award grants for electronic waste recycling research, development, and demonstration projects, and for other purposes.

S. J. Res. 16

At the request of Mr. DEMINT, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. J. Res. 16, a joint resolution proposing an amendment to the Constitution of the United States relative to parental rights.

S. J. Res. 17

At the request of Mrs. FEINSTEIN, the names of the Senator from New York (Mr. BROWN), the Senator from Illinois (Mr. BURRIS), the Senator from Pennsylvania (Mr. CASEY), the Senator from North Carolina (Mrs. HAGAN), the Senator from Louisiana (Ms. LANDRIEU), the Senator from New Jersey (Mr. LANTENBERG), the Senator from Vermont (Mr. LEAHY), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Vermont (Mr. SANDERS), the Senator from Pennsylvania (Mr. SPECTER) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

S. Con. Res. 25

At the request of Mr. MENENDEZ, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. Con. Res. 25, a concurrent resolution recognizing the value and benefits that community health centers provide as health care homes for over 18,000,000 individuals, and the importance of enabling health centers and other safety net providers to continue to offer accessible, affordable, and continuous care to their current patients and to every American who lacks access to preventive and primary care services.

S. Res. 71

At the request of Mr. WYDEN, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Illinois (Mr. BURRIS) were added as cosponsors of S. Res. 71, a resolution condemning the Government of Iran for its state-sponsored persecution of the Baha’i minority in Iran and its continued violation of the International Covenants on Human Rights.

S. Res. 200

At the request of Mr. UDALL of Colorado, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. Res. 200, a resolution designating September 12, 2009, as “National Childhood Cancer Awareness Day”.

S. 1397
STATMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MERKLEY (for himself and Mr. Alexander):

S. 1402. A bill to amend the Internal Revenue Code of 1986 to increase the amount allowed as a deduction for start-up expenditures; to the Committee on Finance.

Mr. MERKLEY. Mr. President, I rise today to discuss legislation that will make it significantly easier for small businesses to open their doors. Providing a helping hand to all business is important at any time, but never more so than now, when so many Americans are out of work.

Small businesses are the engines of our economy. By some estimates, they employ approximately half the private workforce and, in rural America, comprise nine out of ten businesses. In my home State of Oregon, many of the rural counties have unemployment rates approaching—or even surpassing—20 percent. Clearly, small businesses are important in rural America.

Furthermore, small businesses are innovators—they produce 13 times more patents per employee than large firms. The U.S. needs this kind of innovation more than ever.

Our economy cannot thrive if small businesses are not doing well. Unfortunately, it can be very difficult for small businesses to succeed. Start-up expenses are often prohibitive and can take a few years before business owners begin to see a profit. There are administrative systems to create, employees to hire, a client base to build and supplies to purchase. This adds up to a lot of expenses. A Gallup poll showed that the average small business incurs $10,000 in expenses during that first year. However, if a business can last 4 years, it is much more likely to survive in the long term. We need to do go above and beyond to help these businesses get through this difficult period.

Today, I am joining with my colleagues in Congress to introduce legislation that will help small businesses through their first year. The Small Business Jump Start Act of 2009 lessens the tax burden on new small businesses by doubling the deduction they can take for start-up expenses to $10,000. The Act also widens the pool of businesses eligible to take the increased amount of the deduction in their first year of business. The Small Business Jump Start Act gives these new businesses a boost that first year, and for some, will eliminate the tax complications of amortizing start-up expenses. The Small Business Jump Start Act of 2009 is supported by the U.S. Chamber of Commerce, the National Federation of Independent Businesses, the National Association of the Self-Employed, and the National Association of Small Businesses.

I will highlight one Oregon small business that the Jump Start Act could have helped. Jack and Giovanna Giaccarini moved to Grants Pass, Oregon after Hurricane Katrina came through their town in Mississippi. It was their dream to start a business installing systems to help quadruplegics and disabled veterans maneuver around their homes. The first year of their business was tough—finding start-up capital was difficult and purchasing just one system to use for demonstrations cost $10,000. They struggled. Now they are in their third year of business and finally making a profit. Having a Jump Start in that first year would have made a significant difference early on.

This bill will go a long way for new small businesses looking to open their doors and employ people in their communities. Colleagues, in order to help America’s small businesses and the economies of rural America, I urge you to support the Small Business Jump Start Act of 2009. It is time to reach out a helping hand to entrepreneurs and I look forward to working with you to pass this important legislation.

Sincerely, ROBERT HUGHES, President.

NATIONAL FEDERATION OF INDEPENDENT BUSINESS

Hon. Jeff Merkley,
U.S. Senate,
Washington, DC.

Dear Senator Merkley: On behalf of the National Federation of Independent Businesses at the national level and in Oregon, we applaud you for your leadership on introducing the Small Business Jump Start Act of 2009. We strongly believe that in this uncertain economic time it is more important than ever to assist our nation’s entrepreneurs.

By increasing the start-up business expenses deduction, the Small Business Jump Start Act will greatly assist start-up ventures at the most critical time—their first year of business—and give them the financial boost they need to succeed.

The NFIB believes that entrepreneurs have been pillars of innovation and job creation, fueling much of what is great about America. Legislation that supports and invests in these enterprises is in the best interests of our economy as a whole. We feel that the Small Business Jump Start Act of 2009 will encourage many individuals who have been considering entrepreneurship, to take the next steps to open their small business and in turn, help create jobs in this tough economy.

If you have any questions or comments, please contact Kristie Arsalen, NFIB’s executive director. We are looking forward to working with you and your staff to gain passage of this legislation.

Thank you for your leadership on this important small business issue.

Sincerely,

ROBERT HUGHES, President.
connected with setting up or investing in the creation of a new business are deductible up to $10,000 in the first year of the business.

During a time of economic uncertainty, this legislation provides a significant incentive for entrepreneurs—as well as many people who have recently lost their jobs—to start their own business. By increasing the start-up cost deduction, small businesses will be able to put money back into their business sooner, creating greater opportunities for job creation and investment in local economies.

Thank you again for introducing this bill to help America's small businesses. I look forward to working with you on this issue as the 111th Congress continues.

Sincerely,

Susan Eckerly,
Senior Vice President,
Federal Public Policy

National Small Business Association,

Hon. Jeff Merkley,
U.S. Senate, Russell Senate Office Building,
Washington, DC.

Dear Senator Merkley: On behalf of the National Small Business Association, I would like to thank you for your leadership in crafting the Small Business Jump Start Act of 2009—a bipartisan small business advocacy group. NSBA reaches more than 150,000 small businesses nationwide, and our members have highlighted tax relief as a top priority for the 111th Congress.

Small business is one of the primary catalysts of both job growth and innovation in our national economy. In fact, according to the Small Business Administration since the mid-1990s, small businesses have created 60 to 80 percent of the net new jobs annually. However, over the past year, small businesses have experienced marked economic challenges. Between skyrocketing gas prices, a weak real estate market and the credit crunch, today's slow economy is having a noticeable effect on our entrepreneurs. This new reality is coupled with the fact that the first year of a small business is often difficult. New employer establishments face challenges keeping up with growing first year demands—building a client base, hiring employees, creating new products and services, and often opening a facility.

Yet, small businesses that make it past the first four years have a better chance of surviving. This is why your legislation is so crucial. It will boost the federal tax deduction for small business start-up costs and broaden the pool of businesses eligible for the deduction.

Start-up businesses are currently eligible for a $5,000 tax deduction if they spend $50,000 or less to open their doors. The legislation proposes to boost the deduction to $10,000 and also expand eligibility to companies that spend up to $60,000 on start-up costs. The deduction would be phased out dollar-for-dollar for expenditures above $60,000. A business that spends $61,000 in start-up costs, for example, could deduct $9,000 under the proposed legislation and take the remaining $1,000 deduction over 15 years, just as in current law.

Small businesses are the lifeblood of all communities, and this bill supports them by providing the financial assistance they need to achieve success. The Small Business Jump Start Act of 2009 will give small businesses the necessary financial boost in their first year which will enable them to make investments that create jobs and economic growth. NSBA supports this measure, and commends you for working to bring this legislation to the Senate floor.

Sincerely,

Todd McCracken,
President.
2007, approximately 3,200,000 referrals, involving the alleged maltreatment of approximately 5,800,000 children, were sent to child protective services agencies. (2) Data show that 794,000 substantiated cases of child abuse and neglect in 2007, and child maltreatment-related deaths rose 15.5 percent in 2007. Approximately 1,760 substantiated cases of child abuse and neglect in protective services agencies.

Approximately 5,800,000 children, were sent to child protective services in 2007, approximately 3,200,000 referrals, in-...
(A) technical assistance and project coordination for the recipients of grants under section (a); 
(B) training for health care professionals, including mental health care professionals, at FQHCs that receive grants under subsection (a); and 
(C) pre-award evaluation of the demonstration projects under subsection (a). 

(2) ELIGIBLE ENTITIES.—To be eligible to receive a contract under this section, an entity shall— 
(A) be— 
(i) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 [20 U.S.C. 1001]); 
(ii) a nonprofit organization that qualifies for tax exempt status under section 501(c)(3) of the Internal Revenue Code of 1986; or (iii) such national and professional organizations and community-based organizations as the Secretary determines appropriate; 
(B) have expertise in parent-child relationships; 
(C) have experience conducting large-scale, multi-site projects to the Secretary; and 
(D) submit to the Secretary an application that includes— 
(i) an outline of a technical assistance and coordination plan; 
(ii) a description of the services, and methods and effective communication skills; 
(iii) a description of the evaluation methods and strategies the entity plans to use, and an outline of the progress and final reports required under subsection (b); 
(iv) the knowledge, skills, and attitude to work with individuals from diverse cultural, racial, ethnic, and socioeconomic backgrounds; and 
(v) the knowledge, skills, and attitude to work with individuals from diverse cultural, racial, ethnic, and socioeconomic backgrounds.

(3) AUTHORIZED ACTIVITIES.—Each recipient of a contract under this subsection shall provide— 
(A) conducting a needs assessment for the integrated services of each FQHC in each such FQHC follows standardized manuals and protocols; 
(B) cultural sensitivity and local adaptation of the projects; 
(C) any increase in access to services; and 
(D) establishing and coordinating the implementation of a workforce development model; 
(E) reducing and improving prevention and treatment of child maltreatment; 
(F) evaluating the outcomes of the demonstration projects; 
(G) implementing and public health model; 
(H) implementing and coordinating child maltreatment prevention collaboratives across FQHCs partnering in the demonstration projects and helping such FQHCs partner with local departments of child welfare and community mental health centers; and 
(I) establishing and coordinating child maltreatment prevention collaboratives across FQHCs partnering in the demonstration projects and helping such FQHCs partner with local departments of child welfare and community mental health centers.

(4) EVALUATION AND REPORTING.— 
(A) ANNUAL PROGRESS EVALUATION AND FINANCIAL REPORTING.—Each recipient of a contract under subsection (a), each FQHC shall submit to the Secretary an annual progress evaluation and financial reporting indicating activities conducted and the progress of the health center toward achievement of established outcomes, including cost effectiveness, patient satisfaction, program local adoption, and improvements in prevention and treatment of child maltreatment and injuries, and improvement of parenting behaviors and family functioning.
(B) FINAL REPORT.—At the end of the grant period, each FQHC shall submit a final report with evaluation data and conclusions related to the outcomes of the demonstration.

(2) TECHNICAL ASSISTANCE REPORT.—(A) ANNUAL PROGRESS AND FINANCIAL REPORT.—For the duration of the contract under this section, each technical assistance provider shall submit to the Secretary an annual progress and financial report indicating activities conducted under such contract.

(B) FINAL REPORT.—At the end of the contract period, each recipient of a technical assistance contract under subsection (e) shall submit to the Secretary a final report that includes—

(i) an analysis of comparative data related to effectiveness and feasibility of projects implemented at the FQHCs, workforce training, and achievement of outcomes at the FQHCs;

(ii) overall recommendations for system improvement and changes that would allow the demonstration projects to be expanded;

(iii) an outline of the project results; and

(iv) a plan that outlines opportunities and vehicles for dissemination of cross-site evaluation results, findings, and recommendations.

(g) AUTHORIZATION OF APPROPRIATIONS.—(1) IN GENERAL.—To carry out the demonstration project grant program described in subsection (a), there are authorized to be appropriated $10,000,000 for fiscal year 2010, and such sums as may be necessary for each of fiscal years 2011 through 2014.

(2) TECHNICAL ASSISTANCE.—The Secretary shall reserve not less than 10 percent of the appropriation made available under paragraph (1) to carry out the technical assistance program described in subsection (e).

S. RES. 209

Whereas vision impairment and eye disease are major public health problems, especially due to the aging of the population;

Whereas there is a disproportionate incidence of eye disease prevalent among populations;

Whereas vision loss as a result of diabetes and other chronic diseases costs the people of the United States $68,000,000,000 each year in health care, productivity, reduced independence, diminished quality of life, increased depression, and accelerated mortality;

Whereas approximately 38,000,000 people in the United States over 40 years of age currently experience blindness, low-vision, or an age-related eye disease, and this number is expected to increase to 137,000,000 by 2020, affecting a tidal wave of approximately 78,000,000 baby boomers who will begin to reach age 65 years in 2010, many of whom will continue working well beyond age 65, crashes;

Whereas, in public opinion polls conducted during the past 40 years, people in the United States have consistently identified fear of vision loss as second only to fear of cancer, and, as recently as 2008, a study by the National Eye Institute showed that 71 percent of respondents indicated that a loss of eye-sight would have the greatest impact on their life;

Whereas, with wisdom and foresight, Congress and the President Act entitled “An Act to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health” (Public Law 90–489; 82 Stat. 771), which was signed into law by President Johnson on August 16, 1968;

Whereas the National Eye Institute (in this resolution referred to as the “NEI”) held the first meeting of the National Advisory Eye Council on April 3, 1968;

Whereas the NEI leads the Federal commitment to basic research, research training, and other programs with respect to blinding eye diseases, visual disorders, mechanisms of visual function, preservation of sight, and the special health problems and needs of individuals who are visually-impaired or blind;

Whereas the NEI disseminates information aimed at promoting wellness, specifically through public and professional education facilitated by the National Eye Health Education Program;

Whereas the NEI advances Federal funding by devoting 85 percent of its budget to extramural research that addresses a wide variety of eye and vision disorders, including “back of the eye” retinal and optic nerve diseases, such as age-related macular degeneration, glaucoma, and diabetic retinopathy, and concomitant low vision, and “front of the eye” corneal, lens, cataract, and refractive errors;

Whereas research by the NEI benefits children, including premature infants born with retinopathy of prematurity, and amblyopia (commonly known as “lazy eye”);

Whereas the NEI benefits older people in the United States by predicting, preventing, and preempting eye disease, thereby enabling more productive lives and reducing Medicare costs;

Whereas the NEI has been a leader in basic research on the National Human Genome Project of the National Institutes of Health to translate discoveries of genes related to eye disease and vision impairment, which will make up 1/4 of all drugs approved to date, into diagnostic and treatment modalities;

Whereas the NEI has been a leader in clinical research, funding more than 60 clinical Diabetic Retinopathy Clinical Trials Networks, in association with the National Institute for Diabetes and Digestive and Kidney Disorders which have developed treatment strategies that have been determined by the NEI to be 90 percent effective and to save an estimated $300,000,000 each year in blindness and vision impairment disability costs;

Whereas the NEI has been a leader in prevention research, having reported from the results of its Age-Related Eye Disease Study that high levels of dietary zinc and anti-oxidant vitamins reduced vision loss in individuals at high risk for developing advanced age-related macular degeneration by 25 percent, and, in the second phase of Age-Related Eye Disease Study, studying the impact of other nutritional and lifestyle changes;

Whereas the NEI has been a leader in epidemiologic research, identifying the basis and progression of eye disease and the disproportionate incidence of eye disease in minority populations, so that informed public health policy decisions can be made regarding prevention, early diagnosis, and treatment;

Whereas the NEI has been a leader in collaborative research across the National Institutes of Health, working with the National Cancer Institute and the National Heart, Lung, and Blood Institute to identify factors that promote or inhibit new blood vessel growth, which has resulted in the first generation of ophthalmic drugs approved by the Food and Drug Administration to inhibit abnormal blood vessel growth in the form of age-related macular degeneration commonly known as the “wet” form of age-related macular degeneration, thereby stabilizing, and often restoring, vision;

Whereas the NEI has been a leader in collaborative research with other Federal entities, and its bioengineering research partnership with the National Science Foundation and the Department of Energy resulted in a retinal chip implant, referred to as the “Bionic Eye”, that has enabled individuals who have been blind for decades to perceive visual images;

Whereas the NEI has been a leader in collaborative research with private funding entities, and its human gene therapy trial with the Foundation Fighting Blindness for individuals with Leber Congenital Amaurosis, a rapid retinal degeneration that blinds infants in their first year of life, has demonstrated measurable visual improvement even within the initial safety trials;

Whereas, from 2011 through 2020, the people of the United States will face unprecedented public health challenges associated with aging, health disparities, and chronic disease;

Whereas the Federal support by the NEI and related agencies within the Department of Health and Human Services is essential for prevention, early detection, access to treatment and rehabilitation, and research associated with vision impairment and eye disease; Now, therefore, be it

(1) RESOLVED, That the Senate—

(2) supports the designation of the years 2011 through 2020 as the “Decade of Vision”, to—

(3) maintain a sustained awareness of the unprecedented public health challenges associated with vision impairment and eye disease; and

(4) emphasize the need for Federal support for prevention, early detection, access to treatment and rehabilitation, and research; and

(5) commends the National Alliance for Eye and Vision Research, also known as the “Friends of the National Eye Institute”, for...
its efforts to expand awareness of the incidence and economic burden of eye disease through its Decade of Vision 2011–2020 Initiative.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1371. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. Reid (for Mr. Byrd (for himself, Mr. Inouye, and Mrs. Murray)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1375. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. Reid (for Mr. Byrd (for himself, Mr. Inouye, and Mrs. Murray)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1376. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. Reid (for Mr. Byrd (for himself, Mr. Inouye, and Mrs. Murray)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1377. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. Reid (for Mr. Byrd (for himself, Mr. Inouye, and Mrs. Murray)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1378. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. Reid (for Mr. Byrd (for himself, Mr. Inouye, and Mrs. Murray)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1379. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. Reid (for Mr. Byrd (for himself, Mr. Inouye, and Mrs. Murray)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1381. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. Reid (for Mr. Byrd (for himself, Mr. Inouye, and Mrs. Murray)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1383. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. Reid (for Mr. Byrd (for himself, Mr. Inouye, and Mrs. Murray)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1386. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. Reid (for Mr. Byrd (for himself, Mr. Inouye, and Mrs. Murray)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1389. Mr. DRMITJN proposed an amendment to amendment SA 1373 proposed by Mr. Reid (for Mr. Byrd (for himself, Mr. Inouye, and Mrs. Murray)) to the bill H.R. 2892.
SA 1372. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes, which was ordered to lie on the table; as follows:

On page 72, strike lines 8 through 14 and insert the following:

AUTOMATION MODERNIZATION

For expenses for U.S. Customs and Border Protection automated systems, $462,445,000, to remain available until expended, of which not less than $150,000,000 shall be obligated for the development of the Automated Commercial Environment: Provided, That the total amount made available under this heading, $150,000,000 shall be obligated for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2024); of which not to exceed $15,000,000 shall be for representa-
tion expenses; of which not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely in the fiscal year in which the appropriation was made, of the Immigration and Nationality Act of 1952 (8 U.S.C. 1357(g)); and of which not to exceed $11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, mainte-
nance, and repatriation of smuggled aliens unlawfully present in the United States: Provided, That none of the funds made available under this heading shall be obligated for com-
pliance efforts, $515,826,000, to remain available until expended:

IMMIGRATION AND CUSTOMS ENFORCEMENT

Secure Border and Visa Services: $11,223,000, to remain available until expended, of which not less than $842,633,000 shall be for avia-
tion security fees authorized under section 49940 of title 49, United States Code, shall be credited to this appropriation as off-
service collections available only for aviation security: Provided further, That any security service fees collected in excess of the amount made available from aviation security fees pursuant to section 49940 of title 49, United States Code, may, notwithstanding paragraph (4) of such section 49940(1), be expended for the purpose of improving screening at airport screening checkpoints, which may include the pur-
chase and utilization of emerging technology equipment; the refurbishment and replace-
ment of current equipment; the installation or enhancement of security service fees; the installation of certified explosives detection systems at medium- and small-sized airports: Provided further, That any security service fees collected in excess of the amount made available from aviation security fees pursuant to section 920(b)(1) of title 49, United States Code, shall not be exempt from Federal passenger and baggage screening.

SURFACE TRANSPORTATION SECURITY

For expenses necessary for the development and implementation of screening pro-
cedures of the Office of Transportation Threat Assessment and Credentialing, $171,999,000, to remain available until September 30, 2011.
TRANSPORTATION SECURITY SUPPORT

For necessary expenses of the Transportation Security Administration related to providing transportation security support and in addition to the Act and Transportation Security Act (Public Law 107-71; 115 Stat. 597; 49 U.S.C. 40101 note), $999,580,000, to remain available until September 30, 2010, of which $30,000,000 may not be obligated for headquarters administration until the Secretary of Homeland Security submits to the Committees on Appropriations of the Senate and the House of Representatives a comprehensive report on the earned value management system gold card data for each Integrated Deepwater Systems program asset: Provided, That none of the funds provided under this Act shall be available until expended.

RESERVE TRAINING

For necessary expenses of the Coast Guard Reserve, for personnel, services, and supplies, and for the support of Reserve functions, $135,198,000, to remain available until expended.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of physical properties of the Coast Guard, including equipment related thereto; and maintenance, rehabilitation, lease and operation of facilities and equipment, not to exceed $20,000,000: Provided, That any inconsistencies be justified: Provided further, That none of the funds provided under this Act shall be available until expended.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the environmental compliance and restoration functions of the Coast Guard under chapter 19 of title 14, United States Code, $13,198,000, to remain available until expended.

TRENCHING, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses for CONGRESSIONAL RECORD — SENATE

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

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and participation in firearms matches; presentation of awards; travel of United States Secret Service employees on protective missions without regard to the limitations on such travel or by previous appropriations Acts may be made available under this heading at the end of the fiscal year:

Provided, That the Secretary of Homeland Security not later than 90 days after the date of enactment of this Act:

Provided further, That not more than $50,000,000 shall be available for grants to organizations as described under section 501(c)(3) of the Internal Revenue Code of 1986 for purposes of such code determined by the Secretary of Homeland Security to be at high risk of a terrorist attack.

Provided further, That not more than $15,000,000 shall be for Regional Catastrophic Preparedness Grants.

(4) $40,000,000 shall be for the Metropolitan Medical Response System under section 635 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 723).

(5) $15,000,000 shall be for the Citizen Corps Program.

(6) $356,000,000 shall be for Public Transportation Security Assistance, Railroad Security Assistance, and Over-the-Road Bus Security Assistance under sections 1406, 1513, and 1522 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53; 6 U.S.C. 1133, 1161, and 1162), of which not less than $25,000,000 shall be for Amtrak security, and not less than $6,000,000 shall be for Over-the-Road Bus Security Assistance.

(7) $550,000,000 shall be for Port Security Grants in accordance with 46 U.S.C. 7097.

(8) $50,000,000 shall be for Buffer Zone Protection Program Grants.

(9) $50,000,000 shall be for Driver's License Security Grants in accordance with section 204(a) of the REAL ID Act of 2005 (division B of Public Law 109–13).


STATE AND LOCAL PROGRAMS

INCLUDING TRANSFER OF FUNDS

For grants, contracts, cooperative agreements, and other activities, $3,067,200,000 shall be allocated as follows:

(1) $350,000,000 shall be for the State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 655): Provided, That the amount provided by this paragraph, $60,000,000 shall be for Operation Stonegarden.


(3) $36,000,000 shall be for Firefighter Assistance under sections 1406, 1513, and 1522 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53; 6 U.S.C. 1133, 1161, and 1162), of which not less than $25,000,000 shall be for Amtrak security, and not less than $6,000,000 shall be for Over-the-Road Bus Security Assistance.

(4) $750,000,000 shall be for State Homeland Security grants in accordance with 46 U.S.C. 7097.

(5) $50,000,000 shall be for Buffer Zone Protection Program Grants.

(6) $50,000,000 shall be for Driver's License Security Grants in accordance with section 204(a) of the REAL ID Act of 2005 (division B of Public Law 109–13).
(10) $50,000,000 shall be for the Interoperable Emergency Communications Grant Program under section 1809 of the Homeland Security Act of 2002 (6 U.S.C. 579).

(11) $1,500,000 shall be for the Ohio Emergency Management Agency Emergency Operations Center, Columbus, Ohio; no less than $1,000,000 shall be for the City of Hackensack Emergency Operations Center, Hackensack, New Jersey; no less than $247,000 shall be for the Township of South Orange Village Emergency Operations Center, South Orange, New Jersey; no less than $1,000,000 shall be for the City of Mount Vernon Emergency Operations Center, Mount Vernon, New York; no less than $900,000 shall be for the City of Whitefish Emergency Operations Center, Whitefish, Montana; no less than $1,000,000 shall be for the Lincoln County Emergency Operations Center, Lincoln County, Washington; no less than $700,000 shall be for the University of Hawaii, Honolulu, Hawaii; the Center for Domestic Preparedness shall be for the National Exercise, Test, and Rescue Training Center, Lincoln Parish, Louisiana; and no less than $900,000 shall be for the City of North Little Rock Emergency Operations Center, North Little Rock, Arkansas.

(12) $151,500,000 shall be for purposes of training in accordance with section 1204 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1102), of which $62,500,000 shall be for the Center for Domestic Preparedness; $23,000,000 shall be for the National Emergency Materials Research and Testing Center, New Mexico Institute of Mining and Technology; $23,000,000 shall be for the Federal Emergency Management Agency, Providence, Rhode Island; no less than $800,000 for the North Louisiana Regional Emergency Operations Center, Texas; $75,000,000 shall be for the National Exerice, Test, and Training Center, Nevada Test Site; $5,000,000 shall be for the Transportation Technology Center, Inc., in Pueblo, Colorado; and $5,000,000 shall be for the National Disaster Preparedness Training Center, University of Hawaii, Honolulu, Hawaii.

(13) $1,700,000 shall be for the Center for Counterterrorism and Cyber Crime, Northern Virginia University, Northfield, Vermont.

Provided: That 4.1 percent of the amounts provided for training shall be transferred to the Federal Emergency Management Agency “Management and Administration” account for program administration, and an expenditure plan for program administration shall be provided to the Committees on Appropriations of the Senate and the House of Representatives within 60 days of the date of enactment of this Act. Provided further, That, notwithstanding section 2008(a)(11) of the Homeland Security Act of 2002 (6 U.S.C. 509(a)(11)), any other provison of law that may use not direct obligations for grants shall be made available to eligible applicants not later than 25 days after the date of enactment of this Act, that eligible applicants shall submit applications not later than 90 days after the grant announcement, and that the Federal Emergency Management Agency shall act within 90 days after receipt of an application: Provided further, That for grants under paragraphs (6) through (10), the applications for grants shall be made available to eligible applicants not later than 30 days after the date of enactment of this Act, that eligible applicants shall submit applications not later than 45 days after the grant announcement, and that the Federal Emergency Management Agency shall act not later than 60 days after receipt of an application: Provided further, That for grants under paragraphs (1) and (2), the installation of communications towers is not considered construction of a building or other physical facility: Provided further, That grantees shall provide reports on their use of funds, as determined necessary by the Secretary: Provided further, That the Center for Domestic Preparedness may provide training to emergency response providers from the Federal Government, foreign governments, or private entities, if the Center determines that those persons are covered for the cost of such training, and any reimbursement under this subsection shall be credited to the account from which the expenditure being reimbursed is payable and shall be available, without fiscal year limitation, for the purposes for which amounts in the account may be expended, (b) the head of the Federal Emergency Management Agency shall ensure that any training provided under (a) does not interfere with the primary mission of the Center to train State and local emergency responders.

FIREFIGHTER ASSISTANCE GRANTS

For necessary expenses for programs authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2261 et seq.), and that the amount provided in the previous proviso shall not be available for transfer to “Management and Administration” until the Federal Emergency Management Agency submits an implementation plan to the Committee on Appropriations of the Senate and the House of Representatives and the Committees on Appropriations of the Senate and the House of Representatives: Provided further, That the amount provided in the previous proviso shall not be available for transfer to “Management and Administration” until the Federal Emergency Management Agency submits an implementation plan to the Committee on Appropriations of the Senate and the House of Representatives: Provided further, That the Federal Emergency Management Agency shall submit the monthly “Disaster Relief” report, as specified in Public Law 110-161, to the Committees on Appropriations of the Senate and the House of Representatives, and include the amounts provided to each Federal agency for mission assignments: Provided further, That for activities conducted under an agreement or contract with a Federal agency to carry out the functions of the Federal Emergency Management Agency “Management and Administration” for management, support, and administrative functions after September 30, 2010, the provision of funding for the Centers for Domestic Preparedness shall be transferred to carry out the purposes for which amounts in the account may be expended, and that the Federal Emergency Management Agency shall submit an annual report to the Committees on Appropriations of the Senate and the House of Representatives within 60 days of the date of enactment of this Act: Provided further, That for the contract for the cost of direct loans: Provided further, That of the total amount provided, $200,000,000 shall be for the cost of direct loans: Provided further, That of the total amount provided, $200,000,000 shall be for the cost of direct loans: Provided further, That the total amount provided for expenses for the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5211 et seq.), that the amount provided in the previous proviso shall not be available for transfer to “Management and Administration” after September 30, 2010, and will become available for authorized purposes on October 1, 2010, and remain available until expended.

UNITED STATES FIRE ADMINISTRATION


DISASTER RELIEF

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5211 et seq.), $1,456,866,000, to remain available until expended, including aid to States消防(b), that the Administration shall submit an expenditure plan to the Committees on Appropriations of the Senate and the House of Representatives detailing the use of the funds, and disaster readiness and support within 60 days after the date of enactment of this Act: Provided further, That the Federal Emergency Management Agency shall provide quarterly reports to the Committees on Appropriations of the Senate and the House of Representatives detailing the use of the funds, and disaster readiness and support within 60 days after the date of enactment of this Act: Provided further, That the Federal Emergency Management Agency shall provide quarterly reports to the Committees on Appropriations of the Senate and the House of Representatives detailing the use of the funds, and disaster readiness and support within 60 days after the date of enactment of this Act: Provided further, That of the total amount provided, $200,000,000 shall be transferred to the Federal Emergency Management Agency “Management and Administration” for management, support, and administrative functions for the purpose of funding for the Centers for Domestic Preparedness shall be transferred to carry out the purposes for which amounts in the account may be expended, and that the Federal Emergency Management Agency shall submit an annual report to the Committees on Appropriations of the Senate and the House of Representatives within 60 days of the date of enactment of this Act: Provided further, That the amount provided in the previous proviso shall not be available for transfer to “Management and Administration” until the Federal Emergency Management Agency submits an implementation plan to the Committees on Appropriations of the Senate and the House of Representatives and the Committees on Appropriations of the Senate and the House of Representatives: Provided further, That of the total amount provided, $1,456,866,000, to remain available until expended: Provided, That the Federal Emergency Management Agency shall submit an expenditure plan to the Committees on Appropriations of the Senate and the House of Representatives detailing the use of the funds, and disaster readiness and support within 60 days after the date of enactment of this Act: Provided further, That the Federal Emergency Management Agency shall provide quarterly reports to the Committees on Appropriations of the Senate and the House of Representatives detailing the use of the funds, and disaster readiness and support within 60 days after the date of enactment of this Act: Provided further, That the Federal Emergency Management Agency shall provide quarterly reports to the Committees on Appropriations of the Senate and the House of Representatives detailing the use of the funds, and disaster readiness and support within 60 days after the date of enactment of this Act: Provided further, That of the total amount provided, $200,000,000 shall be for the cost of direct loans: Provided further, That of the total amount provided, $200,000,000 shall be for the cost of direct loans: Provided further, That the total amount provided for expenses for the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5211 et seq.), or any mission assignment orders issued by the Department for such purposes, the Secretary of Homeland Security shall take appropriate steps to ensure that each agency is periodically reminded of Department policies on (1) the detailed information required in supporting documentation for mission assignments; and (2) the necessity for timeliness of agency billings.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For activities under section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5212 et seq.), $320,000,000.

Provided: That the cost of directing the management of the counterterrorism and cyber crime activities under section 4504 of the Homeland Security Act of 2002 (42 U.S.C. 5308e). That gross obligations for the principal amount of direct loans shall not exceed $25,000,000: Provided further, That the cost of modifying such an agreement shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a).
FLOOD MAP MODERNIZATION FUND

For necessary expenses under section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), $220,000,000, and such additional sums as may be provided by State and local governments and political subdivisions for cost-shared mapping activities under section 1360(f)(2)(c), of which $50,000,000 shall be available until expended: Provided, That total administrative costs shall not exceed 3 percent of the total amount made available under this heading.

TITLE IV

RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

For necessary expenses for citizenship and immigration services, $155,700,000, of which $5,000,000 is for cost-sharing of military naturalization applications and $118,500,000 is for the E-Verify program to assist United States employers with maintaining a legal workforce. Provided further: That the Director of the Citizenship and Immigration Services may be used to acquire, operate, equip, dispose of, and the total administrative costs shall not exceed 3 percent of the total amount available under this heading.

The Federal Law Enforcement Training Center shall schedule basic or advanced law enforcement training, or both, at all four training facilities under the control of the Federal Law Enforcement Training Center to ensure that such training facilities are operated at the highest capacity throughout the fiscal year.

ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For acquisition of necessary additional real property, buildings, plant, facilities, and ongoing maintenance, facility improvements, and related expenses of the Federal Law Enforcement Training Center, $40,556,000, to remain available until expended: Provided, That the Center is authorized to accept reimbursement from this appropriation from government agencies requesting the construction of such facilities.

SCIENCE AND TECHNOLOGY

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for Science and Technology and for management and administration, as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), $143,200,000: Provided, That not to exceed $10,000 shall be for official reception and representation expenses.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For necessary expenses for science and technology research, including advanced research projects; development; evaluation; acquisition; and operations, as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), $851,729,000, to remain available until September 30, 2011: Provided, That not less than $12,000,000 is for construction expenses of the Pacific Northwest National Laboratory: Provided further, That not less than $12,000,000 shall be for the Cincinnati Urban Area partnership established through the Regional Technology Integration Initiative: Provided further, That not less than $10,000 shall be for the National Bio and Agro-defense Facility.

DOMESTIC NUCLEAR DETECTION OFFICE

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Domestic Nuclear Detection Office and of the Regional Nuclear Detection Office, as authorized by title XIX of the Homeland Security Act of 2002 (6 U.S.C. 591 et seq.) for management and administration of programs and activities, $37,500,000: Provided, That not to exceed $3,000 shall be for official reception and representation expenses.

RESEARCH, DEVELOPMENT, AND OPERATIONS

For necessary expenses for radiological and nuclear research, development, testing, evaluation, and operations, as authorized by title XIX of the Homeland Security Act of 2002, $4,500,000, to remain available until September 30, 2011.

SPECTROSCOPY PORTAL MONITORS

For expenses for the Domestic Nuclear Detection Office acquisition and deployment of radiological detection systems in accordance with the global nuclear detection architecture, $10,000,000, to remain available until September 30, 2011: Provided, That none of the funds appropriated under this heading in this Act or any other Act shall be obligated for full-scale procurement of Advanced Spectroscopic Portal monitors until the Secretary of the Homeland Security, with the advice and consent of the Committees on Appropriations of the Senate and the House of Representatives a report
certifying that a significant increase in operational effectiveness will be achieved: Provided further, That the Secretary shall submit separate and distinct certifications prior to the end of FY 2011 to the Committees on Appropriations of the Senate and the House of Representatives that the funds provided by this Act are being used in a manner consistent with the certifications required by section 503 of this Act.

TITLE V
GENERAL PROVISIONS
INCLUDING RESCISIONS OF FUNDS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to activities accounts for such activities established pursuant to this Act, which activities may be merged with funds in the applicable established accounts, and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2010, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program, project, or activity; (2) eliminates a program, project, office, or activity; or (3) increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either of the Committees on Appropriations of the Senate or the House of Representatives for purposes different from the purposes for which the funds were provided; (5) contracts out any function or activity for which funding levels were requested for Federal full-time equivalents in the object classifications described in the 2010 Budget Appendix for the Department of Homeland Security, as modified by the explanatory statement accompanying this Act, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2010, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) increases the Federal full-time equivalents in the object classifications described in the 2010 Budget Appendix for the Department of Homeland Security, as modified by the explanatory statement accompanying this Act, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(c) Not more than 10 percent of any appropriation made available for the current fiscal year for the Department of Homeland Security by this Act or provided by previous appropriations Acts may be transferred between appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by such transfers: Provided, That any transfer under this section shall be treated as a reprogramming of funds under subsection (a) of section 503 of this Act, and no such transfer shall be made unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such transfer.

(d) Notwithstanding subsections (a), (b), and (c) of this section, no funds shall be reprogrammed within or transferred between appropriations after June 30, except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property.

SEC. 504. The Department of Homeland Security Working Capital Fund, established pursuant to section 463 of Public Law 108–356 and established by section 901(b) of the Homeland Security Appropriations Act, 2009, as a working capital fund, and projects, accounts, or categories of fees available to the agencies funded by this Act, shall be charged for obligations incurred after June 30, 2010, and after June 30 of any subsequent fiscal year for salaries and expenses for fiscal year 2010 in this Act shall remain available through September 30, 2011, in the account and for the purposes for which the appropriations were provided: Provided, That no funds shall be used for expenses for any construction, repair, alteration, or acquisition project for which a prospectus otherwise required under chapter 33 of title 40, United States Code, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 505. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of the fiscal year for obligations, payments, or for salaries and expenses for fiscal year 2010 in this Act shall remain available through September 30, 2011, in the account and for the purposes for which the appropriations were provided: Provided, That prior to the obligation of such funds, a request shall be submitted to the Committees on Appropriations of the House of Representatives for approval in accordance with section 503 of this Act.

SEC. 506. Funds available by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2010 until the enactment of an Act authorizing intelligence activities for fiscal year 2010.

SEC. 507. None of the funds made available by this Act may be used to make a grant allocation, discretionary grant award, discretionary contract award, Other Transaction Agreement, Other Agreement, or Other Agreement issued in excess of $1,000,000, or to announce publicly the intention to make such an award, including a contract covered by the competition under Office of Management and Budget Circular A–76, that would result in a change in existing programs, projects, or activities as approved by the Congress, unless the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of making such an award or issuing such a letter: Provided, That if the Secretary of Homeland Security certifies in writing that this section would pose a substantial risk to human life, health, or safety, an award may be made without notification and the Committees on Appropriations of the Senate and the House of Representatives shall be notified not later than 5 full business days after such an award is made or letter issued: Provided further, That the notification shall include the amount of the award, the fiscal year in which the funds for an award were appropriated, and the account from which the funds are being drawn: Provided further, That the Federal Emergency Management Agency shall brief the Committees on Appropriations of the Senate and the House of Representatives 5 full business days in advance of announcing publicly the intention of making an award under the State Homeland Security Grant Program; Urban Area Security Initiative; and the Regional Catastrophic Preparedness Grant Program.

SEC. 508. Notwithstanding any other provision of law, no agency shall purchase, construct, or lease any additional facilities, equipment, or property, or enter into a contract or agreement for any location, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the Senate and the House of Representatives, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of Federal facilities, or enter into other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 509. None of the funds appropriated or otherwise made available by this Act may be used for expenses for any construction, repair, alteration, or acquisition project for which a prospectus otherwise required under chapter 33 of title 40, United States Code, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 510. Sections 519, 520, 528, and 531 of the Department of Homeland Security Appropriations Act, 2008 (division D of Public Law 110–161; 121 Stat. 2073, 2074) shall apply with respect to funds made available in this Act.

SEC. 511. None of the funds in this Act may be used in contravention of the applicable provisions of the Buy American Act (41 U.S.C. 10a et seq.).

SEC. 512. None of the funds provided by this or previous appropriations Acts may be obligated for the deployment of the Secure Flight program or any other follow-on or successor passenger screening program that: (1) utilizes or tests algorithms as a basis to predict to what degree passengers are not on Government watch lists; or (2) uses data or a database that is obtained from or remains under the control of a non-Federal entity: Provided, That this restriction shall not apply to Passenger Name Record data obtained from air carriers.

SEC. 513. None of the funds made available in this Act may be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1323).
basis) of United States Citizenship and Immigration Services of the Department of Homeland Security who are known as of that date as Immigration Information Officers, Contact Representatives, or Investigative Assistants.

Sec. 515. (a) The Assistant Secretary of Homeland Security (Transportation Security Administration) shall work with airports and air carriers to ensure that the screening of cargo carried on passenger aircraft, as defined in section 49807(g)(2)(B) of title 49, United States Code, increases incrementally each quarter until the requirement of section 49807(g)(2)(B) of title 49 are met.

(b) Not later than 45 days after the end of each quarter, the Assistant Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives a report on air cargo inspection activities by airport and air carrier detailing the incremental progress being made to meet the requirement of section 49807(g)(2)(B) of title 49, United States Code.

Sec. 516. Except as provided in section 4945 of title 49, United States Code, funds appropriated or transferred to Transportation Security Administration—"Aviation Security," "Administration," and "Transportation Security Support" for fiscal years 2004, 2005, 2006, and 2007, and any other Act may be used to reduce operations within the applicable laws and regulations:

(b) Not later than 45 days after the end of each fiscal year, the Comptroller has reviewed such certification;

(c) The Comptroller of the United States notifies the Committees on Appropriations of the Senate and the House of Representatives a classified report on a quarterly basis concerning the collection purposes and the classified information Processing and Storage) is fully

(c) Notwithstanding any other Act to the Office of the Chief Information Officer, the Office of the Secretary, the Office of Management, or the Office of the Chief Financial Officer, may be obligated for a grant or contract funded under such headings by a means other than full and open competition:

Sec. 525. None of the funds made available in this Act may be used to destroy or put out of commission any military equipment, material, or supplies.

Sec. 526. None of the funds made available in this Act may be used by United States Customs and Border Protection to grant an immigration benefit unless the results do not preclude the granting of such a waiver.

Sec. 527. None of the funds made available in this Act may be used to destroy or put out of commission any military equipment, material, or supplies.

Sec. 528. None of the funds provided in this Act may be used by United States Customs and Border Protection to grant an immigration benefit unless the results do not preclude the granting of such a waiver.

Sec. 529. None of the funds provided in this Act may be used by United States Customs and Border Protection to grant an immigration benefit unless the results do not preclude the granting of such a waiver.

Sec. 530. Section 532(a) of Public Law 109–295 (120 Stat. 1384) is amended by striking "2009" and inserting "2010".

Sec. 531. The functions of the Federal Law Enforcement Training Center instructor staff shall be used to develop and implement a management system that is developed, tested, and deployed for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

Sec. 532. (a) None of the funds provided by this Act may be used to alter operations within the Civil Engineering Program of the Coast Guard nationwide, including civil engineering units, facilities design and construction, engineering elements commands, and the Coast Guard Academy, except that none of the funds provided in this Act may be used to reduce operations within any Civil Engineering Unit unless specifically authorized by a statute enacted after the date of the enactment of this Act.

(b) Provided in sub-
utilized as the Department’s primary data storage center at the highest capacity throughout the fiscal year.

SNC. 530. None of the funds in this Act shall be used for planning, design, engineering, or construction of the National Bio and Agro-defense Facility, as defined in section 503 of this Act, and the Committees on Appropriations of the Senate and the House of Representatives, until such time as the Secretary certifies to the Committees on Appropriations of the Senate and the House of Representatives that:

(1) the term “Administrator” means the Administrator of the Federal Emergency Management Agency; and

(2) the term “major disaster” has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

SNC. 532. None of the funds appropriated by this Act may be used to purchase the services of an individual paid as a political consultant, unless it is determined that the individual’s services are necessary to protect government interests and meet program requirements; Provided, That in any instance in which the Administrator determines that the services of an individual paid as a political consultant are necessary to protect government interests and meet program requirements and, subject to appropriation, the services of such individual shall be available, subject to appropriation, to the Department of Homeland Security.

SNC. 533. None of the funds made available in this Act may be used for planning, design, engineering, or construction of the National Bio and Agro-defense Facility, as defined in section 503 of this Act, until such time as the Secretary certifies to the Committees on Appropriations of the Senate and the House of Representatives that:

(1) the term “Administrator” means the Administrator of the Federal Emergency Management Agency; and

(2) the term “major disaster” has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

SNC. 539. Notwithstanding any other provision of law, should the Secretary of Homeland Security determine that the National Bio and Agro-defense Facility be located at a site other than Plum Island, New York, the Secretary shall have the Administrator of General Services sell through public sale all real and related personal property and transportation assets which support Plum Island operations, subject to such terms and conditions as necessary to protect government interests and meet program requirements: Provided, That the gross proceeds of such sale shall be deposited as offsetting collections into the Department of Homeland Security’s balance in the Treasury and shall be available for transfer to the appropriate account for design and construction of a consolidated Department of Homeland Security Head- quarters project, excluding daily operations and maintenance costs, notwithstanding section 311 of title 31, United States Code: Provided further, That the Administration for Children and Families, Office of Administration, shall use the price paid in such sale for its daily operations and maintenance costs, as the Secretary deems appropriate.

SNC. 540. The Secretary of Homeland Security shall report to the Committees on Appropriations of the Senate and the House of Representatives not later than 30 days after the date of enactment of this Act on any foreseeable challenges to complying with subsection (a).

SNC. 543. If the Assistant Secretary of Homeland Security (Transportation Security Administration) determines that the Port Authority does not need to participate in the basic pilot program, the Assistant Secretary shall certify to the Committees on Appropriations of the Senate and the House of Representatives that no security risks will result by such non-participation.

SNC. 544. For fiscal year 2010 and there- after, the Secretary may provide to person- nel appointed or assigned to serve abroad, allowances and benefits similar to those provided under chapter 9 of title I of the Foreign Service Act of 1980 (22 U.S.C. 2671 et seq.), as amended by section 101 of division J of Public Law 111–8, as further amended by striking “September 30, 2009” and inserting “September 30, 2012”.

SNC. 546. Notwithstanding any other provi- sion of law, should the Secretary of Home- land Security determine that specific U.S. Immigration and Customs Enforcement Service Processing Centers, or other U.S. Im- migration and Customs Enforcement owned detention facilities, no longer meet the criteria for disposition of any of the Secretary’s disposal of individual Service Processing Centers, or other U.S. Immigration and Customs Enforcement owned detention facilities, by directing the Administrator of General Serv- ices to sell all real and related personal property which support Service Processing Centers, or other U.S. Immigration and Customs Enforcement owned detention facilities, operations, subject to such terms and conditions as necessary to protect government interests and meet program requirements: Provided, That the proceeds of the sale incurred by the General Services Admin- istration and U.S. Immigration and Customs Enforcement shall be deposited as offsetting collections into a separate account that shall be available, subject to appropriation, until expended for other real property capital asset needs of existing U.S. Immigration and Customs Enforcement detention facilities, including daily operations and maintenance costs, as the Secretary deems appropriate.

SNC. 547. Section 550 of Public Law 109–285 is hereby amended in subsection (a), by adding the following sentence at the end of paragraph (2): “provided under chapter 9 of title I of the Foreign Service Act of 1980 (22 U.S.C. 2671 et seq.), as amended by section 101 of division J of Public Law 111–8, as further amended by striking “September 30, 2009” and inserting “September 30, 2012”.

SNC. 548. For fiscal year 2010 and there- after, the Secretary of Homeland Security may collect fees from any non-Federal par- ticipant in a conference, seminar, exhibition, symposium, or similar meeting conducted by the Department of Homeland Security in ad- vance of the conference, either directly or by contract, and those fees shall be credited to the appropriate appropriation account from which the costs of the conference, seminar, exhibition, symposium, or similar meeting are paid and shall be available to pay the costs of the Department of Homeland Security in respect to the conference or to reimburse the Depart- ment for costs incurred with respect to the conference: Provided, That in any instance in which the Administrator determines that the services of an individual paid as a political consultant are necessary to protect government interests and meet program requirements and, subject to appropriation, the services of such individual shall be available, subject to appropriation, to the Department of Homeland Security.

SNC. 549. The Secretary of Homeland Secu- rity, in consultation with the Secretary of the Treasury, shall notify the Committees on Appropriations of the Senate and the House of Representatives not later than 30 days after the date of enactment of this Act on any foreseeable challenges to complying with subsection (a).
On page 22, beginning on line 5, strike "Provided," and all that follows through "Iowa" on line 7.

SA 1378. Mr. Mccain submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. Reid (for Mr. Byrd (for himself, Mr. Inouye, and Mrs. Murray)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 9, lines 15 and 16, strike "of which $39,700,000 shall be for the Advanced Training Center".

SA 1379. Mr. Mccain submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. Reid (for Mr. Byrd (for himself, Mr. Inouye, and Mrs. Murray)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 19, beginning on line 10, strike "not less than $300,000 for the Coast Guard Academy Pier and".

SA 1380. Mr. Mccain submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. Reid (for Mr. Byrd (for himself, Mr. Inouye, and Mrs. Murray)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 19, beginning on line 11, strike "Coast Guard Station Cleveland Harbor".

SA 1381. Mr. Mccain submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. Reid (for Mr. Byrd (for himself, Mr. Inouye, and Mrs. Murray)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, beginning on line 10, strike "of which $3,600,000" and all that follows through "facility" on line 15.

SA 1382. Mr. Mccain submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. Reid (for Mr. Byrd (for himself, Mr. Inouye, and Mrs. Murray)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 32, line 22, strike "no less" and all that follows through "Hawaii;" on line 21.

SA 1383. Mr. Mccain submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. Reid (for Mr. Byrd (for himself, Mr. Inouye, and Mrs. Murray)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security

The Loran system, for the demolition of improvements on such real property, and for the costs associated with the sale of such real and personal property, including due diligence and the environmental remediation, and reimbursement of expenses incurred by the General Services Administration. That after the completion of such activities, the unexpended balances shall be available for any other environmental compliance and restoration activities of the Coast Guard. This Act may be cited as the “Department of Homeland Security Appropriations Act, 2010”.

SA 1374. Mr. Vitter submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. Reid (for Mr. Byrd (for himself, Mr. Inouye, and Mrs. Murray)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 77, between lines 16 and 17, insert the following:


SA 1375. Mr. Vitter submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. Reid (for Mr. Byrd (for himself, Mr. Inouye, and Mrs. Murray)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 77, between lines 16 and 17, insert the following:

S3c. 556. None of the amounts made available under this Act may be used to:

(1) amend, rewrite, or change the final rule requiring Federal Contractors to use E-Verify (promulgated on November 14, 2008);
(2) further delay the implementation of the rule described in paragraph (1) beyond September 8, 2009; or
(3) amend, rewrite, change, or delay the implementation of the final rule described in the process for employers to follow after receiving a “no match” letter in order to qualify for “safe harbor” status (promulgated on August 15, 2007).

SA 1376. Mr. Mccain submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. Reid (for Mr. Byrd (for himself, Mr. Inouye, and Mrs. Murray)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 34, line 6, strike "$23,000,000" and all that follows through “Hawaii;” on line 21.

SA 1377. Mr. Mccain submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. Reid (for Mr. Byrd (for himself, Mr. Inouye, and Mrs. Murray)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

Provided, That the proceeds, less the costs of sale incurred by the General Services Administration, shall be deposited as offsetting collections into the Coast Guard “Environmental Compliance and Restoration” account and, subject to approval by the appropriations committee, be made available for environmental compliance and restoration purposes associated with the

summary by agency of the purposes and levels of expenditures for the prior fiscal year, and shall report annually thereafter.

S3c. 549. For purposes of section 210C of the Homeland Security Act of 2002 (8 U.S.C. 1254), a rural area shall also include any area that is located in a metropolitan statistical area and a county, borough, parish, or area under the jurisdiction of an Indian tribe with a population of not more than 50,000.

S3c. 550. From the unobligated balances of prior year appropriations made available for “Analysis and Operations”, $3,000,000 are rescinded.

S3c. 551. From the unobligated balances of prior year appropriations made available for U.S. Immigration and Customs Enforcement “Construction”, $7,000,000 are rescinded.

S3c. 552. From the unobligated balances of prior year appropriations made available for National Protection and Programs Directorate “Infrastructure Protection and Information Security”, $8,000,000 are rescinded.

S3c. 553. From the unobligated balances of prior year appropriations made available for Science and Technology “Research, Development, Acquisition, and Operations”, $7,500,000 are rescinded.

S3c. 554. From the unobligated balances of prior year appropriations made available for Domestic Nuclear Detection Office “Research, Development, and Operations”, $8,000,000 are rescinded.

S3c. 555. (a) Subject to subsection (b), none of the funds made available by this Act may be available to operate the Loran-C signal after January 4, 2010, (b) The limitation in subsection (a) shall take effect only if the Commandant of the Coast Guard certifies that:

(1) the termination of the operation of the Loran-C signal by the date specified in subsection (a) will not adversely impact the safety of maritime navigation; and
(2) the Loran-C system infrastructure is not needed as a backup to the Global Positioning System or any other Federal navigation requirement.

(c) If the Commandant makes the certification described in subsection (b), the Commandant shall, commencing January 4, 2010, terminate the operation of the Loran-C signal and commence a phased decommissioning of the Loran-C system infrastructure.

(d) Not later than 30 days after such certification, the Commandant shall submit to the Committees on Appropriations of the Senate and House of Representatives a report setting forth a schedule for the phased decommissioning of the Loran-C system infrastructure in the event of the decommissioning of such infrastructure in accordance to subsection (c).

(e) If the Commandant makes the certification described in subsection (b), the Secretary of Homeland Security, acting through the Commandant of the Coast Guard, may, notwithstanding any other provision of law, sell any real and personal property under the administrative control of the Coast Guard and used for the Loran system, by directing the Administrator of General Services to sell such real and personal property, subject to such terms and conditions that the Secretary believes to be necessary to protect government interests and program requirements of the Coast Guard: Provided, That the proceeds, less the costs of sale incurred by the General Services Administration, shall be deposited as offsetting collections into the Coast Guard “Environmental Compliance and Restoration” account and, subject to approval by the appropriations committee, be made available for environmental compliance and restoration purposes associated with the
SA 1384. Mr. McCaIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. RED (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, line 10, strike “no less” and all that follows through “Montana;” on line 12.

SA 1385. Mr. McCaIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. RED (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, line 8, strike “no less” and all that follows through “New York;” on line 10.

SA 1386. Mr. McCaIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. RED (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 32, line 24, strike “no less” and all that follows through “Ohio;” on page 33, line 1.

SA 1387. Mr. McCaIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. RED (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 32, line 19, strike “no less” and all that follows through “Iowa;” on line 22.

SA 1388. Mr. McCaIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. RED (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 34, line 21, strike “;” and “ and all that follows through “Vermont” on line 24.

SA 1389. Mr. McCaIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. RED (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, lines 19 and 20, strike “;” and “no less” and all that follows through “Arkansas;” on line 22.

SA 1390. Mr. McCaIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. RED (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, line 17, strike “no less” and all that follows through “Louisiana;” on line 19.

SA 1391. Mr. McCaIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. RED (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, line 15, strike “no less” and all that follows through “Rhode Island;” on line 17.

SA 1392. Mr. McCaIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. RED (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, lines 12 and 13, strike “no less” and all that follows through “Washington;” on line 15.

SA 1393. Mr. McCaIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. RED (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, line 5, strike “no less” and all that follows through “New Jersey;” on line 8.

SA 1394. Mr. McCaIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. RED (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, line 1, strike “no less” and all that follows through “New Jersey;” on line 3.

SA 1395. Mr. McCaIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. RED (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, line 3, strike “no less” and all that follows through “New Jersey;” on line 5.

At the appropriate place, insert the following:

SEC. 556. NATIONAL INFRASTRUCTURE SIMULATION AND ANALYSIS CENTER.

The amount appropriated for the National Infrastructure Simulation and Analysis Center under the heading “INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY” under the heading “NATIONAL PROTECTION AND PROGRAMS DIRECTORATE” under title III of this Act is reduced by $4,000,000.
be used to meet the 700-mile fence requirement under this subparagraph.

(2) in subparagraph (B)—

(A) in clause (1), by striking “and” at the end;

(B) in clause (ii), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(ii) FUNDING NOT CONTINGENT ON CONSENT.—Any appropriation provided to carry out this paragraph may not be impounded or otherwise withheld for failure to fully comply with the consultation requirement under clause (i).”;

(b) Report.—Not later than September 30, 2009, the Secretary of Homeland Security shall submit a report to Congress that describes—

(1) the progress made in completing the reinforced fencing required under section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note), as amended by this Act;

(2) the progress made in completing the reinforced fencing and the installation of the related equipment described in subparagraph (A); and

(3) in subparagraph (C), by adding at the end the following:

“(iii) FUNDING NOT CONTINGENT ON CONSENT.—Any appropriation provided to carry out this paragraph may not be impounded or otherwise withheld for failure to fully comply with the consultation requirement under clause (i).”.

SA 1400. Mr. McCaIN proposed an amendment to an amendment SA 1373 proposed by Mr. Reid (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; as follows:

On page 31, line 19, strike all through page 32, line 3, and insert the following:

“(A) to conceal a violation of law, inefficiency, or administrative error;

(B) to prevent embarrassment to a person, organization, or agency;

(C) to restrain competition; or

(D) to prevent or delay the release of information that does not require protection in the interest of transportation security, including basic scientific research information not clearly related to transportation security.’’.

SA 1401 Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SECTION 5. MARITIME TRANSPORTATION SECURITY INFORMATION.

(a) SHORT TITLE. — This section may be cited as the “American Communities” Right to Public Information Act.

(b) IN GENERAL.—Section 70108(d) of title 46, United States Code, is amended to read as follows:

“(d) NONDISCLOSURE OF INFORMATION.—

“(1) IN GENERAL.—Information developed under this chapter is not required to be disclosed to the public, including—

“(A) facility security plans, vessel security plans, and port vulnerability assessments; and

“(B) other information related to security plans, procedures, or programs for vessels or facilities authorized under this chapter.

“(2)(B) Nothing in paragraph (1) shall be construed to authorize the designation of information as sensitive security information (as defined in section 1520.5 of title 49, Code of Federal Regulations)—

“(A) to conceal a violation of law, inefficiency, or administrative error;

“(B) to prevent or delay the release of information that does not require protection in the interest of transportation security, including basic scientific research information not clearly related to transportation security.

“(c) CONFORMING AMENDMENTS.—

“(1) Section 104(a) of the 49 United States Code, is amended by adding at the end thereof the following:

“(4) LIMITATIONS.—Nothing in this subsection, and section 102 of this Act, shall be construed to authorize the designation of information as sensitive security information (as defined in section 1520.5 of title 49, Code of Federal Regulations)—

“(A) to conceal a violation of law, inefficiency, or administrative error;

“(B) to prevent or delay the release of information that does not require protection in the interest of transportation security, including basic scientific research information not clearly related to transportation security.

“(2) Section 40119(b) of title 49, United States Code, is amended by adding at the end thereof the following:

“(9) NONDISCLOSURE OF INFORMATION.—

“(A) to conceal a violation of law, inefficiency, or administrative error;

“(B) to prevent embarrassment to a person, organization, or agency;

“(C) to restrain competition; or

“(D) to prevent or delay the release of information that does not require protection in the interest of transportation security, including basic scientific research information not clearly related to transportation security.’’.

SA 1402. Mr. FEINGOLD (for himself and Mr. McCaIN) submitted an amendment intended to be proposed by the Administrator of the Federal Emergency Management Agency to the amendment SA 1373 proposed by Mr. Reid (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 32, strike line 19 and all that follows through page 33, line 22, and insert the following:

“infrastructure simulation and analysis center. The amount appropriated for the National Infrastructure Simulation and Analysis Center under the heading “INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY” under the heading “NATIONAL PROTECTION AND PROGRAM DIRECTORATE” under title III of this Act is reduced by $4,000,000.

SA 1404. Mr. McCaIN submitted an amendment intended to be proposed to amendment SA 1375 submitted by Mr. VITTER and intended to be proposed to amendment SA 1373 proposed by Mr. Reid (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 9, line 15 and 16, strike “,” and not” and all that follows through “laws” on line 7.

On page 17, line 10, strike “; and” and all that follows through “facility” on line 15.

On page 22, line 5, strike “; Provided,” and all that follows through “Iowa” on line 7.

On page 31, line 19, strike “$356,000,000” and insert “$350,000,000”.

On page 32, line 1, strike “, and” and all that follows through “Iowa” on line 7.

On page 33, line 25, strike “which—” and all that follows through page 34, line 24, and insert “which, $164,500,000 is for purposes of training in accordance with section 1204 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1102), of which $62,500,000 shall be for the Center for Domestic Preparedness.”.

On page 48, line 3, strike “That” and all that follows through “Provided further,” on page 48, line 3.

On page 48, lines 5 and 6, strike “Provided further,” and all that follows through “Initiative” on line 8.

On page 75, strike line 15 and all that follows through page 77, line 16, and insert the following:

SEC. 555. NATIONAL INFRASTRUCTURE SIMULATION AND ANALYSIS CENTER.

The amount appropriated for the National Infrastructure Simulation and Analysis Center under the heading “INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY” under the heading “NATIONAL PROTECTION AND PROGRAM DIRECTORATE” under title III of this Act is reduced by $4,000,000.

On page 22, line 5, strike “Provided,” and all that follows through “Iowa” on line 7.

On page 32, line 19, strike “,” of which no less” and all that follows through “Arkana” on page 33, line 22.

On page 33, line 25, strike “which—” and all that follows through page 34, line 24, and insert “which, $164,500,000 is for purposes of training in accordance with section 1204 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1102), of which $62,500,000 shall be for the Center for Domestic Preparedness.”.

""
On page 47, line 23, strike “That” and all that follows through “Provided further.” on page 48, line 3.

On page 48, lines 5 and 6, strike “Provided further” and all that follows through “Initiative:” on line 8.

On page 77, between lines 16 and 17, insert the following:

SEC. 556. NATIONAL INFRASTRUCTURE SIMULATION AND ANALYSIS CENTER.

The amount appropriated for the National Infrastructure Simulation and Analysis Center under the heading “INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY” under the heading “NATIONAL PROTECTION AND PROGRAMS DIRECTORATE” under title III of this Act is reduced by $4,000,000.

SA 1405. Mr. MCCAlep submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 32, line 16, strike all through page 33, line 22.

SA 1406. Mr. MCCAlep submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 75, line 15, strike all through page 77, line 16.

SA 1407. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 1371 submitted by Mr. Sessions to the amendment proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, after line 7, add the following:

SEC. 49. Section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is amended—

(a) In general.—No department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act may obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to amend, interpret, enforce or promulgate any administrative rule or action which regulates, restricts, or bars from importation any knife under the provisions of this section. A State, local, or tribal government may prohibit the introduction, or manufacture for introduction, into interstate commerce of switchblade knives, and for other purposes” (commonly known as the Switchblade Knife Act) (15 U.S.C. §1241 et seq.), if the knife contains a spring, dent, or other mechanism designed to create a bias toward closure of the blades; or if the biases exerted by the mechanism applied to the blade by hand, wrist, or arm to overcome the bias toward closure to assist in opening the knife.

(b) Recovery.—Not later than 60 days after the date of the enactment of this Act—

(1) the Secretary of Homeland Security shall submit to the appropriate congressional committees a report that describes the actions taken to ensure the effective implementation of this section; and

(2) shall publish the report in the Federal Register.

(c) Effective date.—The amendments made by this section shall take effect upon enactment of this Act.

SA 1409. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 4. REQUIRED PARTICIPATION BY UNITED STATES CONTRACTORS.

Section 402(e) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104-208; 8 U.S.C. 1252a note) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following:

"(2) UNITED STATES CONTRACTORS.—Any person that enters into a contract with the Federal Government shall participate in the E-Verify Program and shall comply with the terms and conditions of such election."

SA 1410. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 4. REVERIFICATION.

Section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104-208; 8 U.S.C. 1321 note) is amended by adding at the end the following:

"(3) REVERIFICATION.—Each employer participating in the E-Verify Program shall use the confirmation system to verify the work authorization of any individual not later than 3 days after the date on which such individual’s employment authorization is scheduled to expire, as indicated by the documents that the individual provided to the employer pursuant to section 274A(b) of the Immigration and Nationality Act (8 U.S.C. 1324a(b)), in accordance with the procedures otherwise applicable to the verification of a newly hired employee under this subsection."

SA 1411. Mr. LAUTENBERG submitted an amendment intended to be proposed to an amendment intended to be proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 85. None of the funds in this Act provided for Railroad Security Assistance under section 1513 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53) shall require a cost share.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before Committee on Energy and Natural Resources Subcommittee on National Parks.

The hearing will be held on Wednesday, July 15, 2009, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills:

S. 227, to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, and for other purposes;

S. 625, to authorize the Secretary of the Interior to establish the Waco Mammoth National Monument in the State of Texas;

S. 853, to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System;

S. 1053, to amend the National Law Enforcement Museum Act to extend the termination date;

S. 1117, to authorize the Secretary of the Interior to provide assistance in implementing cultural heritage, conservation, and recreational activities in the Connecticut River watershed of the States of New Hampshire and Vermont;

S. 1168 and H.R. 1694, to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program; and

S. 714, to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, and for other purposes.
Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by email to anna_fox@energy.senate.gov.

For further information, please contact David Brooks at (202) 224–9863 or Anna Fox at (202) 224–1219.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, July 21, 2008, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to consider the preparedness of Federal land management agencies for the 2009 wildfire season and to receive testimony on S. 561 and H.R. 1404, the Federal Land Assistance, Management and Enhancement Act.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by e-mail to anna_fox@energy.senate.gov.

For further information, please contact Anna Fox at (202) 224–1219 or Scott Miller at 202–2245488.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Tuesday, July 7, 2009, at 10 a.m. in room 328A of the Russell Senate Office Building.

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

COMMITTEE ON ARMED FORCES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, July 7, 2009, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, July 7, 2009, at 9:30 a.m.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, July 7, 2009.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 7, 2009, at 10 a.m. in room 406 of the Dirksen Senate Office Building to hold a hearing entitled, “Moving America toward a Clean Energy Economy and Reducing Global Warming Pollution: Legislative Tools.”

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on Tuesday, July 7, 2009, at 10 a.m.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 7, 2009, at 10 a.m. in room 406 of the Dirksen Senate Office Building to hold a hearing entitled, “From Strategy to Implementation: Strengthening U.S.-Pakistan Relations.”

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

COMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND COAST GUARD

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Tuesday, July 7, 2009, at 9:30 a.m., in room 253 of the Russell Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Mr. DURBIN. I ask unanimous consent that Arex Avanni, a detailer from the Coast Guard to the Homeland Security Subcommittee, be granted the privilege of the floor during debate on the pending legislation, the fiscal year 2010 Department of Homeland Security Appropriations bill.

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

Mr. VOINOVICH. I ask unanimous consent that Carol Cribbs on the Appropriations Committee staff be granted the privilege of the floor during the consideration of the fiscal year 2010 Homeland Security Appropriations bill and any votes in relation thereto.

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

Mr. CARDIN. Mr. President, I ask unanimous consent that Tara Magner, a consultant on the staff of Senator LEAHY’s Judiciary Committee staff, be granted the privileges of the floor for the remainder of this work period, until August 8, 2009.

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

RECOGNIZING THE NATIONAL EYE INSTITUTE AND SUPPORTING THE DECADE OF VISION

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 209, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.
The legislative clerk read as follows:

A resolution (S. Res. 209) recognizing the 40th anniversary of the National Eye Institute and expressing support of the designation of the years 2011 through 2020 as the "Decade of Vision;"

Whereas there is a disproportionate incidence of eye disease in minority populations;

Whereas vision loss as a result of diabetes and other chronic diseases costs the people of the United States $68,000,000,000 each year in health care expenses, lost productivity, reduced independence, diminished quality of life, increased depression, and accelerated mortality;

Whereas approximately 38,000,000 people in the United States over 40 years of age currently experience blindness, low-vision, or an age-related eye disease, and this number is expected to grow to 50,000,000 by 2020, as the tidal wave of approximately 76,000,000 baby boomers who will begin to reach age 65 years of age in 2010, many of whom will continue working well beyond age 65, crashes;

Whereas, in public opinion polls conducted during the past 40 years, people in the United States have consistently identified fear of vision loss as second only to fear of cancer, and, as recently as 2008, a study by the National Eye Institute showed that 71 percent of respondents indicated that a loss of eye-sight would have the greatest impact on their life;

Whereas, with wisdom and foresight, Congress passed an Act entitled "An Act to amend the Public Health Service Act to provide for the establishment of a National Eye Institute within the National Institutes of Health" (Public Law 90–486; 82 Stat. 771), which was signed into law by President Johnson on August 16, 1968;

Whereas the National Eye Institute (in this resolution referred to as the "NEI") held the first meeting of the National Advisory Eye Council on April 3, 1969;

Whereas the NEI leads the Federal commitment to basic and clinical research, research training, and other programs with respect to blinding eye diseases, visual disorders, and vision impairment; Whereas the NEI disseminates information aimed at the prevention of blindness, specifically through public and professional education facilitated by the National Eye Health Education Program;

Whereas the NEI maximizes Federal funding by devoting 85 percent of its budget to extramural research that addresses a wide variety of vision disorders, including "back of the eye" retinal and optic nerve disease, such as age-related macular degeneration, glaucoma, and diabetic retinopathy, and conditions of low vision, and "front of the eye" disease, including corneal, lens, cataract, and refractive errors;

Whereas research by the NEI benefits children, including premature infants born with retinopathy and school children with amblyopia (commonly known as "lazy eye"); Whereas the NEI orders people in the United States by predicting, preventing, and preempting aging eye disease, thereby enabling more productive lives and reducing Medicare costs;

Whereas the NEI has been a leader in basic research, working with the Human Genome Project of the National Institutes of Health to translate the discoveries of genes related to eye disease and vision impairment, which make up 1/3 of genes discovered to date, into diagnostic and treatment modalities; Whereas the NEI is a leader in clinical research, funding more than 60 clinical trials (including a series of Diabetic Retinopathy Clinical Trials Networks, in association with the National Institute for Diabetes and Digestive and Kidney Disorders) which have developed treatment strategies that have been determined by the NEI to be 90 percent effective and to save an estimated $1,600,000,000 each year in blindness and vision impairment disability costs;

Whereas the NEI has been a leader in prevention research, having reported from the first phase of its Age-Related Eye Disease Study that high levels of dietary zinc and anti-oxidants reduced vision loss in individuals at high risk for developing age-related macular degeneration by 25 percent, and, in the second phase of Age-Related Eye Disease Study, studying the impact of other nutritional supplements;

Whereas the NEI has been a leader in epidemiologic research, identifying the basis and progression of eye disease and the disproportionate incidence of eye disease in minority populations, so that informed public health policy decisions can be made regarding prevention, early diagnosis, and treatment;

Whereas the NEI has been a leader in collaborative research across the National Institutes of Health, working with the National Cancer Institute and the National Heart, Lung, and Blood Institute to identify factors that promote or inhibit new blood vessel growth, which has resulted in the first generation of cancer treatments approved by the Food and Drug Administration to inhibit abnormal blood vessel growth in the form of age-related macular degeneration commonly known as the "wet" form of age-related macular degeneration, thereby stabilizing, and often restoring, vision;

Whereas the NEI has been a leader in collaborative research with Federal entities, and its bioengineering research partnership with the National Science Foundation and the Department of Energy has resulted in a retinal implant referred to as the "Bionic Eye", which that has enabled individuals who have been blind for decades to perceive visual images;

Whereas the NEI has been a leader in collaborative research with private funding entities, and its human gene therapy trial with the Foundation Fighting Blindness for individuals with retinal degenerations, a rapid retinal degeneration that blunts infants in their first year of life, has demonstrated measurable vision improvement even within the initial 12 months;

Whereas, from 2011 through 2020, the people of the United States will face unprecedented public health challenges associated with aging, health disparities, and chronic disease; and

Whereas Federal support by the NEI and related agencies within the Department of Health and Human Services is essential for preventing, early detection, access to treatment and rehabilitation, and research associated with vision impairment and eye disease; Now, therefore, be it

Resolved. That the Senate—

(A) maintain a sustained awareness of the unprecedented public health challenges associated with vision impairment and eye disease; and

(B) emphasize the need for Federal support for vision, early detection access to treatment and rehabilitation, and research; and

(C) commends the National Alliance for Eye and Vision Research, also known as the "Friends of the National Eye Institute", for its efforts to expand awareness of the incidence and economic burden of eye disease through its Decade of Vision 2011–2020 Initiative.

ORDERS FOR WEDNESDAY, JULY 8, 2009

Mr. BROWN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, July 8, then following the delivery of the message, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and there be a period of morning business not to exceed one hour during which the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half, with Senators permitted to speak for up to 10 minutes each; further, following morning business, the Senate resume consideration of H.R. 2892, the Homeland Security appropriations bill.

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

PROGRAM

Mr. BROWN. Mr. President, tomorrow we will resume consideration of the Homeland Security appropriations bill. Under the previous order, there will be two votes tomorrow morning around 10:40 a.m. in relation to two amendments: Sessions No. 1371 and Defiant No. 1399. As we continue work on the Homeland Security appropriations bill, additional votes are possible throughout the day.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BROWN. If there is no further business to come before the Senate, I ask unanimous consent the Senate adjourn under the provisions for Thursday.

There being no objection, the Senate, at 7:06 p.m., adjourned until Wednesday, July 8, 2009, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:
DEPARTMENT OF TRANSPORTATION

SUSAN L. KURLAND, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE ANDREW B. STEINBRINCK.

DEPARTMENT OF STATE

MATTHEW WINTHEBP BARRON, OF KENTUCKY, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO SWEDEN.

WILLIAM CARLTON EACHO, III, OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AUSTRIA.

FAY HARTOG-LEVIN, OF ILLINOIS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THE NETHERLANDS.

PATRICIA NEWTON MOLLER, OF ARKANSAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUINEA.

MICHAEL H. POSNER, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO SWITZERLAND.

MATTHEW WINTHROP BARZUN, OF KENTUCKY, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO SWEDEN.

WILLIAM CARLTON EACHO, III, OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AUSTRIA.

FAY HARTOG-LEVIN, OF ILLINOIS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THE NETHERLANDS.

DEPARTMENT OF EDUCATION

ALEXA E. POSNY, OF KANSAS, TO BE ASSISTANT SECRETARY FOR SPECIAL EDUCATION AND REHABILITATIVE SERVICES, DEPARTMENT OF EDUCATION, VICE TRACY RALPH JUSTESEN.

DEPARTMENT OF HOMELAND SECURITY

ALEXANDER G. GARA, OF MISSOURI, TO BE ASSISTANT SECRETARY FOR HOMELAND SECURITY, VICE JEFFREY WILLIAM RUNGE.

DEPARTMENT OF DEFENSE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS DEPUTY JUDGE ADVOCATE GENERAL, UNITED STATES ARMY AND FOR APPOINTMENT IN THE UNITED STATES COURT OF MILITARY JUSTICE TO THE GRADE INDICATED WHILE SERVING AS DEPUTY JUDGE ADVOCATE GENERAL, UNITED STATES ARMY TO THE GRADE INDICATED IN ACCORDANCE WITH TITLE 10, U.S.C., SECTIONS 3037, 3061, AND 424:

To be major general

BRIG. GEN. CLYDE J. TATE

DEPARTMENT OF HOMELAND SECURITY

ALEXANDER G. GARA, OF MISSOURI, TO BE ASSISTANT SECRETARY FOR HOMELAND SECURITY, VICE JEFFREY WILLIAM RUNGE.

DEPARTMENT OF DEFENSE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS DEPUTY JUDGE ADVOCATE GENERAL, UNITED STATES ARMY AND FOR APPOINTMENT IN THE UNITED STATES COURT OF MILITARY JUSTICE TO THE GRADE INDICATED WHILE SERVING AS DEPUTY JUDGE ADVOCATE GENERAL, UNITED STATES ARMY TO THE GRADE INDICATED IN ACCORDANCE WITH TITLE 10, U.S.C., SECTIONS 3037, 3061, AND 424:

To be major general

BRIG. GEN. CLYDE J. TATE
EARMARK DECLARATION

HON. ROBERT J. WITTMAN
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. WITTMAN. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding an earmark I received as part of H.R. 3082, the Military Construction and Veterans Affairs Appropriations Act, 2010.

Project Name: Electromagnetic Research and Engineering Facility
Amount: $3,660,000
Requested By: ROBERT J. WITTMAN (VA–01)
Account: Military Construction (MCN)

Intended Recipient of Funds: Naval Activity South Potomac, Dahlgren, Virginia. Dahlgren, VA 22448

Project description and explanation of the request: This project will provide an addition to the Electromagnetic Research and Engineering Facility (EMRE). This addition is required to facilitate the Directed Energy Technology Office at Naval Surface Warfare Center, Dahlgren Division (NSWCCD) to meet its mission in Directed Energy research, development of prototypes and engineering development model systems and in fielding these prototypes to the warfighter. This project will provide laboratories and analysis spaces for wideband RF, High Powered Microwave, Pulsed Power and high energy laser systems engineering and development. This project provides necessary access to a maritime boundary layer environment and therefore is sited along the Potomac River Test Range. This project will house 25–30 engineers and scientists some of whom will be new hires. This project was developed because it represents the lost scope of another military construction project, P295, that was approved in Fiscal Year 2006. Due to high bids, only about 75% of the original facility could be built. This project provides the remaining 25% (6,500 SF). Funding will be used for electrical facilities ($120,000), mechanical facilities ($110,000), paving and site improvements ($30,000), site preparations ($110,000), demolition of previous buildings ($230,000), anti-terrorism/force protection measures ($180,000), information systems ($60,000), built-in equipment ($60,000), and technical operating manuals ($40,000). I certify that neither I nor my spouse has any financial interest in this project.

EARMARK DECLARATION

HON. MICHAEL N. CASTLE
OF DELAWARE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. CASTLE. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding funding for Delaware included as part of FY 2010 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, H.R. 2997:

Name of Project: Avian Bioscience, DE
Requesting Member: Congressman MICHAEL N. CASTLE

Bill Number: H.R. 2997
Account: National Institute of Food and Agriculture—SRG
Legal Name of Requesting Entity: University of Delaware
Address of Requesting Entity: University of Delaware, Hullihen Hall, Newark, DE 19716
Description of Request: $94,000 to be used to upgrade Delaware’s existing diagnostic facility. Delaware is the nation’s leader in the research, development, and implementation of successful avian influenza (AI) surveillance and response plans to protect poultry and human health. The University of Delaware, through its College of Agriculture and Natural Resources, is central to Delmarva’s preparedness for AI.

Name of Project: Agriculture Compliance Laboratory Equipment, Delaware
Requesting Member: Congressman MICHAEL N. CASTLE

Bill Number: H.R. 2997
Account: Animal and Plant Health Inspection Service—Salaries and Expenses
Legal Name of Requesting Entity: State of Delaware
Address of Requesting Entity: Delaware Department of Agriculture, Tatnall Building, William Penn Street, Dover, DE 19901
Description of Request: $69,000 to fully equip and modernize the Poultry and Animal Health Lab for the state of Delaware in order to protect Delaware’s animal industries (including food animal, companion, and companion animals) and therefore public health of all Delawareans.

EARMARK DECLARATION

HON. CATHY MCMORRIS RODGERS
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mrs. MCMORRIS RODGERS. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding an earmark I received as part of H.R. 2997, FY2010 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act.

Requested Member: Congresswoman MCMORRIS RODGERS

Bill Number: H.R. 2997
Account: Salaries and Expenses
Legal Name of Requesting Entity: Washington Grain Alliance (on behalf of the USDA Agricultural Research Service)
Address of Requesting Entity: USDA Agriculture Research Service; Jamie L. Whitten Building; 1400 Independence Avenue, SW; Washington, DC; 20250

Description of Request: Provide an addition of $290,000 for salaries and expenses for a coordinated research effort to identify and introduce new germplasm, genes, and varieties of wheat, barley, and oats with improved and sustainable rust resistance. This research will help combat stem, leaf, and stripe rust that threaten the entire U.S. production of wheat, barley, and oats.

Requesting Member: Congresswoman MCMORRIS RODGERS

Bill Number: H.R. 2997
Account: RE/FA
Legal Name of Requesting Entity: Washington State University
Address of Requesting Entity: French Administration Building, Room 324; Pullman, WA 99164

Description of Request: Provide $268,000 for the study of PM10 Particulate Emission Prediction and Control. By researching wheat farming and air quality issues, farmers can develop practices that allow for the control of wind erosion and dust emissions without suffering economic hardship. This research project addresses national and regional agricultural needs and helps maintain a robust and healthy agriculture industry.

Requesting Member: Congresswoman MCMORRIS RODGERS

Bill Number: H.R. 2997
Account: SRG
Legal Name of Requesting Entity: Washington State University
Address of Requesting Entity: French Administration Building, Room 324; Pullman, WA 99164

Description of Request: Provide $235,000 for the Cool Season Food and Legume research program to improve the efficiency and sustainability of the U.S. dry pea, fresh pea, lentil, and chickpea industries. The program is a cooperative effort between federal and state university scientists to establish and maintain a robust and healthy agriculture industry and address national and regional agricultural research needs as they relate to the development of genetically-superior legume varieties.

Requesting Member: Congresswoman MCMORRIS RODGERS

Bill Number: H.R. 2997
Account: SRG
Legal Name of Requesting Entity: Washington State University
Address of Requesting Entity: French Administration Building, Room 324; Pullman, WA 99164

Description of Request: Provide $313,000 to address the needs of the grass seed industry by utilizing the research and technology expertise of scientists from Washington, Idaho, and Oregon, and USDA-ARS with input from industry representatives. By researching the genetics of barley, the U.S. can further the goal of establishing and maintaining a robust and healthy agriculture industry and address national and regional agriculture research needs.

Requesting Member: Congresswoman MCMORRIS RODGERS

Bill Number: H.R. 2997
Account: SRG  
Legal Name of Requesting Entity: Washington State University  
Address of Requesting Entity: French Administration Building, Room 324; Pullman, WA 99164  

Description of Request: Provide $98,000 for perennial wheat research to develop it into a viable part of the small grains cropping systems, especially in areas where soil erosion potential is high. Perennial wheat offers a viable option for sustainable farming systems and improved environmental stewardship. Soil erosion by wind and water is a direct cause of lower air and water quality; perennial wheat provides constant soil coverage by plant material, resistance to pests and diseases, and a source of straw for new fiber products.

Requesting Member: Congresswoman McMorris Rodgers  
Bill Number: H.R. 2997  
Account: SRG  
Legal Name of Requesting Entity: Washington State University  
Address of Requesting Entity: French Administration Building, Room 324; Pullman, WA 99164  

Description of Request: Provide $223,000 to fund research for Virus-free Wine Grape Cultivation. To maintain competitiveness and health, this project addresses an immediate high-priority need to meet the certification standards of the vineyard industry.  

EARMARK DECLARATION  
HON. C.W. BILL YOUNG  
OF FLORIDA  
IN THE HOUSE OF REPRESENTATIVES  
Tuesday, July 7, 2009

Mr. YOUNG of Florida. Madam Speaker, pursuant to the House Republican Standards on Congressional appropriations initiatives, I am submitting the following information regarding projects that were included at my request in H.R. 2997, the Fiscal Year 2010 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Bill:

TROPICAL AND SUBTROPICAL AGRICULTURE RESEARCH (T–STAR)  
Account: Department of Agriculture, Cooperative State Research, Education, and Extension Service, Research and Education Activities.  
Legal name and address of requesting entity: The University of Florida, 226 Tigert Hall, Gainesville, FL 32611  
Description of request: $6,677,000 is included in the bill for Tropical and SubTropical Agriculture Research (T–STAR) at the Universities of Florida and Hawaii to address the problem of exotic pests and other tropical and subtropical problems in America’s Caribbean and Pacific Basins. The major goal of the T–STAR program is to develop strategies and tactics to stem the invasion of exotic diseases, pests, and weeds in the United States, and worldwide. The recent introduction of asian soybean rust into the United States, along with the increasing threat of avian influenza and foot-and-mouth disease entering the country, heightens the possibility of a terrorist-induced attack on the nation’s food supply. There is an urgent need to identify exotic pests in other countries with which the United States maintains frequent and extensive trade and travel in order to: (1) determine potential avenues for the introduction of these pests into the United States, (2) develop technologies for the early detection of these pests, (3) find effective and environmentally acceptable methods for the eradication and containment of these pests if they enter the United States. Under the T–STAR program, scientists aggressively protect the nation against the growing environmental and economic threat of invasive exotic pests. The Universities of Florida and Hawaii represent important agricultural states which are prime locations for the introduction of exotic pests from other parts of the world. Previous funding has been provided by the Department of Agriculture for T–STAR in the following amounts: FY2001—$3,800,000, FY2002—$3,800,000, FY2003—$9,000,000, FY2004—$9,000,000, FY2005—$9,400,000, FY2006—$9,500,000, FY2008—$7,400,000, FY2009—$6,677,000.

EARMARK DECLARATION  
HON. MARY FALLIN  
OF OKLAHOMA  
IN THE HOUSE OF REPRESENTATIVES  
Tuesday, July 7, 2009

Ms. FALLIN. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the Agriculture Appropriations bill.

I, Rep. MARY FALLIN, requested and received $2,000,000 under The Department of Commerce, NOAA—Operations, Research, and Facilities Account for The University of Oklahoma—National Radar Testbed—Phased Array Radar. The entity to receive funding for this project is the University of Oklahoma, 100 E. Boyd Street, Norman, OK 73109. It is my understanding that the funding would be used to support research and development for forecasting advanced warning detection of tornadoes and other forms of severe weather at the National Severe Storms Labs (NSSL) in Norman, OK.

I, Rep. MARY FALLIN, requested and received $350,000 under The Department of Justice, Cops Law Enforcement Account for The Oklahoma Department of Public Safety—Statewide Public Safety Communication System. The entity to receive funding for this project is the Oklahoma Department of Public Safety, 3600 Martin Luther King, Oklahoma City, OK 73136. It is my understanding that the funding would be used to enhance the Oklahoma Highway Patrol’s Law Enforcement Technology Division’s mobile data program.

I, Rep. MARY FALLIN, requested and received $150,000 under The Department of Commerce, COPS Law Enforcement Technology Account for University of Central Oklahoma—National Radar Testbed—Phased Array Radar. The entity to receive funding for this project is the University of Oklahoma, 100 N. University Drive, Edmond, OK 73034. It is my understanding that the funding would be used to utilize new laboratory infrastructure and equipment to significantly expand the services available to the Oklahoma State Bureau of Investigation Forensic Institution’s training programs and to state and local law enforcement officers.

EARMARK DECLARATION  
HON. CHRISTOPHER JOHN LEE  
OF NEW YORK  
IN THE HOUSE OF REPRESENTATIVES  
Tuesday, July 7, 2009

Mr. LEE of New York. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding an earmark I received as part of the Agriculture Appropriations bill.

I, Rep. CHRISTOPHER LEE (NY-26), requested and received $150,000 under the Department of Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010, for the University of New York College at Brockport.
Address of Requesting Entity: 350 New Campus Drive, Brockport, NY 14420

Description of Request: Provide an earmark of $500,000 for the Genesee River Watershed project. No systematic studies have attempted to identify the causes of the water quality issues that also affect the near-shore of Lake Ontario. Identification will provide a basis for management practices in order to improve water quality.

Of the total amount, $283,000 (or 56.6%) is for salaries for project administrator and field agents; $113,200 (22.64%) is for fringe benefits; $86,500 (17.3%) is for supplies, travel, and equipment; and $17,300 (3.46%) is for indirect costs.

**EARMARK DECLARATION**

**HON. KAY GRANGER**

**OF TEXAS**

**IN THE HOUSE OF REPRESENTATIVES**

**Tuesday, July 7, 2009**

Ms. GRANGER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I, KAY GRANGER, submit the following information regarding earmarks I received as part of H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations bill for fiscal year 2010. For the project titled “Assistance to Improve Water Quality for Tarrant County, Texas,” which received $336,000 in H.R. 2997, Natural Resources Conservation Service, Conservation Operations account, the legal name and address of the receiving entity is Texas AgriLife Extension Service, 113 Jack K. Williams Building 2142 TAMU, College Station, TX 77843–2142. This funding supports specialized studies to improve water quality in North Central Texas. The project aims to create a watershed protection plan and improve the water quality in the five reservoirs that supply water for the majority of Fort Worth and fifty-nine surrounding communities. By implementing a watershed protection plan, water quality can be improved in North Central Texas, thereby protecting supply and quality for over 1.6 million residents in the area. Tarrant Regional Water District, Texas Water Resources Institute, and the Texas AgriLife Extension Service support this project through in-kind support including employee salaries and data and sample analysis.

**AMERICAN CLEAN ENERGY AND SECURITY ACT OF 2009**

**SPEECH OF**

**HON. PAUL TONKO**

**OF NEW YORK**

**IN THE HOUSE OF REPRESENTATIVES**

**Friday, June 26, 2009**

Mr. TONKO. Madam Speaker, today I come to the floor to urge my colleagues to support H.R. 2454, the American Clean Energy Security Act.

As you know, I represent a state that has been a leader in the nation when it comes to renewable energy standards and energy efficiency activity. New York was the first state in the country to adopt a state renewable energy standard and is currently ranked as one of the most energy efficient states per capita in the nation.

I am proud to say H.R. 2454 will allow New York to continue these successful programs and push us even further in a positive direction. Working with, and on behalf of, the New York delegation, I worked with Chairman WAXMAN and Chairman MARKET to include language which allows states like New York to have the flexibility to be in control of their own compliance. This flexibility is vital if New York is to continue its great progress in renewable energy and energy efficiency activities. This bill allows New York State to build upon a strong record of demand reduction. Otherwise, a commitment of several years would be required to set up a new system in our state with its proven results.

In addition to the flexibility language, the bill includes provisions allowing market transformation initiatives to count towards the energy efficiency standard. It also addresses the issue of transportation emissions and transportation planning and makes it consistent with current state policy. Finally, the bill includes an improvement that I recommended concerning efficiency of natural gas turbines. H.R. 2454 creates a $65 million competitive grant program specifically for research and development of more efficient natural gas turbines and production. The goal of the program would be to raise the efficiency of these turbines to 65 percent. Currently, the most efficient turbines operate at 60 percent. A one percentage point improvement in efficiency alone, applied to existing turbines, would reduce CO2 emissions by 4.4 million tons per year and provide fuel savings of more than $1 billion per year.

The innovation and technology advancement that this bill aims to promote will see benefits for future generations. As we did during the Space Race so many years ago, we must turn towards innovation and leadership on the energy front to lead the world again. This is a global race for clean, green energy that we cannot afford to lose.

Mr. TONKO. Madam Speaker, with the collective energy and vision of the President and the Congress, this bill will create new and enduring policies which will promote cleaner, more efficient, and more independent sources of energy that will positively influence all of America’s energy demands as well as jobs and career paths of the future. I urge my colleagues to join me and vote in favor of H.R. 2454. I yield back the balance of my time.

**IMMIGRATION RIGHTS—ATTORNEY ACCESS RESTORED**

**HON. CHARLES B. RANGEL**

**OF NEW YORK**

**IN THE HOUSE OF REPRESENTATIVES**

**Tuesday, July 7, 2009**

Mr. RANGEL. Madam Speaker, I rise today to enter into the record an article published in the New York Daily News on June 23, 2009, titled “Eric Holder Restores Key Immigration Right, Access to Attorney”, written by Tony Best. The article applauds Attorney General Eric Holder’s swift action in reversing the past Administration’s move to deprive individuals facing deportation with the right to an attorney.

As this Administration moves towards immigration reform, it is important that we articulate that we are a nation that was founded on immutable rights, and these rights should not be limited to those who have the great benefit of US citizenship. Everyone who stands before a judge in our country is afforded the right to an attorney and why should an immigrant be excluded from such due process?

It is understood that immigrants are not granted all the same protections that citizenship guarantees, but the integrity of the immigration proceedings are compromised when an individual does not have the ability to assert themselves through the benefit of counsel. Cultural and language barriers already place many immigrants at a disadvantage when standing before a judge and it is important that we offer these individuals the benefit of legal counsel to represent and assert their rights.

I am pleased to hear that the Attorney General will be drafting a new order on this policy to recognize the need to give immigrants the capacity to be fairly judged.

**HONORING DR. JAMES D. LOMBARDO**

**HON. PATRICK J. MURPHY**

**OF PENNSYLVANIA**

**IN THE HOUSE OF REPRESENTATIVES**

**Tuesday, July 7, 2009**

Mr. MURPHY. Madam Speaker, I rise today to honor Dr. James D. Lombardo, Superintendent of Schools of the Bensalem Township School District. Dr. Lombardo will be stepping down from his position this summer after two and a half years of dynamic leadership in the district. Prior to this position he was superintendent for the Upper St. Clair School District in Pennsylvania as well as school districts in the state of Vermont. Dr. Lombardo’s experience in the public education system also includes positions as a curriculum and staff development director, principal, associate principal, and English teacher.

As an educator, Dr. Lombardo’s philosophy centers on the concept of providing learning for the “whole” child, challenging and supporting each student to discover a passion for learning while designing and achieving a personal vision of success. He has guided members of his school district in setting goals and beliefs to achieve this vision of education.

During his time as superintendent, Dr. Lombardo has encouraged staff and parents alike to ensure that no child is “invisible” and that each student is safe, healthy, and engaged. Specifically students in grades 3, 7, and 8 now have an opportunity to learn a second language, students with special needs are spending more of their time in the regular classroom setting, more than 100 kindergarten students now benefit from a full time program, and smaller class sizes in grades K–2 promise improved learning for hundreds of Bensalem children.

Dr. Lombardo has contributed enormously to the education and upbringing of children in his community. Madam Speaker, I am proud to recognize Dr. Lombardo for his outstanding efforts, and am extremely honored to serve as his Congressman.
Ms. GRANGER, Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I, KAY GRANGER, submit the following information regarding earmarks I received as part of H.R. 3081, the Department of State, Foreign Operations, and Related Programs Appropriations Act of Fiscal Year 2010 for the language pertaining to “Sister Cities International Cultural and Economic Development Exchange Programs.” Any funding granted by the Department of State Educational and Cultural Exchange Programs account would go to Sister Cities International, 1301 Pennsylvania Ave., NW, Suite 850, Washington, DC 2004. It is my understanding that the funding would be used to support Sister Cities International’s ongoing initiatives to increase the numbers of international citizen exchange opportunities through its network with Africa and Islamic communities. Once funded, there is a one-to-one match of local private dollars to re-granted federal dollars. The City of Fort Worth, TX, is an active partner in Sister Cities International, leading in U.S. public diplomacy efforts.

BLACK MUSIC MONTH
HON. HENRY C. “HANK” JOHNSON, JR.
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. JOHNSON of Georgia. Madam Speaker, I rise today in strong support of H. Res. 170, celebrating the 30th anniversary of June as “Black Music Month.” I would like to thank my colleague Representative STEVE COHEN from Tennessee for introducing this important piece of legislation, as well as the co-sponsors.

I stand in support of this resolution because it is continuing to recognize the importance that black music has played in American culture. Many American made genres of music such as jazz, blues, gospel, rock and roll, and the rhythm and blues owe their existence to the contribution of black musicians in the past. Georgians such as Tenor Richard Hayes, born in 1887 to former slaves, was one of the most important African-American tenors performing in classical music during the first part of the 20th century. Hayes was one of the highest paid musicians of his time breaking down color barriers for other black classical performers such as Paul Robeson, Leontyne Price, William Dawson, William Grant Still, and even Duke Ellington. As well as other native Georgia artists like Ray Charles, one of the main creators of “soul music”, who is well known for his unique version of “America the Beautiful”. Charles’ rendition of “Georgia on My Mind” was proclaimed the state song on April 24, 1979.

This resolution aims to continue to stress the importance of recognizing June as Black Music Month as it was formally declared in 1979. Continuing the phenomenal work of black composers, musicians, producers, writers, and singers during one month of the year is the least that we can do to pay tribute to contributions that they have made in shaping the musical art forms that we enjoy today. Celebrating and observing the 30th anniversary of June as “Black Music Month” is something that I encourage all Americans to do. I urge my colleagues to support this resolution.

TRIBUTE TO ANTOINETTE TRIFARI
HON. BILL PASCRELL, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. PASCRELL. Madam Speaker, I would like to call to your attention the life of an outstanding individual, Antoinette Trifari. She will mark her 100th birthday with a celebration, joined by family and friends, some of whom are traveling great distances to be part of this happy occasion.

It is only fitting that she be honored in this, the permanent record of the greatest democracy ever known, for she has brought so much joy to the lives of others throughout her lifetime.

Antoinette is a native of the great City of Paterson, NJ. She was born there on July 9, 1909 to Angelina and John Pescatore, and was the fifth of eleven children. She attended Paterson schools, going first to School 19, then graduating from School 5. Then at age fourteen, she began working, sewing pearls and sequins onto fabric that was used for opera gowns. Antoinette soon went on to work for more than ten years in Paterson’s world famous silk and textile mills.

Antoinette was married on June 9, 1935 to Edmund Trifari, also of Paterson, who had attended New Jersey Law School. The wedding was held at St. Anthony’s R.C. Church and was officiated by the groom’s brother, Reverend Aloysius Trifari, a Salesian priest. Two years later, the Trifaris welcomed twins, Edmund, Jr. and Nancy Angela. The young family soon moved to a new development of Cape Cod homes on the outskirts of Paterson, known as Colonial Village. Antoinette and Edmund would live in that home until Edmund passed away on January 2, 2003, after sixty-seven and a half years of marriage. She remained in their home until 2005 when she moved to Connecticut to live with Edmund Jr., and his wife Claire Elwood. Her daughter Nancy lives in England with her husband George Dowden.

Over the years, Antoinette has been blessed not only with her children, but with seven grandchildren; Conrad, MaryBeth and Michael Roncati, and TemAnn, Edmund III, Antoinette was a devoted grandmother. She has thirteen great-grandchildren; Conrad Maxwell, Dean, Mia, Dian, Carissa Roncati and Jessica Bates, Abigail, James, Ryan and Michael Sands, Joshua, Nicholas and Tyler Trifari. She is also the loving aunt of countless nieces, nephews, greatnephews and grandnephews.

She is well known throughout the Paterson area for a business that she began. She made puddles out of commercial yarn; they were so creative and lifelike that the yarn company featured a story about her in their corporate magazine. She then continues crocheting, a lifelong hobby she still enjoys. Antoinette also has a passion for helping people and volunteering. She was a member of St. Mary’s R.C. Church in Paterson her entire life until she moved, and is a now a parishioner of Saint Peter Claver R.C. Church in West Hartford. Even into her nineties she was a volunteer at St. Joseph’s Home for the Aged in Totowa, NJ. She made many lasting friendships and touched many lives through her involvement with the Little Sisters of the Poor. When she moved in 2006 to Middlewoods Assisted Living Home in Farmington, Connecticut, she immediately became an active participant in many of their programs. She is the assistant to the pianist in the Choral Group, attends Sunday outings visiting historic and cultural points of interest around Connecticut, and is a tutoring mentor for young children. She enjoys playing Scrabble with friends and playing solitaire on the computer, and most of all, sharing her joy of life and her love with all those she encounters.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to celebrating and recognizing individuals like Antoinette Trifari.

Madam Speaker, I ask that you join our colleagues, Antoinette’s family and friends, everyone at St. Joseph’s Home in Totowa, New Jersey, all those who have been touched by her, and me in recognizing Antoinette Trifari.

UPPER ELK RIVER WILD AND SCENIC STUDY ACT
HON. NICK J. RAHALL II
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. RAHALL. Madam Speaker, at the request of the Pocahontas County Commission of the great State of West Virginia, today I am introducing legislation to provide for a study to determine the feasibility and suitability of including a segment of the Elk River as a component of the Wild and Scenic River System. The Elk River is one of West Virginia’s premier natural resource assets. It is the longest river in West Virginia with its boundaries entirely within the State. The study which would be authorized by this legislation, however, would focus only on that segment of the Elk where it begins at the confluence of two streams—Old Field Fork and Big Spring Fork—at the community of Slabfork and flows North for approximately five miles to the Pocahontas/Randolph County line. The study would be conducted by the U.S. Forest Service.

The idea of preserving this river in its natural state is not something new. Indeed, I well recall conversations with one of West Virginia’s visionary conservationists, former State Senator Robert K. Holliday, on this matter during the late 1980s and early 1990s. In 1989, the Senate of West Virginia passed a resolution calling for the development of the Elk River into a national recreation area by Federal and State governments. And in 1993, I propose a Wild and Scenic study for a 57.5 mile segment of the river. For one reason or another, the enthusiasm over this endeavor dissipated.

The February 4, 2009, unanimous vote by the Pocahontas County Commission consisting of President Monroe V. Saffer, David M. Fieming and Reta J. Griffith to request that a study be conducted on a much smaller segment of the Elk River resurrects this issue and makes it ripe for consideration.
The “Slaty” segment of the Elk River that would be the subject of the study authorized by this bill, named in reference to the community of Slatyfork where the river begins, was described in a January 2009 letter written by local resident Tom Shipley to the Pocahontas County Commission: “I would add, to the State of West Virginia and the Nation as a whole.

Mr. RANGEL. Madam Speaker, I rise today in memoriam of my dear friend Elizabeth Louise Allen, who departed this life peacefully on Monday, June 22, 2009. Known to all of us as Betty Lou Allen, she had been a guiding force at The Harlem School of the Arts since she became Executive Director, and eventually President after Dorothy Maynor, the school’s founder, retired in 1992. Betty Lou was born on March 17, 1927, in Campbell, Ohio, near Youngstown. Her father worked in the steel mills; her mother had a thriving business taking in laundry. Betty grew up in a neighborhood which was mostly made up of Sicilian and Greek families, and where Italian, German and Yiddish were spoken and its people sang, danced and played music. From the neighbors’ windows, she could hear the broadcasts from the Metropolitan Opera house every Saturday from their radios.

Betty lost her mother to lung cancer when she was 12 years old. After many turbulent years, that began with her father, and later in foster homes, where she was treated badly and unfairly, Betty moved into the Youngstown Y.W.C.A. when she was 16 years old. She supported herself cleaning houses, excelled in high school, and entered Wilberforce College in Wilberforce, Ohio, on a scholarship (a historically black institution, it is now Wilberforce University).

At Wilberforce, Ms. Allen met Theodore Heimann, a former Berlin Opera tenor who taught German and voice there and encouraged her to sing. Soprano Leontyne Price was also a classmate at Wilberforce. Betty went on to earn a scholarship to what was then the Hartford School of Music in Connecticut.

In the early 1950s, Ms. Allen studied at Tanglewood, where Leonard Bernstein chose her to be the mezzo-soprano soloist in his Symphony No. 1 (“Jeremiah”); she was later a frequent soloist with Mr. Bernstein and the New York Philharmonic. Betty made her New York recital debut at Town Hall in 1958 in a program that included Brahms and Fauré. Elizabeth “Betty Lou” Allen was part of the first great wave of African-American singers to appear on the world’s premier stages in the postwar years. Active from the 1950s to the 1970s, she performed with the New York City Opera; the Metropolitan Opera; and the opera companies of Houston, Boston, San Francisco, and Santa Fe. In 1954 Ms. Allen made her City Opera debut as Queenie in “Show Boat,” by Jerome Kern and in 1964, she made her formal Opera debut at the Teatro Colón in Buenos Aires, Argentina, followed by countless appearances worldwide.

Betty Allen sang the role of Begonia in the City Opera production of Hans Werner Henze’s comic opera “The Young Lord,” conducted by Sarah Caldwell in 1973. In reviewing the production, “The New York Times’ Harold C. Schonberg wrote of Ms. Allen’s on-stage performance: “When she was onstage everything came to life, and every- thing around her was dimmed.”

Ms. Allen, who also toured as a recitalist, was known for her close association with the American composer Virgil Thomson, Ned Rorem and David Diamond. At her death, she was on the faculty of the Manhattan School of Music, where she had taught since 1969. She was also the president emeritus and a former executive director of the Harlem School of the Arts.

With the Met, Ms. Allen sang the role of Commère in Mr. Thomson’s “Four Saints in Three Acts” in 1973; she later participated in the first complete recording of the work. Elsewhere, her roles included Teresa in “La Sonnambula,” by Bellini; Jocasta in Stravinsky’s “Oedipus Rex”; Monisha in Scott Joplin’s “Treemonisha”; and Mistress Quickly in Verdi’s “Falstaff.”

Betty Allen has brought so much joy to many audiences of all ages and diversity with her beautiful voice. She has long been committed to nurturing young artists across all disciplines and opening doors for so many African American children who would have never had the opportunity exploit their talents.

From 1979 to 1992 she served as Executive Director and President to her beloved Harlem School of the Arts. Upon her retirement she stayed on as President Emeritus. While HSA was born of the commitment and ideals of its founder, it was Betty Allen who strengthened the foundation of the vibrant and inspiring institution that it is today. HSA honored Betty Allen with the inaugural Betty Allen Lifetime Achievement Award at the Art is Life Gala on Monday, March 9, 2008, and graced her presence for this year’s benefit.

In addition to her many years as a leader and master teacher with HSA, Ms. Allen has also taught at the North Carolina School of the Arts, the Manhattan School of Music, and the Curtis institute of Music in Philadelphia. She also holds Honorary Doctorates from Wittenberg University, Union College, Adelphi University, and Clark University in Massachusetts and the New School in New York City.

Madam Speaker, HSA President and Chief Executive Officer Kakuna Kerina stated: “The impact Betty Allen has made as an artist and arts educator is measured in the tens of thousands of lives she influenced in their youth. She was unique in that the standards she applied to herself were the same as the standards she expected of others, and we are better for it. We extend our condolences to Ms. Allen’s family and thank them for sharing her with a vast community of admirers throughout the world.”

Elizabeth “Betty Lou” Allen is a national treasure and true American heroine, whose artistic talents expanded the boundaries for so many American artists, and committed to nurturing young artists across all disciplines and opening doors for so many African American children who would have never had the opportunity to explore. May God bless all of us for the life of our American mezzo-soprano, Betty Allen.
Description of Request: Provide an earmark in the amount of $200,000 to rebuild East Prairie, Missouri’s wastewater and storm water infrastructure. The existing 84-year-old water infrastructure is crumbling under the streets due to sinkholes which have plagued the community. The sinkholes are destroying box culverts, which is a threat to streets and houses in East Prairie. The money procured will pay for the construction of new stormwater sewers. A minimum of 45% of the total project cost will come directly from the City of East Prairie, Missouri.

EARMARK DECLARATION

HON. KAY GRANGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Ms. GRANGER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I, KAY GRANGER, submit the following information regarding earmarks I received as part of H.R. 3082, Military Construction and Veterans Affairs Appropriations Act for fiscal year 2010. For the project titled “Replace Joint Base Communications Building,” which received $6,170,000 in H.R. 3082, in the Navy Reserve Military Construction account, the legal name and address of the receiving entity is NAS JRB Fort Worth, in Fort Worth, TX. Funds will be used to build a new communications building. The existing base communications building is undersized. The location of communications assets must remain in that position since communications lines that run throughout the base run underground into the building’s terminal/switch room. This facility, built in 1951, does not lend itself to the demands of current technologies. This has resulted in piecemeal renovations over the years in an attempt to meet growing communications needs. The existing space will not accommodate growth requirements for the terminal/switch room, threatening a loss in communication functionality base-wide.

EARMARK DECLARATION

HON. MARY BONO MACK
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mrs. BONO MACK. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2996, Military Construction and Veterans Affairs Appropriations Act, 2010:

- Requesting Member: MARY BONO MACK
- Bill Number: H.R. 2996
- Account: Interior, Environment, and Related Agencies Appropriations, 2010
- Entity Requesting: Coachella Valley Mountains Conservancy and the Friends of the Desert, 45480 Portola Ave., Palm Desert, CA 92260
- Description of Earmark: $500,000 is provided in the legislation for protecting local groundwater resources and protecting pollution in the City of Cathedral City. There are thousands of septic tanks that lie east of the Whitewater Channel in the Coachella Valley that have been identified as a significant threat to public potable groundwater resources. This project will permanently remove these known pollution sources (septic tanks) and will sustain and improve local and regional water supply reliability. Cathedral City is confident that this project will proceed with full community support and participation. Long-term attenuation and maintenance of state and Federal drinking water quality standards will also be achieved as a result of this endeavor.
- Spending Plan: Project Expenditures—Task: Right-of-Way Acquisition: $0; Construction Costs: $12,700,000; Design & Construction Management: $2,300,000—Design and Engineering, Environmental Permits, Environmental Clean-up, Construction Administration, Construction Inspection, Materials Testing, Surveying. Total Cost: $15,000,000.
- Matching Funds Breakdown: City of Cathedral City General Fund—$800,000, Federal Assistance—$1,000,000, Assessment District—$9,000,000, California Proposition 84 Grant—$2,000,000, Cathedral City Redevelopment Agency—$700,000, Coachella Valley Water District—$1,500,000. Total Match: $15,000,000.

EARMARK DECLARATION

HON. DEVIN NUNES
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. NUNES. Madam Speaker, I am submitting the following information regarding H.R. 1945, Tule River Tribe Water Development Act. The entity to receive funding authorized under this act is the Bureau of Reclamation. The project will benefit the Tule River Tribe located at 340 N. Reservation Road, Porterville, CA 93257. I certify, to the best of my knowledge, that neither I nor my spouse has any financial interest in this project; the project is not directed to an entity or program that will benefit a number of officers with life-saving skills. Continued funding for ALERRT in FY10 will enable the program to train more patrol officers, including San Angelo Police Department, help establish the program as a national...
training system; further build train-the-trainer capacity; enhance retention of learned skills by former students; provide valuable research and evaluation to improve first responder abilities; and provide investigative training and support for evolving threats. In addition to providing ALERRT to the more than 400 entities requesting it, FY10 funding and beyond will be integral to sustain and build capacity for a nation-wide effort to standardize a level of preparedness among the more than 650,000 peace officers employed by law enforcement agencies across the United States.

ECHMARK DECLARATION

HON. BILL SHUSTER
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. SHUSTER, Madam Speaker, consistent with the Republican Leadership’s policy on earmarks, I am placing the following:

Requesting Member: Congressman BILL SHUSTER (PA–9)

Bill Number: H.R. 2997—Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, FY2010

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES PROJECTS

Project Name: Sustainable Agriculture and Natural Resources, PA

Account: National Institute of Food and Agriculture, PA

Legal Name of Requesting Entity: Pennsylvania State University

Address of Requesting Entity: 117 Old Main, University Park, PA 16802

Description of Request/Justification of Federal Funding: $243,000 for Improved Dairy Management Practices, PA

It is my understanding that funding for this project will support research that protects the safety of dairy products for Pennsylvania and the nation. Research will address the continued threat of natural or intentional contamination of the fluid milk supply. The project will focus on continuing to develop more sensitive, accurate, and cost-effective diagnostic tools to identify pathogens and toxins. Additionally, research will support developing and evaluating alternative preservation techniques that ensure the safety of dairy products while preserving food quality attributes, evaluating benefits and risks associated with consumer and producer interest in raw milk products, and examining the integrity of the supply chain that moves dairy products from the farm gate to the consumer.

This project is a valuable use of taxpayer funds because new technical approaches to solving crucial problems in dairy farming have high impact and are critical given the importance of the dairy production sector and the multiplier effect of dairy-derived income. Current changes in the dairy production sector and related industries at risk. Milk safety funding provides a tool for the federal government to respond quickly to emerging issues within the dairy industry and is necessary to maintain consumer protection and confidence. Improvements can be transferred to producers, processors, distributors, and retailers.

It is also my understanding that approximately 32 percent of funding will be used for salaries, approximately 13 percent for graduate students, approximately 16 percent for wages, approximately 1 percent for travel, approximately 10 percent for equipment, and approximately 28 percent for other direct costs. Project Name: Improved Dairy Management Practices, PA

Account: National Institute of Food and Agriculture, PA

Legal Name of Requesting Entity: Pennsylvania State University

Address of Requesting Entity: 117 Old Main, University Park, PA 16802

Description of Request/Justification of Federal Funding: $243,000 for Improved Dairy Management Practices, PA

It is my understanding that funding for this project will provide research to address improved dairy management practices and specifically nutrient and emissions management. The project will be focused on addressing issues associated with dairy production by utilizing technology to improve water quality, lowering the impacts of emissions, and supporting efficient energy use.

This project is a valuable use of taxpayer funds because current challenges have placed the dairy production sector and related industries at risk. Evaluating new management tools for their impact on dairy farm profitability and developing tools to the industry based on sound scientific study is vital to the future of U.S. dairy production. New technical approaches to solving crucial problems in dairy farming have high impact and are critical given the importance of the dairy production sector and the multiplier effect of dairy-derived income.

It is also my understanding that approximately 24 percent of funding would be used for salaries, approximately 23 percent for graduate students, approximately 22 percent for wages, approximately 2 percent for travel, and approximately 29 percent for other direct costs.

Project Name: Dairy Farm Productivity, PA

Account: National Institute of Food and Agriculture, PA

Legal Name of Requesting Entity: Pennsylvania State University

Address of Requesting Entity: 117 Old Main, University Park, PA 16802

Description of Request/Justification of Federal Funding: $349,000 for Dairy Farm Profitability, PA

It is my understanding that funding for this project will provide assistance to improve dairy farm profitability. This project will provide technological solutions to real-world problems that are reducing the profitability of dairy farms in Pennsylvania and across the nation. Technologies will be validated for their economic impact and delivered as part of a broader economic analysis of individual farms.

This project is a valuable use of taxpayer funds because the local dairy farm is part of a complex system which extends from local issues of decisions regarding nutrient management, animal genetics, and operation diversity to global issues of supply and demand for dairy products. New technical approaches to solving crucial problems in dairy farming have high impact and are critical given the importance of the dairy production sector and the multiplier effect of dairy-derived income.

It is also my understanding that approximately 24 percent of funding would be used for salaries, approximately 25 percent for graduate students, approximately 27 percent for wages, approximately 3 percent for travel, and approximately 31 percent for other direct costs.

Project Name: Agricultural Entrepreneurial Alternatives, PA

Account: National Institute of Food and Agriculture, PA

Legal Name of Requesting Entity: Pennsylvania State University

Address of Requesting Entity: 117 Old Main, University Park, PA 16802

Description of Request/Justification of Federal Funding: $233,000 for Agricultural Entrepreneurial Alternatives, PA

It is my understanding that funding for this project will provide assistance for agricultural entrepreneurship development. This project is important both regionally and nationally because it focuses on education and other support necessary to help farmers make a transition from “traditional” types of farming to value-added agricultural enterprises.

This project is a valuable use of taxpayer funds because developing the entrepreneurial skills of agricultural producers assists in providing higher profits on farms, a decline in farm consolidation, and increased opportunities for consumers to obtain products that meet their lifestyles. Growth of entrepreneurial skills strengthens farmers’ ability to act on consumer-based opportunities. This strengthens the agricultural industry, local communities, and provides consumers with goods and services they are willing and able to buy. Because of its unique production characteristics and market access, Pennsylvania is an ideal location for this project.

It is also my understanding that approximately 75 percent of funding would be used for salaries, approximately 23 percent for graduate students, approximately 22 percent for wages, approximately 2 percent for travel, and approximately 29 percent for other direct costs.
for salaries and approximately 25 percent for travel, communications, and program development.

PRIVATE FIRST CLASS PETER CROSS, USA

HON. KAY GRANGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Ms. GRANGER. Madam Speaker, I rise today to honor the courage of a brave and dedicated hero of the state of Texas and of our nation.

Private First Class Peter Cross was a soldier in the United States Army and is a true American hero. Peter gave his life in the service of his country on June 26, 2009, due to injuries he sustained from his vehicle overturning on a mountainous road in Afghanistan.

Assigned to 2nd Battalion, 87th Infantry Regiment, 10th Mountain Division, Fort Drum, New York, Private First Class Cross made the ultimate sacrifice for his country in a time of war, an action that speaks volumes far greater than words about his character and patriotism.

A native of Saginaw, Texas, Peter had aspirations of missionary work following his service in the Army. These ambitions, along with his efforts to avoid children herding sheep near Combat Outpost Carville, Afghanistan, which ultimately resulted in the overturning of his vehicle, led his father Mike Cross to point out, “His last act in life shows what kind of man he was—selflessly thinking of others.”

Peter had been on active duty in the United States Army for less than one year. He joined the Army in August of 2008 and was deployed to Afghanistan in February of 2009. Peter quickly developed a sincere passion for the people of Afghanistan that he was there to help. His father specifically noted, “He really had a heart for the Afghani people. He used to hand out candy, and pens and papers, and anything else he could spare for the kids when they came around the guys. He was a fun guy. A godly guy.”

Our thoughts and prayers are with Private First Class Cross’ parents, siblings, grandparents, and all of his family and friends. His community and the nation honor his memory, and we are grateful for his faithful and distinguished service to America.

Private First Class Cross will not be forgotten. His memory lives on through his family and the legacy of selfless service that he so bravely imprinted on our hearts.

RECOGNIZING MAJOR GENERAL JEFF W. HAMMOND

HON. JOHN R. CARTER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. CARTER. Madam Speaker, I would like to recognize Major General Jeffery W. Hammond, Commanding General, 4ID along with the 4th Infantry Division, Fort Hood, Texas for their honorable commitment to Fort Hood, Texas and the United States of America.

The 4th Infantry Division will be leaving Fort Hood and relocating to Ft. Carson, CO this month.

The citizens of TX-31 have supported the 4th Infantry Division through the Adopt-A-Unit Program as they deployed and completed tours in Iraq over the last year. Through this support relationships have been built with the men and women of the 4th ID and their families. The people of TX-31 will miss the remarkable family they have made.

It has been a true honor to have MG Hammond and the men and women of the 4th Infantry Division reside in Texas District 31. I am pleased to recognize Major General Hammond and the 4th Infantry Division for their time spent at Fort Hood, Texas.

EARMARK DECLARATION

HON. NATHAN DEAL
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. DEAL of Georgia. Madam Speaker, I submit the following:

Requesting Member: Congressman NATHAN DEAL

Bill Number: H.R. 2996

Account: STAG Water and Wastewater Infrastructure Project account

Legal Name of Requesting Entity: The City of Gainesville, Georgia

Address of Requesting Entity: Metropolitan North Georgia Water Planning District, 40 Courtland Street, NE, Atlanta, GA 30303

Description of Request: Pursuant to the Republican Leadership standards on earmarks, I am submitting the following information for publication in the Congressional Record regarding earmarks I received as part of [Bill 2996, the “Department of the Interior, Environment, and Related Agencies Appropriations Act for 2010.”] Any federal funding received would be used to help local governments meet water resource plan requirements and be used for various stages of design and construction for several water projects including watershed management, wastewater treatment and water conservation. District serves broad public purpose of protecting water supplies and water quality. Rivers and streams don’t follow political boundaries, (12 of 16 District counties lie within more than one watershed) regional solutions to problems are only way to achieve lasting results. District’s projects are multi-jurisdictional in nature and beyond abilities of individual local governments. Consequently, federal assistance will allow members to work towards these critical regional solutions. District’s plans outline variety of water related activities required by various state and federal requirements. Successful implementation of District’s plans has national significance through protection of water resources of roughly half the Georgia population.

EARMARK DECLARATION

HON. LAMAR SMITH
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. SMITH of Texas. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the FY 2010 Financial Services and General Government Appropriations Act.

Requesting Member: Congressman LAMAR SMITH

Bill Number: FY2010 Financial Services and General Government Appropriations Act

Account: GSA—Federal Buildings Fund

Legal Name of Requesting Entity: General Services Administration, Washington, DC

Address of Requesting Entity: 1800 F Street, NW, Washington, DC 20405

Description of Request: I have secured $4,000,000 for the San Antonio Federal Courthouse, Texas. It is my understanding that the requested funds are additional design funding for a new federal courthouse in San Antonio, Texas. Design funds were originally appropriated in FY 2004, but GSA had difficulty identifying a site. They have now identified a site and intend to swap the land the courthouse is currently on, as well as an adjacent government-owned site, for a city-owned site on which to build the courthouse. GSA will require, however, additional design funding now to hire an architect to design the proposed facility. I certify that neither I nor my spouse has any financial interest in this project.

COMMEMORATING THE COURAGE AND SERVICE OF THE WORLD WAR II VETERANS OF IBEW LOCAL 601

HON. TIMOTHY V. JOHNSON
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. JOHNSON of Illinois. Madam Speaker, I rise today to pay tribute to the Veterans of the International Brotherhood of Electrical Workers Local 601 in Champaign, Illinois. On July 11, IBEW Local 601 will be sponsoring a World War II Heritage Day which will honor 48 of their members who fought for our freedom in World War II.

The citizens of the United States of America find great inspiration in the men and women of our armed forces. We hold our revered veterans with the highest respect and admiration, remembering those who stepped forth with tremendous courage to make the ultimate sacrifice in World War II. On July 11, 2009 we join to celebrate a particularly inspiring group of this nation’s citizens, the World War II Veterans of IBEW Local 601 who served with remarkable dedication to protect our cherished freedoms and democracy.

Throughout the history of our great nation, brave and patriotic individuals answered the most honorable call to serve this country. Out of the bloodshed and carnage of World War II rose shining examples of selfless courage, heroism and glorious deeds performed under the direst of circumstances and against a background of unprecedented loss of lives.

From the moment of the first attack upon Pearl Harbor to the declarations of victory in Europe and Japan, this assault waged upon the entire world took an enormous toll in terms of human casualties. They went off willingly to the battlefields of the United States, the skies of Europe and the South Pacific to risk their lives.

I have the utmost respect for the soldiers, sailors, airmen, and marines of our armed forces who bravely served this nation during
World War II and welcome the opportunity to acknowledge and thank the members of IBEW Local 601 for their valiant efforts in defending freedom and democracy, and in building a more peaceful world.

To commemorate the noble service and sacrifices of IBEW Local 601 World War II Veterans, I would like to read each of their names into the CONGRESSIONAL RECORD.

IBEW Local 601 World War II Veterans who served in the U.S. Navy:
- Andrew Messmer
- Arlo Deremia
- Earl “Pete” Schweighart
- Evan B. Renn
- Fred L. Cline
- Robert F. McNattin
- Glen Wisky
- Howard McIntosh
- Hugh Bothwell
- Frederick C. Treseler
- Morgan C. Craft
- Richard G. Hensler
- Merle R. “Bud” Minge
- Robert Carley
- Ralph L. Allison
- Ross Brown
- Cecil E. Reynolds
- Al Schaede
- Richard McNattin
- Miles P. “Olive” Bland
- Orville L. Bell
- John P. Bothwell
- Lafayette C. Craft
- Russell Reynolds

IBEW Local 601 World War II Veterans who served in the U.S. Army:
- Brice “Speedy” Hartman
- Clarence Berger
- Dale Terven
- David R. Goodwin
- Floyd H. Ellis
- George Panbacker
- Robert Faulin
- George Bland
- Howard Barham
- Russell E. Wicks
- Glen “Red” Eastman
- Nyles R. “Shorty” Hardyman
- Wally Lamb
- Harold E. McHenry
- Paul Rubenacker

IBEW Local 601 World War II Veterans who served in the U.S. Army Air Force:
- L. E. “Al” Ruthstrom
- Lynn Norris
- Donald E. Wonders
- Harold Schweighart
- Wayne Billmyer
- Leo J. Francis
- John J. Minneci

IBEW Local 601 World War II Veterans who served in the U.S. Marines:
- Harold Clements
- Richard Henry Hillier, Jr.

May their noble service and sacrifices be remembered forever. I know the House of Representatives will join me in honoring the Veterans of IBEW Local 601 for their World War II Heritage Day on July 11, 2009.

WILLIAM CHURCHILL “DOBBER” DOYLE

HON. JOHN J. DUNCAN, JR.
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. DUNCAN. Madam Speaker, there is perhaps no greater sacrifice an American can make than serving their Country during a time of war, and one of my constituents—William Churchill “Dobber” Doyle—has quite a story to tell.

At 90-years-old, Billy—as he is known to many—loves to share his tale with anyone who will listen. Last month, from the “Greatest Generation,” his time during World War II reads like a Hollywood script, but to the humble man who lived it, the sacrifice was his duty.

Billy was assigned to a supply unit and stationed at Camp Forrest in Tullahoma, Tennessee in December 1941. On December 6, he was told to get ready to be deployed, and he boarded a troop train to the west coast on the eve of the Japanese attack on Pearl Harbor.

His first step on foreign soil was on his birthday, November 19, 1942, in North Africa. He would eventually pass through sites like Casablanca and Cairo and France. As Billy told the Knoxville News Sentinel in Knoxville, Tennessee, “Every time the front moved, we had to move.”

As part of a supply unit, Billy was one step behind General Patton throughout the war, tasked with keeping him supplied and always at risk of attack. He was part of one of the bloodiest campaigns of the war to establish a beachhead in Italy. 3,000 troops died in the effort, and his 30-member unit lost two in the battle.

Billy demonstrated his true character after breaking his nose in the field. He refused to seek treatment because that would mean having to leave his men.

His favorite moment of the war was when a group of French citizens called him a liberator. He learned of the end of the war in Lyon, France while listening to the radio. As he told the Knoxville News Sentinel, “The town went crazy, especially the girls.”

Throughout his life in Tennessee after the war, Billy has selflessly given his time back to the community. He is known as the “Bread Man” around his hometown of Vestal, and donates his time to the Vestal United Methodist Church Food Pantry and Center of Hope Ministry. He is loved and respected by everyone who is fortunate enough to know him.

Madam Speaker, I have known many members of the Doyle family, and they are one of the most respected and prominent families in South Knoxville. I gladly bring this story of William Churchill “Dobber” Doyle to the attention of my Colleagues and other readers of the Record, and I hope this tale of the “Greatest Generation” inspires the next.

TRIBUTE TO PRIVATE AMOS MCKINNEY

HON. PARKER GRIFFITH
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. GRIFFITH. Madam Speaker, I rise today to recognize Private Amos McKinney. Private McKinney was a Black Soldier who served the United States Army in a White Regiment during the Civil War.

Amos McKinney started his service to our country at Rome, Georgia on December 15, 1863 as an Undercook in Company C of the 1st Alabama Calvary. Enlisting as a cook was the avenue to combat for many African American soldiers during the Civil War, and Private McKinney was no different. During his service, he was shot below the knee and also suffered several wounds to his chest before being mustered out of service on October 20, 1865 in Huntsville, Alabama.

Unfortunately, history has forgotten many Black Soldiers who served the Union White Regiments during the Civil War. Driven by a firm belief in the Union’s purpose, Private McKinney and others were willing to risk their way up the ranks so they could fight for the cause. Their perseverance and courage should not be lost. In recognition of Private McKinney’s service, there will be a dedication ceremony on July 11, 2009 for a memorial established in his honor.

Amos McKinney married Melissa Ann Mcafee Pearson after the war, and together they had 9 children. Private McKinney’s courage is surely an inspiration to the family he left behind, and his bravery is a testament to the power of an unyielding American spirit and personal resolve.

Madam Speaker, I stand to recognize an American soldier and to extend my gratitude for the service of Private Amos McKinney and those who served beside him. I commend the McKinney family and the historians of my district whose efforts made this recognition possible.

HONORING THE CONGREGATION OF NOTRE DAME IN NEW HYDE PARK, NEW YORK

HON. CAROLYN MCCARTHY
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mrs. McCarthy of New York. Madam Speaker, I rise in honor of the congregation of Notre Dame in New Hyde Park, New York to commemorate its remarkable contributions to the community. Celebrating its 50th anniversary, the Church of Notre Dame has been an influential and beneficial entity in New Hyde Park and beyond. Through a wide-range of programs, Notre Dame and its congregation have served their community with persistence and openness. For this, the Church and its congregation, both past and present, are deserving of recognition.

The Church of Notre Dame and its affiliated school do much for the community. Over the past century, thousands of students have acquired the skills and focus to live meaningful and productive lives while attending Notre Dame. These students, drawing on their education at Notre Dame School, often give back to their community as a part of Notre Dame’s congregation and beyond. In addition, the Church itself runs many programs that aid the local community. Reaching out to others in New Hyde Park and providing for both its congregation and those in need, the Church has and continues to provide important services and opportunities for the community and has remained a place of both worship and hospitality. Activities such as food drives, educational seminars, and support groups, are just a few examples sponsored by the Church for the benefit of its congregation and community. As Notre Dame celebrates its 50th
anniversary, it is a great time to reflect on all the positive work its congregation has done in New Hyde Park over the past half century and to look towards a future of continued public and spiritual service.

The work of this Church and its congregation is inspiring to us all, and I am immensely grateful that they have accomplished. I ask my colleagues to join me in expressing the gratitude of the U.S. Congress for their extensive contributions to society.

EARMARK DECLARATION

HON. LAMAR SMITH
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. SMITH of Texas. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the FY 2010 Energy and Water Development Appropriations Act.

Requesting Member: Congressman LAMAR SMITH
Bill Number: FY 2010 Energy and Water Development Appropriations Act
Account: Department of Energy—EERE
Legal Name of Requesting Entity: U.S. Corps of Engineers (on behalf of the Lower Colorado River Authority)
Address of Requesting Entity: P.O. Box 17300, Fort Worth, TX 76102

Description of Request: I have secured $700,000 for the Lower Colorado River Basin Study. It is my understanding that the funding will be used towards the completion of the basin wide study in order to identify cost-effective ways to reduce flood damages in the lower Colorado River basin of Texas. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman LAMAR SMITH
Bill Number: FY 2010 Energy and Water Development Appropriations Act
Address of Requesting Entity: 700 Experimential Dr, San Antonio, TX 78207

Description of Request: I have secured $1,000,000 for the Bexar County Solar Collection Farm and Distribution System. It is my understanding that the funding will be used for the installation of a 200-kilowatt solar photovoltaic system. I certify that neither I nor my spouse has any financial interest in this project.

IN COMMEMORATION OF THE GREAT CHARITABLE WORKS OF CHARLIE AND SANDY MARKEL IN MEMORY OF THEIR SON, RYAN

HON. BRIAN HIGGINS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. HIGGINS. Madam Speaker, I rise today to commemorate the great charitable works of Charlie and Sandy Markel in memory of their son, Ryan. Ryan tragically died during a school swim class on December 19, 2002 at age eleven. This was a heartbreaking loss to his family, friends and community.

Since the death of their young son, the Markel family has been working hard to spread safety awareness, especially in the school setting. They started Ryan’s Hope Foundation, which offers low-cost cardiopulmonary resuscitation and defibrillator certification, as well as pool safety. Since the founding of Ryan’s Hope Foundation, the Markels and their team of volunteers have trained around four thousand people in CPR and defibrillator skills.

Ryan was deeply loved by his family, friends and his school community. Mourning the loss, many members of the community donated money to the Markels, which they immediately put into the Ryan’s Hope Foundation. Along with the money that comes from certification fees, the Markels have put any money that would have gone toward Ryan’s allowance, Christmas and birthday presents into the Foundation.

This past June, Ryan would have graduated from Depew High School. To honor Ryan’s life, Ryan’s Hope Foundation rewarded every college-bound member of the graduating class with the Ryan Markel Scholarship. Two students received a $500 scholarship and 167 other graduates received a $100 scholarship. The recipient also received a letter from Char- lice, Sandy and their daughter, Amanda wishing the graduates luck and thanking them for being a part of Ryan’s life.

Ryan’s classmates also took measures to commemorate Ryan at graduation. During the ceremony, one of Ryan’s classmates read a letter about Ryan and called his family on stage. In addition, the graduating seniors created a memorial displayed in the foyer at the graduation ceremony, which included Ryan’s photograph, a graduation cap and a poem. An entire page of the yearbook was dedicated to Ryan and his classmates included a tribute to Ryan in their class DVD. Finally, his classmates bought the rights to name a star in his honor.

It is my honor to commemorate the life of Ryan Markel and the charitable efforts of his family. On behalf of the Western New York community, I thank the Markels for their extraordinary efforts to increase safety awareness in the memory of their son.

EARMARK DECLARATION

HON. MARIO DIAZ-BALART
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, I submit the following information.

Requesting Member: Representative MARIO DIAZ-BALART (FL–25)
Bill Number: H.R. 2997
Account: Agricultural Research Service
Name of Requesting Entity: University of Florida/IFAS
Address of Requesting Entity: 700 Experiment Station Rd, Lake Alfred, FL 33850

Description of Request: I have secured $1,300,000 for the Citrus Canker and Greening Research. This funding will be used for Continuation of vital citrus Canker, citrus Greening/Huanglongbing (HLB) and Asian Citrus Psyllid (ACP) research to improve technologies for treatment and detection, methods of movement and containment, and means to control and eliminate these devastating citrus diseases and disease vector. Currently, citrus Canker disease, the spread of the ACP and citrus Greening/HLB are the two most serious diseases and vector faced by the U.S. citrus industry. Both diseases and the vector have been declared endemic in the state of Florida and pose serious threats to California, Texas and to the viability of the U.S. citrus industry. Research supported through federal funding in addition to state and grower funds is critical to ensuring that the citrus industry remains a viable part of America’s economy. In Florida alone, commercial citrus is a $9 billion dollar a year industry that supports almost 90,000 jobs. California and Texas combined have over a $3.2 billion economic impact with over 26,000 jobs in their respective states. Due to the severity of just these two diseases and vector, the importance of continuing critical research unabated is crucial. Canker is caused by a bacterium that creates lesions on the leaves, stems, and fruit of citrus trees, including oranges and grapefruit. While not harmful to humans, Canker significantly affects the health of trees, causing leaves and fruit to drop prematurely. Wind and rain serve as the vector of Canker. Citrus Greening/HLB is a bacterial disease which is spread by the Asian citrus psyllid. Although it presents no threat to humans or animals, it can cause significant reductions in citrus production and often die within a few years. Recently, research for these diseases and vector
Description of Request: The bill provides $500,000 for land acquisition to complete the second portion of the Uwharrie Trail in Randolph County, NC. The Uwharrie National Forest is located in the Piedmont area of central North Carolina. It is located in a rural but developing area 40 miles from Charlotte (more than 1.3 million in population), and almost as near to the Research Triangle cities of Greenville-Raleigh and Durham, NC. At 50,189 acres, the Uwharrie is the smallest National Forest with the most fragmented ownership in North Carolina, owning only 23% of lands within the forest boundary. Land acquisition offers the best opportunity to consolidate this scattered ownership pattern and will also improve plant and wildlife habitat, reduce the threat to endangered species, increase recreation opportunities, and improve water quality in the Uwharrie River watershed. The Uwharrie National Recreation Trail currently runs north from a trailhead on Highway 24/27 near Wood Run Hunt Camp in Montgomery County through lands along the north portion of the Uwharrie National Forest in Randolph County. The current trail is 20.4 miles in length and provides views of the surrounding countryside containing a mixture of oak, hickory, maple and conifer tree communities.

EARMARK DECLARATION

HON. JOHN R. CARTER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. CARTER. Madam Speaker, I would like to recognize W*I*N (Women Impacting the Nation) of Round Rock, Texas for their success in making a difference in the community in such a short time frame with Freedom Festival 2009.

The W*I*N organization helped organize and host the 2009 Freedom Fest held July 4th at Dell Diamond, a concert and firework presentation benefiting The Children of Fallen Soldiers (ACF). Children of Fallen Soldiers is a non-profit organization dedicated to the needs of children who have lost a parent in the line of duty.

The Freedom Fest 2009, just one of the events the W*I*N organization has sponsored and organized in Texas District 31. It is an honor to recognize the W*I*N group for their dedication to the families in Texas District 31, our community and our country.

EARMARK DECLARATION

HON. HOWARD P. “BUCK” McKEON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. McKEON. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding Member priority requests I received as part of H.R. 3082, the “Military Construction and Veterans Affairs Appropriations Act, 2010.”

Requesting Member: Congressman Howard P. “Buck” McKeon.

Bill Number: H.R. 3082, the “Military Construction and Veterans Affairs Appropriations Act, 2010.”

Account: MILCON, Navy

Legal Name of Requesting Entity: U.S. Marine Corps Mountain Warfare Training Center

Address of Requesting Entity: Bridgeport, CA, 93517

Description of Request: I requested and received a Member priority authorization request totaling $6,830,000 for a new commissary at the U.S. Marine Corps Mountain Warfare Training Center. This project would construct a permanent commissary at the U.S. Marine Corps Mountain Warfare Training Center. Due to the remote location of the base outside Bridgeport, California, military members and their families travel dozens of miles over steep and sometimes impassable roadways to buy groceries and supplies. This project would eliminate that drive and provide an improved quality of life on base, especially during the winter months.

EARMARK DECLARATION

HON. JOHN SHIMKUS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. SHIMKUS. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding member requests I received as part of H.R. 2847, the FY 2010 Department of the Interior, Environment and Related Agencies Appropriations Bill.

EARMARK DECLARATION

HON. JOHN R. CARTER
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The funding will go toward furthering these lying and many other online victimizations.

The Account: OJP—Byrne

Requesting Entity: Fairfield Police Department at 108 NW 7th St. Fairfield, IL 62837.

Funding will be used for an emergency generator and security and communications upgrades for Fairfield Police Department to allow them to utilize their facility and provide the equipment necessary for security compliance.

The Account: OJP—Byrne

Requesting Entity: Findlay Police Department at 221 E. S. Second St. Findlay, IL 62534.

Funding will be used for equipment to allow the FPD to properly equip their officers for the seasonal increases in traffic.

The Account: OJP—Byrne

Requesting Entity: Village of Southern View located at 3412 S. Fifth St. Springfield, IL 62703.

Funding will be used for training and equipment for the Southern View Police Department.

The Account: OJP—Byrne

Requesting Entity: Wayne County Sheriff’s office located at 305 E. Court St. Fairfield, IL 62837.

Funding will be used for equipment and supplies to upgrade underage drinking enforcement and other communications related equipment at Wayne County Sheriff’s office.

The Account: OJP—JJ

Requesting Entity: i-SAFE, Inc. located at 5900 Pasteur Court, Suite 100 Carlsbad, CA 92008.

i-SAFE is a non-profit foundation that has been providing, since 2002, Internet Safety curriculum to over 7.2 million students nationwide. Parents, educators, law enforcement and industry rely on i-SAFE to educate citizens in all 50 states about how to remain safe from online predators, consumer fraud, bullying and many other online victimizations. The funding will go toward furthering these goals.

PAN AMERICAN GOLF ASSOCIATION NATIONAL TOURNAMENT AND CONVENTION

HON. SOLOMON P. ORTIZ
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. ORTIZ. Madam Speaker, I rise today to recognize the Pan American Golf Association National Tournament and Convention, which will be hosted on July 27–31 in Corpus Christi, Texas.

The tournament, which will be played on a beautiful day in the Coastal Bend area, returns to Corpus Christi after 10 years, and it has a special meaning to the Corpus Christi Chapter, which was established in 1951, with a handful of Hispanic golfers playing at Oso Golf course at the end of Alameda Street. Today, there are more than 42 Pan American Association Chapters in the country, including Corpus Christi.

I take this time on the House floor to welcome each and every one of our participants and ask that they enjoy their time with friends, family and loved ones. I know some of the best players of the sport will come together from across the nation to tee off.

I applaud the efforts made by those involved in getting the 2009 Pan American Golf Association National Tournament and Convention to Corpus Christi, and extend to all my best wishes.

Today, I ask that my colleagues join me in commemorating the 2009 Pan American Golf Association National Tournament and Convention and the Corpus Christi Chapter for their dedication, support and love for the sport of golf.

EARMark declaration

HON. PHIL GINGREY
OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. GINGREY of Georgia. Madam Speaker, I rise today to honor the memory of Frank Kucinich, Jr., brother of Representative DENNIS KUCINICH, and recognize his service to our country and his dedication to the City of Cleveland, Ohio. Frank Kucinich, Jr. was a United States Marine Corps combat veteran of the Vietnam War, who was promoted to lance corporal on the battlefield. After leaving Vietnam, Frank continued his service in the Mediterranean in support of the U.S. Navy’s Sixth Fleet in Europe. He was honorably discharged from the United States Marine Corps in September 1968.

Frank Kucinich received many military awards for his service. He was also one of the founding members of the Vietnam Veterans of America, Chapter 15, in Cleveland, Ohio, and was nominated to the Ohio Veterans Hall of Fame.

Frank had retired and lived at the Ohio Veterans Home in Sandusky, Ohio when he passed away on June 30. Frank was the beloved brother of DENNIS, Gary, Theresa, Larry, the late Perry and the late Beth Ann. Madam Speaker and colleagues, please join me in celebrating the life of Frank Kucinich, Jr., and in recognizing his service to our community and our country. His patriotism and contributions to society serve as an inspiration to all of us.

RECOGNIZING LANdy WARREN OF ROUND ROCK

HON. JOHN R. CARTER
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. CARTER. Madam Speaker, I would like to recognize Landy Warren of Round Rock, Texas for his unbelievable service to our country, his leadership through Children of Fallen Soldiers and Freedom Festival 2009.
The Children of Fallen Soldiers is a non-profit organization based out of Round Rock, Texas with a goal to provide each child who has lost a parent in the line of duty, with $25,000 to assist with college expenses, or to otherwise help them to start out in the world when they turn 18. The Children of Fallen Soldiers organization was born through the vision of the ROTARY DISTRICT 5870, in Round Rock, Texas.

Fifteen central Texas children have been identified through the program who have lost a parent in the line of duty. The soldiers who were killed were all at Ft. Hood, Texas.

The Freedom Fest 2009, a 4th of July concert and fireworks presentation to benefit The Children of Fallen Soldiers, was held this year with the hard work of Landy, and other local sponsors.

It is an honor to recognize Landy, as he continues to be a true leader in Texas District 31, and in our country.

CONGRATULATING SUE LOFGREN—SCI VOLUNTEER OF THE YEAR

HON. HARRY E. MITCHELL
OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. MITCHELL. Madam Speaker, I rise today to honor Sue Lofgren from my home town of Tempe, Arizona. Sue is being recognized as the Sister Cities International Volunteer of the Year at the annual conference. This year’s conference takes place in Belfast, Northern Ireland.

The cities of Tempe, Arizona and Timbuktu, Mali, West Africa have enjoyed an eighteen year partnership through Sister Cities International. This relationship has persevered, despite the language barrier, as well as the physical difficulties of travel to that remote part of the world, were just a few of the hurdles. Sue found a way to overcome all of them.

The number one issue facing Timbuktu was lack of water. Sue arranged for a retired water engineer to travel to Timbuktu—no easy task in itself—to assess the feasibility of drilling water wells. Once water was found 100 feet down, Sue’s real work began. She organized a fundraising effort to secure the $7,000 needed to drill a well, by selling bottled water bearings the label, “Water for You . . . and Timbuktu.” The next hurdle was getting the money to Mal to Timbuktu had no bank, no Western Union, no nothing. This was eventually accomplished through a trip to Dakar. When the first well opened, people literally danced in the streets and named that first effort, The Sue Lofgren Well. She has since raised money for six more wells.

When Sue made her first visit to Timbuktu, she packed her clothes and $11,000 of donated medical supplies, reading glasses, soccer balls and school supplies. While on her visit, she was home-hosted and saw first hand the great needs of these proud people. She returned home and redoubled her efforts on their behalf.

To date, she has singlehandedly raised at least $200,000 in aid for Timbuktu. In addition to the wells, money has gone to purchasing wheelchairs, goats and camels, sewing machines, gardening supplies, medical and school supplies, as well as toilets and a millet grinder for the Women’s Center. In 2008 she also facilitated a relationship with Project C.U.R.E which resulted in the donation of another $500,000 in badly needed medical equipment.

All of this effort might seem to be enough for most of us, but not Sue. In addition to her efforts on Timbuktu’s behalf, she volunteers a lot of her time to other programs of Tempe Sister Cities. She and her husband, Bob, have hosted international guests from Tempe’s six other sister cities. She volunteers in the organization’s gift shop, works in the kitchen for events and has organized the information booth at the annual Way Out West Oktoberfest. She is tireless in her dedication to Tempe Sister Cities, and especially to Timbuktu.

I am proud to call Sue Lofren a friend, and prouder yet that her efforts are being recognized by this wonderful award. Please join me in congratulating this outstanding person.

THE 100TH BIRTHDAY OF MR. JESUS GONZALEZ VILLAGOMEZ

HON. SOLOMON P. ORTIZ
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. ORTIZ. Madam Speaker, I rise today to recognize Mr. Jesus Gonzalez Villagomez, who celebrated his 100th birthday on May 5, 2009, surrounded by family, friends and loved ones.

Mr. Villagomez was born on May 5, 1909, in Villa Morelos, Michoacan, Mexico, to a ranching and farming family—Telesforo and Antonia Gonzalez Villagomez.

When he turned 18, he migrated to the United States entering at the Port of Brownsville in Brownsville, Texas, and a few years later returned to Mexico where he met and married his lifelong wife and a daughter, Mariana Aguillon Villagomez. Mr. Villagomez and his wife returned to the United States and settled in Fargo, North Dakota.

He joined the United States Army at Kelly Air Force Base in San Antonio, Texas, during World War II and was honorably discharged.

Mr. Villagomez would go on to make a name for himself holding positions with the Union Pacific Railroad and the Armour Meat Packing Company in Fargo, North Dakota, where he retired from.

He is fluent in English and Spanish and has a true love and passion for education. He has a son, Jesse Villagomez, Jr., of Ft. Worth, Texas, and a daughter: Maria Antonietta Villagomez, of Corpus Christi, Texas, as well as four grandchildren and three great grandsons.

Mr. Villagomez’s hobbies include: gardening, cooking, reading, dancing, and traveling.

Today, I ask that my colleagues join me in celebrating the 100th birthday of Mr. Jesus Gonzalez Villagomez who has lived a happy life surrounded by family, friends and loved ones.
enhance competitiveness and expand the economic value-added component in Oregon agriculture products through research and outreach in food processing, product development, business strategy, marketing, and consumer testing.

Account: National Institute of Food and Agriculture—SRG
Project Name: Potato Research, ID, OR, WA
Legal Name and Address of Requesting Entity: Oregon State University, Corvallis, OR 97331–4501
Project Location: Corvallis, Oregon
Description of Project: H.R. 2997 appropriates $1,037,000 for the Potato Research, ID, OR, WA program to be conducted in part by Oregon State University. Oregon State University has confirmed in their justification that the appropriated funds for this project will be used to develop and commercialize new potato varieties that will directly benefit all segments of the Northwest potato industry and indirectly benefit all U.S. potato producing regions.

Account: National Institute of Food and Agriculture—SRG
Project Name: Regional Barley Gene Mapping Project, OR
Legal Name and Address of Requesting Entity: Oregon State University, Corvallis, OR 97331–4501
Project Location: Corvallis, Oregon
Description of Project: H.R. 2997 appropriates $471,000 for the Regional Barley Gene Mapping Project, OR program to be conducted by Oregon State University. Oregon State University has confirmed in their justification that the appropriated funds for this project will be used to develop and commercialize new barley varieties which will be more tolerant of stresses caused by plant diseases, insects, and climate change. Furthermore, enhanced tolerance will lead to greater productivity with fewer chemicals and fertilizer inputs. The project will also help develop varieties that will provide needed crop diversity for eastern Oregon wheat farmers.

Account: National Institute of Food and Agriculture—SRG
Project Name: Small Fruit Research, ID, OR, WA
Legal Name and Address of Requesting Entity: Oregon State University, Corvallis, OR 97331–4501
Project Location: Corvallis, Oregon
Description of Project: H.R. 2997 appropriates $307,000 for the Small Fruit Research, ID, OR, WA program to be conducted in part by Oregon State University. Oregon State University has confirmed in their justification that the appropriated funds for this project will be used to fund cooperative and competitive research grants, and education activities to enhance the profitability and sustainability of the small fruits industry in the Pacific Northwest.

Account: National Institute of Food and Agriculture—SRG
Project Name: STEEP IV—Water Quality in Northwest
Legal Name and Address of Requesting Entity: Oregon State University, Corvallis, OR 97331–4501
Project Location: Corvallis, Oregon
Description of Project: H.R. 2997 appropriates $444,000 for the STEEP IV—Water Quality in Northwest program to be conducted in part by Oregon State University. Oregon State University has confirmed in their justification that the appropriated funds for this project will be used to establish a network of agriculture research sites from which to address long term agriculture, environmental, and agroecosystem problems. According to the requesting entity, to date, the STEEP research grant has provided funds to develop cropping techniques such as direct-seeding, residue management, weed control, and accompanying extension programs to facilitate the adoption of successful conservation farming for the Pacific Northwest.

AMERICAN CLEAN ENERGY AND SECURITY ACT OF 2009

SPEECH OF HON. ROSA L. DEAULO
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Friday, June 26, 2009

Ms. DELAUNO. Madam Speaker, I rise in support of the American Clean Energy and Security Act—a historic step forward to revitalize our economy and get America running on clean energy.

There is a global race underway to develop clean energy technologies. We have the innovation and manpower to take the lead—but we will not get there unless we muster the political will to keep our nation competitive. This bill makes sure that everyone benefits from the millions of jobs this bill will create through a Green Construction Demo Project and additional Green Jobs Act funding to train workers with the new skills they will need to repower and rebuild this nation.

This bill also makes the U.S. more energy independent by investing in energy efficiency, including for consumers of natural gas, home heating oil, and solar geothermal and biomass. Comprehensive energy efficiency programs can help households save money on energy. I thank the Chairman for providing states with greater flexibility to use allowances under the SEED Program to expand existing cost-effective efficiency programs. And for including a provision I cosponsored with my colleague RUSH HOLT, to jumpstart important research consumer behavior, energy conservation and efficiency. Moving forward, I hope we will strengthen the combined energy efficiency and renewable energy standard, to maximize efficiency and investments in clean technologies like wind, solar, geothermal, and biomass.

Madam Speaker, this bill is a significant step towards a better future, and a major break from the past eight years of ignoring our energy crisis. For the first time, it would create a system of clean energy incentives designed to jumpstart the economy and reduce the carbon pollution that causes global warming.

Make no mistake—the effects of global warming are visible here and now. In my home state of Connecticut, global warming is a threat to our health, our wetlands, our lobster fisheries, and our economy. This bill is our chance to mitigate that threat—a chance that will not come again soon.

Future generations are counting on us to do the right thing today—to set our country on a path towards a cleaner, more prosperous future. I urge my colleagues to support this bill.

APPLAUDING HON. EDOLPHUS TOWNS IN CELEBRATION OF FATHER'S DAY

HON. CHARLES B. RANGEL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. RANGEL. Madam Speaker, I rise today to praise my fellow colleague, EDOLPHUS TOWNS, for his outstanding career on Capitol Hill within the House of Representatives, as well as his continuous role as a father. This week, the New York Carib News acknowledged the Congressman in “Edolphus Ed Towns, Father and Lawmaker” in an article on outstanding fathers. The article noted his 30 years as a member of Congress and recognized TOWNS as the proud father of two adult children, Darryl, a New York State assembly member and his daughter Diedre, a Senior Executive with the Pfizer Pharmaceutical Company. Mr. TOWNS, who is a former social worker and community activist, is a 14-term veteran and currently chairs the Committee on Oversight and Government Reform. Mr. TOWNS was born on July 21, 1934 in Chadbourn, North Carolina and earned his bachelor’s degree from North Carolina A&T State University. He holds a master’s degree in social work from Adelphi University. Prior to serving in the House, Mr. TOWNS was a teacher in the New York City Public School System, and a professor at Fordham University as well as Medgar Evers College. He is also a veteran of the United States Army and an ordained Baptist minister.

Mr. TOWNS continues to be dedicated and committed to serving his constituents within the 10th Congressional District of New York, which encompasses a variety of Brooklyn’s diverse population. Mr. TOWNS also continues to be an advocate for adequate public health care, as well as equal access to quality public education and technology and financial security.

As a father, Mr. TOWNS strived to instill values in his children, as well as being fully invested in teaching them important life lessons by ensuring the family spent time and had meals together. Mr. TOWNS understood the important role that fathers have in a child’s life and cherishes the significance of sharing life experiences, which he attributes to his children’s success in their personal and public lives. As an example, Mr. TOWNS and his son, Darryl, are the first African-American father–son team to serve simultaneously in New York public office.

Fatherhood is filled with many joys and challenges, and therefore, I applaud Edolphus TOWNS for his continued commitment to his family as well as for his public service. I have thoroughly enjoyed working with my colleague and I commend him for his leadership.
Mrs. EMERSON. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information in regards to H.R. 2997, the Fiscal Year 2010 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010.

Requesting Member: JO ANN EMERSON
Bill Number: H.R. 2997
Account: National Institute of Food and Agriculture—SRG
Legal Name of Requesting Entity: University of Missouri-Columbia
Address of Requesting Entity: 101 Park DeVille Drive, Suite E, Columbia, MO
Description of Request: Provide $1,139,000 for the Food and Agriculture Policy Research Institute to provide objective, quantitative economic analysis of agricultural policy alternatives. Approximately $188,000 or 17% is to continue a cooperative agreement with the University of Wisconsin relating to dairy policy; $140,000 or 12% is to conduct analysis of rangeland, cattle and hay with the University of Nebraska; $81,000 or 71% is to be divided between the University of Missouri and Iowa State University to provide a ten-year baseline and policy analysis for US and world agriculture.

Requesting Member: JO ANN EMERSON
Bill Number: H.R. 2997
Account: National Institute of Food and Agriculture—SRG
Legal Name of Requesting Entity: University of Missouri-Columbia
Address of Requesting Entity: 101 Park DeVille Drive, Suite E, Columbia, MO
Description of Request: Provide $595,000 for the Food and Agriculture Policy Research Institute (FAPRI) and the Agricultural and Food Policy Center (AFPC) to provide Congress with information regarding farm financial risk and farm structure and the impacts of alternative agricultural policies on these factors. Approximately $244,000 or 41% is for FAPRI at the University of Missouri to provide stochastic and deterministic baseline and policy scenarios and $351,000 or 59% is for AFPC at Texas A&M University to provide representative farm analysis.

Requesting Member: JO ANN EMERSON
Bill Number: H.R. 2997
Account: National Institute of Food and Agriculture—SRG
Legal Name of Requesting Entity: University of Missouri-Columbia Delta Research Center
Address of Requesting Entity: Highway 61, Portageville, MO 63873
Description of Request: Provide $556,000 for continued soybean cyst nematode research at the University of Missouri—Delta Research Center. Of the $556,000, 85% is for salaries and benefits, the remaining 15% is for travel, supplies, and costs for a winter seed nursery.

Requesting Member: JO ANN EMERSON
Bill Number: H.R. 2997
Account: National Institute of Food and Agriculture—SRG
Legal Name of Requesting Entity: University of Missouri-Columbia Delta Research Center
Address of Requesting Entity: Highway 61, Portageville, MO 63873
Description of Request: Provide $207,000 to the USDA–APHIS–Wildlife Services in Southeast Missouri. Of the $207,000, 80% would be utilized for salaries and benefits, 17% for APHIS–Wildlife Services program support and 3% for vehicle maintenance and fuel. A portion of the operating budget will also be provided by local municipalities, commodity organizations and university support.

Requesting Member: JO ANN EMERSON
Bill Number: H.R. 2997
Account: General Provision
Legal Name of Requesting Entity: University of Missouri Center for Agroforestry
Address of Requesting Entity: 18450 Ridgeview Lane, Dexter, MO 65641
Description of Request: Provide $207,000 to the University of Missouri to support research the ability of wild grapevines to defend themselves against pathogens, and their capacity to synthesize health-promoting properties. Of the funds available 46% for salary and benefits, 21% for other direct costs including materials and supplies, and 25% for F&A.

Mr. SHIMKUS. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of HR 2997.

Requesting Member: JOHN M. SHIMKUS
Bill number: HR 2997
The Account: Agriculture Salaries and Expenses
Requesting Entity: National Corn-to-Ethanol Research Center (NCERC) at 400 University Park Dr in Edwardsville, IL.
NCERC is the only pilot plant facility in the world that has the flexibility to process any grain based feedstock to fuel ethanol and associated products. Funding will go toward the research at NCERC which is needed to reduce our reliance on foreign sources of energy.

Mr. ORTIZ. Madam Speaker, I rise today to recognize Mr. Jesus Gonzalez Villagomez, who celebrated his 100th birthday on May 5, 2009, surrounded by family, friends and loved ones.

Mr. Villagomez was born on May 5, 1909, in Villa Morelos, Michoacan, Mexico, to a ranching and farming family—Telesforo and Antonia Gonzalez Villagomez. When he turned 18, he migrated to the United States entering at the Port of Brownsville in Brownsville, Texas, and a few years later returned to Mexico where he met and married his life-long companion, Mariana Aguillon Villagomez. Mr. Villagomez and his family have been integral to the Brownsville community for many years. They have served our community through their faith, family, and their contributions to our community.
wife returned to the United States and settled in Fargo, North Dakota. He joined the United States Army at Kelly Air Force Base in San Antonio, Texas, during World War II and was honorably discharged. Mr. Villagomez would go on to make a name for himself as a contributor to both our Union Pacific Railroad and the Armour Meat Packing Company in Fargo, North Dakota, where he retired from.

He is fluent in English and Spanish and has a true love and passion for education. He has a son, Jesse Villagomes, Jr., of Ft. Worth, Texas, and a daughter, Maria Antonieta Villagomez, of Corpus Christi, Texas, as well as four grandchildren and three great grandchildren.

Mr. Villagomez’s hobbies include: gardening, cooking, reading, dancing and traveling.

Today, I ask that my colleagues join me in celebrating the 100th birthday of Mr. Jesus Gonzalez Villagomez who has lived a happy life and surrounded by family, friends and loved ones.

HONORING JAMES C. KERNAN, JR.

HON. CAROLYN MCCARTHY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mrs. MCCARTHY of New York. Madam Speaker, I rise to honor James C. Kernan Jr. for his contributions to both our government and local community. Through his commitment to serving others, Mr. Kernan has affected the lives of many, both nationally and locally. For these reasons and many others, I believe he is worthy of recognition.

As a dedicated member of United States Army, James received numerous accolades commemorating his outstanding bravery. Among his many distinctions, James was awarded the Kuwait Liberation Medal, the Southwest Asia Service Medal with two bronze stars, the Humanitarian Service Medal, and the National Defense Service Medal with a bronze star. After leaving the Army, Mr. Kernan continued to serve his country by enlisting in the Army Reserves. For years, James would travel from his home on Long Island to Utica, NY to train at the Elihu Root Army Reserve Center. Once again, James excelled, earning five separate Army Reserve Component Achievement Medals. I am proud to honor James for his 26 years of service in our Armed Forces.

Mr. Kernan’s exemplary dedication does not end with his military record. Prior to his retirement in January, James spent thirty-five years as an employee of the Internal Revenue Service. Throughout his tenure, he was promoted through the organization, and received thirteen distinct awards for his accomplishments.

Apart from his lifetime of public service, Mr. Kernan is an invaluable asset to his community. While raising his two sons on Long Island, James, and his wife Ruth, organized countless fundraisers and community events. They dedicated themselves to parent associations, the Our Lady of Victory Elementary School and the Chamber of Commerce, and accepted the presidency of the Trinity Parents’ Club at Holy Trinity Diocesan High School. Mr. Kernan’s life’s work is a testament to his commitment to developing a strong and healthy community for his children and others. James even acted as a volunteer refree for local little league games. Our children represent our future, and James has touched the lives of generations to follow.

The work of Mr. Kernan is inspiring, and I am grateful to him for all that he has accomplished. It is the through the efforts of individuals such as James Kernan that our nation remains strong and prosperous. I ask my colleagues to join me in expressing the gratitude of the U.S. Congress for his contributions to society.

TRIBUTE TO DAVID MUHLENFORD

HON. PARKER GRIFFITH
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. GRIFFITH. Madam Speaker, I rise today to congratulate Mr. David Muhlenford, President and CEO of Paper and Chemical Supply, on his recent appointment to the U.S. Chamber Board of Directors.

Throughout the years, David’s dedication and commitment to the success of north Alabama have directly contributed to my district’s economic success. Small business has always served to be the backbone of our nation, and Mr. Muhlenford’s presence on the national economic stage will prove to be a great benefit to our country.

Earlier this year, David was named the 2008–2009 Shoals Citizen of the Year for his development work with the Chamber of Commerce of Northwest Alabama. He has also worked tirelessly for the area’s education system with the Northwest Shoals Community College Board of Directors, for our local charities with the Shoals United Way, and for my State’s economic development with the Business Council of Alabama.

Madam Speaker, I wish to congratulate Mr. David Muhlenford for his new appointment and thank him for his diligent and determined work for the Tennessee Valley, the State of Alabama and our country.

EARMARK DECLARATION

HON. K. MICHAEL CONAWAY
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. CONAWAY. Madam Speaker, pursuant to the House Republican Conference unanimous agreement, I am submitting the following information regarding authorizations I requested and were included as part of H.R. 2647, National Defense Authorization Act for fiscal year 2010.

A request for the Marksmanship Skills Trainer. The funding would be used for the development of a portable self contained system that allows for multiple scenarios from training to combat skills. This is a multiple user system allowing for high output during times of training constraints. The trainers will be stationed at the various Texas Army National Guard facilities allowing for maximum use for the soldiers. The system allows for ongoing marksmanship training in a simulated environment without the expenditure of ammunition or need to travel to a weapons range. The entity to receive funding for this project is the Texas National Guard, 2200 West 35th Street, Austin, TX 78763.

A request for the Mobile Firing Range. The mobile firing range is a self contained range designed for the firing of the M16/M4 systems for the Texas National Guard. Currently there is no opportunity for fire weapons for training or qualification without traveling to a certified range on a military installation. The Texas Army National Guard currently does not have access to any indoor range that can be used to fire the M16/M4 which is the current armament for 90% of the soldiers within the Texas Army National Guard. The Mobile Firing Range will allow soldiers to train with their assigned weapons at home station. This system is a training and force multiplier due to the negotiation of travel and lodging, and staging needed when conducting this training on a military facility. The entity to receive funding for this project is the Texas National Guard, 2200 West 35th Street, Austin, TX 78763.

A request for the Visible Door Gunner Trainer (VDGT). The funding would be used for procuring a VDGT device that provides door gunnery and crew coordination training for UH–60 Blackhawk crewmembers. The VDGT also incorporates precision gunnery training to improve target engagement skills. This system is mobile and can be moved between Texas Army National Guard aviation facilities that have UH–60s. The system enables crews to train without leaving home station or flying additional hours. The entity to receive funding for this project is the Texas National Guard, 2200 West 35th Street, Austin, TX 78763.

A request for the Field Deployable Hologram Production System. The funding would be used for completing development of a compact production unit that produces 3D holographic imagery for mission planning and intelligence purposes for U.S. forces in Iraq and Afghanistan. The U.S. Army requests a self-contained, field-deployable EH production system to accelerate imagery delivery to combat forces. The goal is a more efficient, cost effective production system that provides the deployed war fighter needed planning and intelligence capabilities on a much faster basis. The entity to receive funding for this project is Zebra Imaging, Inc, 9801 Metric Blvd, Austin, TX 78758.

A request for the Compact Pulsed Power Initiative. The funding would be used for the development of explosive- or battery-operated, compact, high-power radiation sources and associated antenna systems capable of destroying electronics used for radars, communications, computer, or remote detonation devices and other IEDs. The information gained from this research will be significant in furthering our nation’s defense capabilities especially in the area of disabling and destroying IEDs. The research for this project will be conducted by Texas Tech University, 2500 Broadway (mail stop 3121), TX 79409.

A request for the Modular shoot House. The funding would be used for procuring a self contained combat scenario system for team training in a safe 360 degree ballistic, combat simulated environment. The Modular Shoot House (MSH) will be placed on Texas Army National Guard training facilities as determined by training needs of the geographic regions in the state. New combat training tasks will be
exercised using the MSH by multiple units who have building clearing as part of their mission essential tasks. There is currently no Texas Army National Guard controlled MSH. The addition of this system will greatly enhance training and readiness prior to unit deployment. The intent to receive funding for this project is the Texas National Guard, 2200 West 35th Street, Austin, TX 78763.

Madam Speaker, pursuant to the House public standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding earmarks I received as part of H.R. 2997—Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010.

A request to Cooperative State Research, Education and Extension Service (CSRESS), Special Research Grants Account, to the Animal Fiber Research Program. This funding would assist in the ongoing Wool Research Program. This program is a partnership between the Texas Agriculture Experiment Station in San Angelo, TX, New Mexico State University and Montana State University. This program helps enhance the quality and quantity of wool and mohair produced in this country. In addition, significant efforts are being made to work with small ruminants as a means of production, with which a major issue in many parts of Texas degrading rangelands and taking precious water. The project is located at 7887, U.S. Highway 87N, San Angelo, Texas, 76901.

A request to Cooperative State Research, Education and Extension Service (CSRESS), Special Research Grants Account to continue partial funding of the state of the art multidisciplinary research approach at the International Cotton Center at Texas Tech University. The International Cotton Center conducts cotton research programs for cotton production systems and provides market and policy analysis for natural fibers (cotton, wool, and mohair) in an effort to increase profitability and maintain viability of all segments of the U.S. cotton industry in an increasingly competitive and volatile international market. The project research would be centrally located at Texas Tech University, located at 2500 Broadway, Lubbock, Texas 79409.

A request to Cooperative State Research, Education and Extension Service (CSRESS), Special Research Grants Account, to continue partial funding for the Center for Food Industry Excellence at Texas Tech University. The Center for Food Industry Excellence is a federal and state supported program that conducts systematic development and evaluations of production, processing and preparation methods to achieve a safer and more nutritious food supply. The project research would be centrally located at Texas Tech University, located at 2500 Broadway, Lubbock, Texas 79409.

TRIBUTE TO MONSIGNOR EUGENE M. BOLAND

HON. BILL PASCRELL, JR.
OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. PASCRELL. Madam Speaker, I would like to call to your attention the work of an outstanding individual, Monsignor Eugene M. Boland, who was recognized on Sunday, June 28, 2009, on the occasion of his retirement.

To it is only fitting that he be honored in this, the permanent record of the greatest democracy ever known, for he has been a true public servant and someone whose spiritual commitment has enhanced countless lives.

Eugene M. Boland was born on May 12, 1919, in the village of Eyrecourt, County Galway, Ireland, one of three sons of John and Nora (Potter) Boland. One of his brothers, Monsignor John V. Boland, is the pastor of St. Francis de Sales Church in Vernon Township, NJ. The other, Eamon, and his wife Mai and their four children reside in Castlecomer, County Kilkenny, Ireland. Young Eugene attended the local convent school until second grade, and then continued on at the local boys school until he was thirteen. He began his secondary education (high school) at St. Joseph’s College, Ballinasloe, in 1952, and then went on to St. Patrick’s Seminary in Carlow in the fall of 1957. He was ordained to the priesthood at the Cathedral in Carlow on June 8, 1963.

Father Boland came to this country on August 16, 1963, and was temporarily assigned to St. Vincent the Martyr Parish in Madison. On October 8th of that year, he was given a permanent assignment as associate pastor at St. George’s Church in Paterson, where he would serve with Monsignor Joseph Brestle and Father Julian Varetti. On June 29, 1971, he was assigned, with Monsignor Michael F. Hart as Pastor, to St. James of the Marches Church in Totowa, NJ, where he has remained ever since. He has served with many parochial vicars including Father Francis J. Duffy, Father Dennis O’Brien, Weekend Associate Father James Dolan, S.J., Father Paul Lovino, Father Joseph E. Murphy, Father Marc Mancini, Father James Pelino, Father Damian Breen, O.S.B. Father Nicholas Gregoris and Father James Cebbone, S.D.B.

Monsignor Hart was called from this life on June 18, 1990, and soon after Father Boland was appointed as Pastor of St. James. On October 10, 1993, he was honored with the title of Monsignor.

During his time at St. James alone, Monsignor Boland baptized 1,364 infants, witnessed 470 marriages, administered First Eucharist to 2,864 children, attended 37 confirmations, and grieved with 1,249 families. He has made innumerable sick calls and communion visits. Over the 37 years he has served there, he has been involved in many activities of the Parish and of the greater Totowa community as well. He has attended not only graduations, Religious Education Classes and Rosary Altar Society meetings and events, but walked 37 May Crownings, attended 37 swearing in ceremonies for the Totowa Borough Council, and countless Boy and Girl Scout and Knights of Columbus events. He is the Chaplain of the Totowa Fire Department and was Dean of the Mid-Passaic Deanery for ten years beginning in February 1995.

Throughout his years of service, Monsignor Boland has helped to deepen the faith of many, and teach them more about their religion. His dedication to learning and expanding his own knowledge is exemplary.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to learning about and recognizing the efforts of individuals like Monsignor Boland.

Madam Speaker, I ask that you join our colleagues, Monsignor Boland’s family and friends and parishioners, all those who have been guided by him, and me in recognizing the outstanding and invaluable service of Monsignor Richard A. Boland.
CONGRATULATING ALEC KOHLI FOR EARNING THE CONGRESSIONAL AWARD GOLD MEDAL

HON. HARRY E. MITCHELL
OF ARIZONA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. MITCHELL. Madam Speaker, I rise today to congratulate Alec Kohli, a resident of Scottsdale, Arizona, and a constituent of my district. Alec has earned The Congressional Award Gold Medal, the United States Congress' award for young Americans. The Congressional Award recognizes outstanding young people from all over the nation, and Alec has gone above and beyond by committing a tremendous amount of time and effort to attain the Award's highest ranking possible—the Gold Medal.

In order to be considered for the Congressional Award, individuals must achieve goals set in four exclusive program areas: Voluntary Public Service, Personal Development, Physical Fitness, and Expedition or Exploration. Alec has excelled in all areas, first completing over 400 hours of Voluntary Public Service by participating as an Environmental Proctor at Exeter Academy, a youth mentor to underprivileged youth, and as an Eagle Scout. For Personal Development, Alec attended a five-week summer program at Stanford University, where he worked on improving his math and analytical abilities as well as his leadership and time management skills. In the Physical Fitness category, Alec focused on sports and fitness activities, and measured his progress over a three-year training period by his ability to run one mile in six minutes and forty-five seconds. Finally, for his Expedition, Alec attended Camp Philmont in the mountains of New Mexico. Alec is an exceptional young man, and sets a great example for Arizona's youth. I would like to express my appreciation for his contributions to the community, and I hope you will join me, Madam Speaker, in congratulating Alec on his phenomenal accomplishments.

EARMARK DECLARATION

HON. GINNY BROWN-WAITE
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Ms. BROWN-WAITE of Florida. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2997—Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010.

I requested two projects in H.R. 2997. $300,000 for the University of Florida’s Institute of Food and Agriculture Sciences Subtropical Aquaculture Development Program and the Cedar Key Aquaculture Association located at P.O. Box 89, Cedar Key, FL 32625. These funds will be used to conduct multi-disciplinary research into struggling aquaculture programs.

$1,033,000 for the study of Subtropical Beef Germplasm by the SubTropical Agricultural Research Station located at 22271 Chinesgut Hill Road, Brooksville, FL 34601. The 3800 acre USDA research facility conducts multi-disciplinary research aimed at boosting efficiency, safety and environmental responsibility for the cattle industry of Florida and the southeast.

EARMARK DECLARATION

HON. HENRY E. BROWN, JR.
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. BROWN of South Carolina. Madam Speaker, I submit the following: Requesting Member: HENRY E. BROWN, Jr. Bill Number: H.R. 2892, Department of Homeland Security Appropriations Act, 2010 Account: FEMA, State and Local Programs Legal Name of Requesting Entity: Dorchester County Address of Requesting Entity: 201 Johnston Street, St. George, SC 29477 Description of Project: I have secured $1,217,000 in funding in H.R. 2997 in the Cooperative State Research Education and Extension Services (CSREES) Legal Name of Receiving Entity: University of Florida—Institute of Food and Agricultural Sciences (UF-IFAS) Address of Receiving Entity: 700 Experiment Station Rd., Lake Alfred, FL 33850 Description of Project: I have secured $2,171,000 in funding in H.R. 2997 in the Cooperative State Research Education and Extension Services Account for University of Florida—Institute of Food and Agricultural Sciences.

The purpose of this funding is support the continuing citrus canker and greening research by UF-IFAS to improve technologies for treatment and detection, methods of movement and containment, and means to control and eliminate these devastating citrus diseases.

Federal funding, in addition to state and grower contributions will help improve technologies for treatment and detection, methods
of movement and containment, and means to control and eliminate devastating citrus diseases and disease vector. This project is eligible to receive a federal grant under the Department of Agriculture, Cooperative State Research, Education and Extension Services (CSREES) Account.

PERSONAL EXPLANATION

HON. JOHN SULLIVAN
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. SULLIVAN. Madam Speaker, I rise to state for the record that I was on an official leave of absence from the U.S. House of Representatives on the account of illness and unable to vote on roll call vote No. 328 to H.R. 2410 taken on June 10, 2009. Had I been present for this vote, I would have voted nay.

As an ardent supporter of the unborn, I am strongly opposed to this legislation, which among many issues created an Office of Global Women's Issues that could advocate for abortions around the world. I believe that life begins at conception and could not support this legislation without safeguards that ensure that abortion is not promoted.

EARMARK DECLARATION

HON. TOM COLE
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. COLE. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010.

Requesting Member: Congressman TOM COLE

Bill Number: H.R. 2997

Provision: Title I

Account: National Institute of Food and Agriculture—Extension

Legal Name of Requesting Entity: “Oklahoma State University”

Address of Requesting Entity: 107 Whitehurst Hall, Stillwater, OK 74078

Description of Request: Provide an earmark of $209,000 to fund the Pilot Technology transfer services and engineering assistance to small, rural manufacturers with the goal of improving their profitability and enhancing the economy in rural communities. More specifically, 25 percent of these funds be used for Oklahoma State University’s Corporate Extension office to fund the salary and benefits for one Applications Engineer, 25 percent of the funds would fund the Rural Enterprises Institute, and 50 percent of the funds would fund a companion program at Mississippi State University.

Requesting Member: Congressman TOM COLE

Bill Number: H.R. 2997

Provision: Title I

Account: National Institute of Food and Agriculture—Special Research Grants

Legal Name of Requesting Entity: “Oklahoma State University”

Address of Requesting Entity: 107 Whitehurst Hall, Stillwater, OK 74078

Description of Request: Provide an earmark of $223,000 for the expanded Wheat Pasture Project to develop science and technologies to fine-tune their sustainable crops and weeds in conservation and no-tillage systems to reduce or eliminate herbicides; factors that better promote conservation of biological control organisms and beneficial soil microorganisms for weed seed predation and management of other pests; and practices that increase soil organic matter.

EARMARK DECLARATION

HON. CHARLES W. DENT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. DENT. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, FY2010.

Bill Number: H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, FY2010

Account: National Institute for Food and Agriculture, SRG

Title: Sustainable Agriculture and Natural Resources

Legal Name of Requesting Entity: Pennslyvania State University

Address of Requesting Entity: 117 Old Main, University Park, PA 16802

Description of Request: Funding for this project will support a collaborative research and educational initiative between the Pennsylvania State University and the Rodale Institute that will help diverse farm operations better adopt sustainable farming practices. The project will increase field research and demonstration to enhance the exposure of farm advisors and farmers to sustainable cropping system practices. Practices to be further investigated and field-demonstrated include: crop species and cultivars for inclusion in crop rotations that improve the performance of sustainable and organic cropping systems, especially for the Northeast; fine-tuning of management guidelines for mechanical control of cover crops and weeds in conservation and no-tillage systems to reduce or eliminate herbicides; factors that better promote conservation of biological control organisms and beneficial soil microorganisms for weed seed predation and management of other pests; and practices that increase soil organic matter.

EARMARK DECLARATION

HON. LOUIE GOHMERT
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. GOHMERT. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010.

Requesting Member: Congressman DEAN HELLER

Bill Number: H.R. 2997

Account: Natural Resources Conservation Service—Conservation Operations

Legal Name of Requesting Entity: Carson City, Nevada

Address of Requesting Entity: 201 N. Carson Street, Suite 2, Carson City, NV 89701

Description of Request: $375,000. Carson City suffered a devastating wildfire in July 2004. Over 8,700 acres reaching across the entire west side of Carson City were burned. This devastation removed all vegetation, and destroyed a large stand of timber. The eastern flank of the Sierras remains burned and barren. These mountains are steep, and severe erosion continues to occur. Carson City therefore faces threats from flooding and potential debris flows, as well as severe damage to surface water supplies. This federal funding will help to continue critical reforestation work, which is necessary to control erosion, prevent flooding, and restore the areas destroyed by the fire.

EARMARK DECLARATION

HON. TOM COLE
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. COLE. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010.

Requesting Member: Congressman TOM COLE

Bill Number: H.R. 2997

Provision: Title I

Account: National Institute of Food and Agriculture—Special Research Grants

Legal Name of Requesting Entity: “City of Norman, Oklahoma”

Legal Name of Requesting Entity: “Oklahoma State University”

Address of Requesting Entity: 107 Whitehurst Hall, Stillwater, OK 74078

Description of Request: Provide an earmark of $177,000 for the Integrated Production Systems for Alternative Crops to develop and refine crop management techniques that enable environmentally sound and economically feasible production of alternative crops that will best utilize natural resources as they produce organically grown vegetable crops and crops for the bio-fuel industry. The research and educational program includes organic production practices, pest management strategies and weed control using organically approved practices and chemical agents. The work is conducted at the Agricultural Research and Extension Center in Lane, Oklahoma. All of the funding will be used for the technician, researcher and student salaries needed to carry out the program.

EARMARK DECLARATION

HON. DEAN HELLER
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. HELLER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010.

Requesting Member: Congressman DEAN HELLER

Bill Number: H.R. 2997

Account: Natural Resources Conservation Service—Conservation Operations

Legal Name of Requesting Entity: Carson City, Nevada

Address of Requesting Entity: 201 N. Carson Street, Suite 2, Carson City, NV 89701

Description of Request: Provide an earmark of $209,000 to fund the Pilot Technology transfer services and engineering assistance to small, rural manufacturers with the goal of improving their profitability and enhancing the economy in rural communities. More specifically, 25 percent of these funds be used for Oklahoma State University’s Corporate Extension office to fund the salary and benefits for one Applications Engineer, 25 percent of the funds would fund the Rural Enterprises Institute, and 50 percent of the funds would fund a companion program at Mississippi State University.

Requesting Member: Congressman TOM COLE

Bill Number: H.R. 2997

Provision: Title I

Account: National Institute of Food and Agriculture—Special Research Grants

Legal Name of Requesting Entity: “Oklahoma State University”

Address of Requesting Entity: 107 Whitehurst Hall, Stillwater, OK 74078

Description of Request: Provide an earmark of $223,000 for the expanded Wheat Pasture Project to develop science and technologies to fine-tune their sustainable crops and weeds in conservation and no-tillage systems to reduce or eliminate herbicides; factors that better promote conservation of biological control organisms and beneficial soil microorganisms for weed seed predation and management of other pests; and practices that increase soil organic matter.

EARMARK DECLARATION

HON. DEAN HELLER
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. HELLER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010.

Requesting Member: Congressman DEAN HELLER

Bill Number: H.R. 2997

Account: Natural Resources Conservation Service—Conservation Operations

Legal Name of Requesting Entity: Carson City, Nevada

Address of Requesting Entity: 201 N. Carson Street, Suite 2, Carson City, NV 89701

Description of Request: Provide an earmark of $375,000. Carson City suffered a devastating wildfire in July 2004. Over 8,700 acres reaching across the entire west side of Carson City were burned. This devastation removed all vegetation, and destroyed a large stand of timber. The eastern flank of the Sierras remains burned and barren. These mountains are steep, and severe erosion continues to occur. Carson City therefore faces threats from flooding and potential debris flows, as well as severe damage to surface water supplies. This federal funding will help to continue critical reforestation work, which is necessary to control erosion, prevent flooding, and restore the areas destroyed by the fire.
while ultimately saving and improving American crops to revitalize the U.S. rural economy, foreign suppliers, and establish high value ical pharmaceuticals that currently come from human health, secure the U.S. supply of crit-
tionally strategic pharmaceuticals. Successful  
seeks to discover anti-cancer agents from 
Center for Pharmaceutical Crops. The initiative  
and bioactive crop research at the National 
National Institute of Food and Agriculture RE/ 
Nacogdoches, Texas 75962, $280,000, in the 
State University, Box 6078 SFA Station, 


eases with Department of Homeland Security  
response times to emergency calls, and dove-

time to greatly improve the efficiency and ef-

erations among municipal, county, state, rail-


Tuesday, July 7, 2009

Mr. SULLIVAN. Madam Speaker, consistent with House Republican Earmark Standards, I am submitting the following earmark disclosure and certification information for two project funding requests that I made and were included within the text of H.R. 2847—The Commerce, Justice, Science, and Related Agencies Appropriations Act of 2010. 
Project 1  
Project: Law Enforcement Interoperability/ 
Regional Expansion Project  
Project Amount: $200,000  
Account: COPS Technology  
Legal Name of Requesting Entity: Tulsa Police Department  
Address of Requesting Entity: 600 Civic Center, Tulsa, OK 74103  
Description of Request: Funding will be used to greatly improve the efficiency and efectiveness of public safety services in the City of Tulsa, and surrounding area. It will promote greater cooperation, collaboration, and operations among municipal, county, state, railroad, and tribal law enforcement agencies in the Tulsa area. The system will enable better cooperation among law enforcement agencies as part of the project includes developing a wireless broadband network with Internet-based applications: e.g., enabling helicopter video of pursuit suspects to all patrol cars; quickly sharing suspect photographs with all local and surrounding agencies. 
Project 2  
Project: Bartlesville Police Department Mobile Data Technology  
Project Amount: $800,000  
Account: COPS Technology  
Legal Name of Requesting Entity: Bartlesville Police Department  
Address of Requesting Entity: 100 East Hensley Blvd, Bartlesville, OK 74003  
Description of Request: Project improves community safety, enhances law enforcement’s ability to prevent crime, decreases response times to emergency calls, and dovetails with Department of Homeland Security and Department of Justice initiatives to help coordinate information sharing between agencies. 

Tuesday, July 7, 2009

Mr. KING of New York. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2996—the Department of Homeland Security Appropriations Act, 2010. 

Requesting Member: Congressman PETER T. KING  
Bill Number: H.R. 2892  
Account: Domestic Nuclear Detection Office  
Legal Name of Requesting Entity: New York City Police Department  
Address of Requesting Entity: 1 Police Plaza, New York, NY 10038  
Description of Request: $40 million will be used to pay for the implementation of a unified strategy for defending the New York City region, including the surrounding New York, New Jersey, and Connecticut jurisdictions, against radiological and nuclear threats. The program, sponsored by the Department of Homeland Security’s Domestic Nuclear Detection Office (DNDO), is designed to create a detection and interdiction architecture for radiological materials. 

Tuesday, July 7, 2009

Mr. BLUNT. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2997, the Department of Agriculture Appropriations for Fiscal Year 2010. 

Bill Number: H.R. 2997  
Account: Natural Resources Conservation Service—Conservation Operations  
Legal Name of Requesting Entity: Southwest Missouri Resource Conservation and Development, Inc.  
Address of Requesting Entity: 283 US Highway 60 West, Republic, MO 65738  
Description of Request: $287,000 is provided for the Upper White River Basin to provide additional conservation technical assistance to support the South Missouri Water Quality Project staff for a water quality program in southern Missouri. The Upper White River Basin is located in the Ozark Highlands region and encompasses 6.8 million acres of the basin located in Missouri. Technical assistance includes forestry conservation, urban nutrient management and storm water planning, watershed planning and assessment, and water quality information and education activities. The use of taxpayer funds is justified because this watershed has experienced tremendous population growth in the last decade that has resulted in an increase in nonpoint source pollution pressure.

Tuesday, July 7, 2009

Mr. ROB BISHOP of Utah. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2996, the Interior-Environment Appropriations Act, 2010. 

Requesting Member: Rob BISHOP  
Bill number: H.R. 2996  
Account: Land Acquisition  
Legal name and address of requesting entity: Western Rivers Conservancy, located at 302 N. Last Chance Gulch, Ste. 404, Helena, MT 59601  
Description of project: $500,000 to purchase a 700-acre property to add to the Bear River Migratory Bird Refuge. 

Requesting Member: Rob BISHOP  
Bill number: H.R. 2996  
Account: Save America’s Treasures  
Legal name and address of requesting entity: Salt Lake City Mayor’s Office, 451 South State St., SLC, UT 84114  
Description of project: $150,000 to restore the Albert Fisher Mansion and re-landscape the grounds surrounding the building. 

Requesting Member: Rob BISHOP  
Bill number: H.R. 2996  
Account: STAG Water and Wastewater Infrastructure Project  
Legal name and address of requesting entity: Weber County, Utah, located at 2380 Washington Blvd, Ogden, Utah 84401  
Description of project: $500,000 to assist in providing detention basins, improved canal development and maintenance, and culvert replacements to better handle capacity problems. 

Tuesday, July 7, 2009

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding earmarks I received as part of H.R. 2997—Agricultural, Rural Development, Food and Drug Administration, and Related Agencies Appropriations bill, Fiscal Year 2010. 

Requesting Member: Congressman LINCOLN DIAZ-BALART  
Bill number: H.R. 2997—Agricultural, Rural Development, Food and Drug Administration, and Related Agencies Appropriations bill, Fiscal Year 2010  
Account: National Institute of Food and Agriculture, Research and Education Activities, Other Federal Administration  
Legal name of requesting entity: Southeast Climate Consortium  
Address of Requesting Entity: Florida State University, Tallahassee, FL 32306  
Description of Request: I have secured $2,494,000 for the Southeast Climate Consortium Application of Climate Forecasts in the

Tuesday, July 7, 2009

Mr. ROB BISHOP of Utah. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2996, the Interior-Environment Appropriations Act, 2010. 

Requesting Member: Rob BISHOP  
Bill number: H.R. 2996  
Account: Land Acquisition  
Legal name and address of requesting entity: Western Rivers Conservancy, located at 302 N. Last Chance Gulch, Ste. 404, Helena, MT 59601  
Description of project: $500,000 to purchase a 700-acre property to add to the Bear River Migratory Bird Refuge. 

Requesting Member: Rob BISHOP  
Bill number: H.R. 2996  
Account: Save America’s Treasures  
Legal name and address of requesting entity: Salt Lake City Mayor’s Office, 451 South State St., SLC, UT 84114  
Description of project: $150,000 to restore the Albert Fisher Mansion and re-landscape the grounds surrounding the building. 

Requesting Member: Rob BISHOP  
Bill number: H.R. 2996  
Account: STAG Water and Wastewater Infrastructure Project  
Legal name and address of requesting entity: Weber County, Utah, located at 2380 Washington Blvd, Ogden, Utah 84401  
Description of project: $500,000 to assist in providing detention basins, improved canal development and maintenance, and culvert replacements to better handle capacity problems. 

Tuesday, July 7, 2009

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding earmarks I received as part of H.R. 2997—Agricultural, Rural Development, Food and Drug Administration, and Related Agencies Appropriations bill, Fiscal Year 2010. 

Requesting Member: Congressman LINCOLN DIAZ-BALART  
Bill number: H.R. 2997—Agricultural, Rural Development, Food and Drug Administration, and Related Agencies Appropriations bill, Fiscal Year 2010  
Account: National Institute of Food and Agriculture, Research and Education Activities, Other Federal Administration  
Legal name of requesting entity: Southeast Climate Consortium  
Address of Requesting Entity: Florida State University, Tallahassee, FL 32306  
Description of Request: I have secured $2,494,000 for the Southeast Climate Consortium Application of Climate Forecasts in the
Southeastern United States. The Consortium reduces economic risks and improves social well-being by providing climate information that is integral to agricultural decision-making. The program seeks to develop flood forecasting methods to help farmers and producers plan for reducing risks of economic losses and environmental damage; develop partnerships and methods for incorporating climate forecasts and other climate information into agricultural and water policy decisions; and begin development of a prototype decision support system for the application of climate forecasts to water resource management, especially for agricultural water use.

PERSONAL EXPLANATION

HON. JOHN SULLIVAN
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. SULLIVAN. Madam Speaker, I rise to state for the record that I was on official leave of absence from the U.S. House of Representatives on account of illness and unable to vote on rollover vote 420 to H.R. 1016 Veterans Health Care Budget Reform and Transparency Act of 2009 taken on June 23, 2009. Had I been present for the vote, I would have voted "aye."

I strongly support our nation’s servicemen and women and their families and realize the debt of gratitude that our nation owes the men and women who defend our country. As Representative for the first Congressional District of Oklahoma, I remain committed to providing them with the resources necessary to ensure they receive the funding and care they deserve. My colleagues and constituents can rest assured that I will continue to support initiatives which ensure those who serve our country to guard our freedom are treated with nothing less than the highest level of dignity and respect.

AMERICAN CLEAN ENERGY AND SECURITY ACT OF 2009

SPEECH OF

HON. CAROLYN B. MALONEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, June 26, 2009

Mrs. MALONEY. Madam Speaker, today, our nation takes a historic step toward a clean energy economy. The American Clean Energy and Security Act (ACES Act) will revolutionize America’s energy policy, combat climate change, and provide a unique opportunity to revive our economy and create millions of clean energy jobs.

Some key provisions of the bill include a requirement for electric utilities to meet 20 percent of their electricity demand through renewable energy sources and energy efficiency by 2020, a cap-and-trade global warming reduction plan designed to reduce economy-wide greenhouse gas emissions 17 percent by 2020, and a new building efficiency standard requiring new buildings to be 30 percent more efficient by 2012 and 50 percent by 2016. These and other provisions will encourage new renewable requirements for utilities, studies and incentives regarding new carbon capture and sequestration technologies, energy efficiency incentives for homes and buildings, and grants for green jobs.

In my home state of New York, clean-energy investments will create tens of thousands of jobs. A total of $150 billion in clean-energy investments across the country is estimated to result in about $10 billion in investment revenue and 109,000 jobs in New York State. These additional jobs in the New York labor market would have brought the state’s unemployment rate down to 4.3 percent from its actual 2008 level of 5.4 percent.

In addition to the millions of new jobs, the ACES Act will make our nation more energy independent. Under this legislation, we can significantly reduce our dependence on foreign oil by promoting renewable energy, including wind, solar, geothermal, and biomass energy. New clean energy and energy efficiency technologies, along with more efficient vehicles, will also help reduce our need for oil.

Now, you’ll hear some say that this bill will tax individuals for using energy. The truth is that the energy-efficiency and consumer protection provisions in the ACES Act will actually cut the electricity bill for an average New Yorker by around $250 every month. In these tough economic times, the ACES Act is both environmentally sound and economically responsible.

I thank Chairmen Waxman and Markey and Speaker Pelosi for their leadership in negotiating this important bill, and I am pleased to vote in favor of it.

EARMARK DECLARATION

HON. JEFF FORTENBERRY
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. FORTENBERRY. Madam Speaker, pursuant to the Republican Leadership standards on member requests, I am submitting the following information regarding the earmarks I received as part of the FY10 Agriculture Appropriations Bill:

Requesting Member: Congressman JEFF FORTENBERRY

Bill Number: H.R. 2997, FY10 Agriculture Appropriations Bill

Account: Special Research Grants

Project Name: Drought Mitigation

Amount: $469,000

Description of Request: This funding will be used for producing crop plants that can be used directly as early-warning sentinel for the detection of plant diseases.

EARMARK DECLARATION

HON. JOHN J. DUNCAN, JR.
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. DUNCAN. Madam Speaker, consistent with House Republican Earmark Standards, I am submitting the following earmark disclosure information for project requests that I made and which were included within H.R. 2997. "Making appropriations for the Departments of Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes."

Requesting Member: Congressman JOHN DUNCAN

Account: National Institute of Food and Agriculture—SRG

Project Amount: $1,000,000

Legal Name of Requesting Entity: University of Tennessee, 114 Morgan Hall, 2621 Morgan Circle, Knoxville, Tennessee 37996

Description of Request: This funding will be used for producing crop plants that can be used directly as early-warning sentinel for the detection of plant diseases.

EARMARK DECLARATION

HON. JOHN SULLIVAN
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. SULLIVAN. Madam Speaker, I rise to state for the record that I was on official leave of absence from the U.S. House of Representatives on account of illness and unable to vote on rollover vote 460 to H.R. 2647, National Defense Authorization Act for Fiscal Year 2010 taken on June 25, 2009. Had I been present for the vote, I would have voted "aye."

I strongly support our nation’s servicemen and women and their families and realize the debt of gratitude that our nation owes the men and women who defend our country. As Representative for the first Congressional District of Oklahoma, I remain committed to providing them with the resources necessary to ensure they receive the funding and care they deserve. My colleagues and constituents can rest assured that I will continue to support initiatives which ensure those who serve our country to guard our freedom are treated with nothing less than the highest level of dignity and respect.

EARMARK DECLARATION

HON. CHARLES W. BOUSTANY, JR.
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. BOUSTANY. Madam Speaker, I rise today to honor the LSU AgCenter Rice Research Station in Acadia Parish, Louisiana, situated 2 miles east of Crowley, which celebrated its 100th year in operation on July 1, 1909. Since 1909, the Rice Research Station continues to provide invaluable information, innovative techniques and new varieties of rice to...
help Gulf Coast rice farmers feed the world. Originally a partnership between Acadia Parish, the U.S. Department of Agriculture and the Louisiana State University Agricultural Center, it was the first experimental rice research station in the country.

Now operating under the LSU AgCenter, scientists and farmers work in tandem to contribute to improvements in rice growing. A significant part of the center’s funding comes from the Louisiana Rice Research Board, which receives a voluntary payment from area rice sales to ensure the station’s work continues.

Rice farmers along the Gulf Coast face difficult conditions as weather and disease can devastate even the most promising crop. However, Louisiana’s agricultural communities persevere and possess a richness of culture matched by none. The state’s rice industry added $550 million to Louisiana’s economy in 2008 alone. Rice farming will continue to be a way of life for thousands in Louisiana thanks to the work done at the Research Station.

Again, congratulations to the LSU AgCenter Rice Research Station at Crowley, Louisiana, for helping rice farmers throughout the Gulf Coast for 100 years and counting.”

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HONORING MECHANICVILLE HIGH SCHOOL SOFTBALL TEAM

HON. SCOTT MURPHY
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. MURPHY of New York. Madam Speaker, I am honored to rise today to congratulate the Mechanicville High School softball team who, in addition to winning an impressive five New York State titles in Class C this decade, have recently captured the Class B State Championship.

The Red Raiders faced tough competition, in addition to quite a bit of rain, to pull out a 3–1 victory against Fredonia at Waterloo High School. I would especially like to recognize the impressive performance of sophomore Anna Arcenuax, who allowed just one run while winning two games in the final four.

Arcenuax’s efforts were aided by freshman Alysa Russell and sophomore Kelsey Hines, two of the team’s most outstanding hitters. Leading Mechanicville’s young team to victory was head Coach Dan Arcenuax, who will have the opportunity to repeat this success next year with the same roster of outstanding athletes.

On behalf of the citizens of the 20th District of New York, I congratulate the Mechanicville Red Raiders softball team and their coaches for an outstanding display of teamwork and athleticism.

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EARMARK DECLARATION

HON. FRANK D. LUCAS
OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. LUCAS. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010.

Requesting Member: Congressman FRANK D. LUCAS

Bill Number: H.R. 2997

Account: Cooperative State Research Education and Extension Service, Research and Education

Legal Name of Requesting Entity: Oklahoma State University

Address of Requesting Entity: 101 Whitehurst, Stillwater, Oklahoma, USA

Description of Request: I have received $223,000 for the Expanded Wheat Pasture project. This funding will be used to develop science and technologies, uniquely adapted to wheat varieties, decision-support economic models, and extension education programs to increase profitability of the many dual-purpose wheat enterprises.

Requesting Member: Congressman FRANK D. LUCAS

Bill Number: H.R. 2997

Account: Cooperative State Research Education and Extension Service, Research and Education

Legal Name of Requesting Entity: Oklahoma State University

Address of Requesting Entity: 101 Whitehurst, Stillwater, Oklahoma, USA

Description of Request: I have received $209,000 for the Pilot Technology Transfer project. This funding will be used to provide technology transfer services and engineering assistance to small, rural manufacturers with the goal of improving their profitability and enhancing the economy in rural communities.

Requesting Member: Congressman FRANK D. LUCAS

Bill Number: H.R. 2997

Account: Cooperative State Research Education and Extension Service, Research and Education

Legal Name of Requesting Entity: Oklahoma State University

Address of Requesting Entity: 101 Whitehurst, Stillwater, Oklahoma, USA

Description of Request: I have received $274,000 for the Animal Waste Management project. This funding will be used to develop sustainable, environmentally safe, and ecologically healthy animal waste management practices in semiarid ecosystems that contribute to economic development in rural communities.

Requesting Member: Congressman FRANK D. LUCAS

Bill Number: H.R. 2997

Account: Cooperative State Research Education and Extension Service, Research and Education

Legal Name of Requesting Entity: Oklahoma State University

Address of Requesting Entity: 101 Whitehurst, Stillwater, Oklahoma, USA

Description of Request: I have received $839,000 for the Biomass-based Energy Research project. This funding will be used to find an alternative to traditional fuel sources, and to enhance rural economic development through the use of plant materials. A consortium of three universities (Oklahoma State University, Oklahoma University, and Mississippi State University) is working to refine and commercialize a unique gasification-fermentation process utilizing biomass to produce liquid fuel.

Requesting Member: Congressman FRANK D. LUCAS

Bill Number: H.R. 2997

Account: Cooperative State Research Education and Extension Service, Research and Education

Legal Name of Requesting Entity: Oklahoma State University

Address of Requesting Entity: 101 Whitehurst, Stillwater, Oklahoma, USA

Description of Request: I have received $589,000 for the Biomass-based Energy Research project. This funding will be used to find an alternative to traditional fuel sources, and to enhance rural economic development through the use of plant materials. A consortium of three universities (Oklahoma State University, Oklahoma University, and Mississippi State University) is working to refine and commercialize a unique gasification-fermentation process utilizing biomass to produce liquid fuel.

Requesting Member: Congressman FRANK D. LUCAS

Bill Number: H.R. 2997

Account: Cooperative State Research Education and Extension Service, Research and Education

Legal Name of Requesting Entity: Oklahoma State University

Address of Requesting Entity: 101 Whitehurst, Stillwater, Oklahoma, USA

Description of Request: I have received $274,000 for the Animal Waste Management project. This funding will be used to develop sustainable, environmentally safe, and ecologically healthy animal waste management practices in semiarid ecosystems that contribute to economic development in rural communities.

Requesting Member: Congressman FRANK D. LUCAS

Bill Number: H.R. 2997

Account: Cooperative State Research Education and Extension Service, Research and Education

Legal Name of Requesting Entity: Oklahoma State University

Address of Requesting Entity: 101 Whitehurst, Stillwater, Oklahoma, USA

Description of Request: I have received $223,000 for the Expanded Wheat Pasture project. This funding will be used to develop science and technologies, uniquely adapted to wheat varieties, decision-support economic models, and extension education programs to increase profitability of the many dual-purpose wheat enterprises.

Requesting Member: Congressman FRANK D. LUCAS

Bill Number: H.R. 2997

Account: Cooperative State Research Education and Extension Service, Research and Education

Legal Name of Requesting Entity: Oklahoma State University

Address of Requesting Entity: 101 Whitehurst, Stillwater, Oklahoma, USA

Description of Request: I have received $382,000 for the Food Safety project. This funding will be used to conduct research and testing to develop rapid and efficient methods for detecting and controlling food borne pathogens throughout the food chain from point of origin to consumption.

Requesting Member: Congressman FRANK D. LUCAS

Bill Number: H.R. 2997

Account: Cooperative State Research Education and Extension Service, Research and Education

Legal Name of Requesting Entity: Oklahoma State University

Address of Requesting Entity: 101 Whitehurst, Stillwater, Oklahoma, USA

Description of Request: I have received $174,000 for the Preservation and Processing Research project. This funding will be used to conduct research to develop and refine crop management techniques that enable environmentally sound and economically feasible production of alternative crops that will best utilize natural resources as they produce organically grown vegetable crops and crops for the biofuel industry.

Requesting Member: Congressman FRANK D. LUCAS

Bill Number: H.R. 2997

Account: Cooperative State Research Education and Extension Service, Research and Education

Legal Name of Requesting Entity: Oklahoma State University

Address of Requesting Entity: 101 Whitehurst, Stillwater, Oklahoma, USA

Description of Request: I have received $197,000 for the Integrated Production Systems project. This funding will be used to conduct research to develop and refine crop management techniques that enable environmentally sound and economically feasible production of alternative crops that will best utilize natural resources as they produce organically grown vegetable crops and crops for the biofuel industry.

Requesting Member: Congressman FRANK D. LUCAS

Bill Number: H.R. 2997

Account: Cooperative State Research Education and Extension Service, Research and Education

Legal Name of Requesting Entity: Oklahoma State University

Address of Requesting Entity: 101 Whitehurst, Stillwater, Oklahoma, USA

Description of Request: I have received $174,000 for the Preservation and Processing Research project. This funding will be used to conduct research and testing to develop rapid and efficient methods for detecting and controlling food borne pathogens throughout the food chain from point of origin to consumption.

Personal explanation

HON. JOHN SULLIVAN
OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. SULLIVAN of Oklahoma. Madam Speaker, I rise to state for the record that I was on an official leave of absence from the U.S. House of Representatives on the account of illness and unable to vote on rollcall vote 477 to H.R. 2454, the American Clean Energy and Security Act of 2009. Had I been present for this vote, I would have voted “nay” as the bill represents a partisan step in the wrong direction and a massive energy tax on the American people.

I was pleased to vote against H.R. 2454 when it was considered before the House Energy and Commerce Committee. Like many
Americans, I believe that we have a shared responsibility to work to ensure clean air, clean water and a healthy environment for today but also for future generations. However, we also know that the national energy tax proposal which passed the House is not the way to do it. Being good stewards of our planet should not be a partisan issue; it is something that benefits us all.

As I have said from the start, H.R. 2454 is nothing more than a backdoor attempt to implement a massive national energy tax that will result in higher energy prices, less jobs, and a greater dependence on foreign sources of oil. The oil and gas industry employs 1.8 million people across the nation and represents a large portion of the economy in my district. I cannot support any bill that will eliminate these jobs or ship them overseas.

I also remain deeply concerned that the bill, if enacted into law, will force American manufacturers and other energy intensive industries to relocate to other countries such as China or India. These counties are not subject to limits on greenhouse gas emissions, and H.R. 2454 would place the United States at a competitive disadvantage.

Families and small businesses already are struggling during this recession, and increasing their direct and indirect energy costs to the tune of thousands of dollars per year will only make matters worse. Given our troubled economy, Congress should reject plans for a national energy tax through this deeply flawed bill and work across party lines on a plan to create jobs, lower energy costs, and establish a cleaner, more reliable energy future.

EARMARK DECLARATION
HON. VERNON J. EHLERS
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. EHLERS. Madam Speaker, pursuant to Republican Leadership standards, I am submitting the following information regarding projects I receive funding for as part of H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act for fiscal year 2010.

Requesting Member: Congressman VERNON J. EHLERS
Bill Number: H.R. 2997
Agency: National Institute for Food and Agriculture
Account: Special Research Grants
Legal Name of Requesting Entity: Michigan State University College of Agriculture and Natural Resources
Address of Requesting Entity: 102 Agriculture Hall, East Lansing, Michigan 48824
Description of Request: This bill provides $266,000 for Sustainable Agriculture: Expanding and Refining the Ecosystem Base (Sustainable Agriculture). This grant is a valuable use of taxpayer money because the research will be used to develop blight-resistant varieties and new, environmentally responsible control strategies to combat this disease. This grant will be split between Michigan (which receives approximately 36 percent) and New York (which receives approximately 64 percent). For Michigan, approximately $99,648 is for the salaries of laboratory and field research personal; and $24,912 is for materials and supplies. Michigan State University is working to obtain funding from the Michigan Apple Committee, the Michigan Agricultural Experiment Station, project GREEN, and from other industry sources.

Requesting Member: Congressman VERNON J. EHLERS
Bill Number: H.R. 2997
Agency: National Institute for Food and Agriculture
Account: Special Research Grants
Legal Name of Requesting Entity: Michigan State University College of Agriculture and Natural Resources
Address of Requesting Entity: 102 Agriculture Hall, East Lansing, Michigan 48824
Description of Request: This bill provides $250,000 for Michigan State University College of Agriculture and Natural Resources: Apple Trees. This grant is a valuable use of taxpayer money because the research will be used to develop blight-resistant varieties and new, environmentally responsible control strategies to combat this disease. This grant will be split between Michigan (which receives approximately 36 percent) and New York (which receives approximately 64 percent). For Michigan, approximately $99,648 is for the salaries of laboratory and field research personal; and $24,912 is for materials and supplies. Michigan State University is working to obtain funding from the Michigan Apple Committee, the Michigan Agricultural Experiment Station, project GREEN, and from other industry sources.

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2997, Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010:

Requesting Member: Congressman TIM MURPHY
Bill Number: H.R. 2997
Agency: National Institute for Food and Agriculture Cooperative State Research, Education, and Extension Service (CSREES)
Legal Name of Requesting Entity: University of Pittsburgh Graduate School of Business Institute for Entrepreneurial Excellence
Address of Requesting Entity: Posvar Hall, Room 1800, Pittsburgh, PA 15260
Amount: $500,000
Description of Request: The funding will be used to address the needs of the agricultural sector in the region to improve business practices, marketing strategies, and profit management. The University of Pittsburgh’s Graduate School of Business Institute for Entrepreneurial Excellence and sustainability will develop a model agricultural entrepreneurship program for sustainable agricultural production in emerging areas such as hydroponics and soilless controlled environment agriculture.

EARMARK DECLARATION
HON. TIM MURPHY
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009
I certify that this project does not have a direct and foreseeable effect on the pecuniary interests of me or my spouse.

I took extreme care to ensure that these projects are well vetted and strongly supported within the community. The University of Pittsburgh Graduate School of Business Institute for Entrepreneurial Excellence appropriation is of particular interest to my district and importance to my constituents.

IN CELEBRATION OF PASTOR JOHN RICE FOR 39 YEARS OF SERVICE AS PASTOR

HON. DEBORAH L. HALVORSON
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mrs. HALVORSON. Madam Speaker, today I rise to celebrate the service of Pastor John Rice of Chicago Heights, Illinois. Pastor Rice has served his boyhood church, St. Bethel, for 39 years. Since he began his tenure, St. Bethel has flourished, with its membership growing to over 300 families. The church has been able to undertake many new projects under Pastor Rice’s leadership, including the construction of the Bethel Community Center. The construction of the community center and the growth of the church would not have been possible without the tireless efforts and faith of Pastor Rice.

I have had the good fortune of working with Pastor Rice and have seen his work first hand. He has touched many lives, including the underprivileged, for whom he is a tireless champion. St. Bethel Church and the community of Chicago Heights are long indebted to Pastor Rice for his great service.

On June 28, 2009, Pastor Rice will be honored at St. Bethel. He will be accepting much deserved praise on that day. It is with great pride that I recognize all of his many accomplishments and wish him a continued success.

PERSONAL EXPLANATION

HON. JOHN SULLIVAN
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

Mr. SULLIVAN. Madam Speaker, I rise to state for the record that I was on official leave of absence from the U.S. House of Representatives on account of illness and unable to vote on rollcall vote 328 to H.R. 2410, Foreign Relations Authorization Act, Fiscal Years 2010 and 2011 taken on June 10, 2009. Had I been present for the vote, I would have voted nay.

I am strongly opposed to the irresponsible spending increases contained in the bill and favored a Republican substitute which was offered at the committee level which saved nearly $2.84 billion dollars, while tightening sanctions against Iran, adding new measures to increase foreign military funding for Israel, and supporting missile defense for Israel. In a time of national financial uncertainty, I believe it is irresponsible to create unnecessary new programs and pass such large funding increases. In addition, I have significant concerns about the potential for taxpayer funded abortions that could result from the passage of this legislation.
HIGHLIGHTS

Senator-Elect Al Franken, of Minnesota, was administered the oath of office by the Vice President.

Senate

Chamber Action

Routine Proceedings, pages S7153–S7216

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 1400–1407, and S. Res. 208–209. Pages S7192–93

Measures Reported:


S. 1407, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010. (S. Rept. No. 111–40) Page S7192

Measures Passed:

Majority Party Committee Membership: Senate agreed to S. Res. 208, to constitute the majority party's membership on certain committees for the One Hundred Eleventh Congress, or until their successors are chosen. Page S7168

Decade of Vision: Senate agreed to S. Res. 209, recognizing the 40th anniversary of the National Eye Institute and expressing support for designation of the years 2011 through 2020 as the "Decade of Vision". Pages S7214–15

Measures Considered:


Rejected:

By 47 yeas to 51 nays (Vote No. 218), McCain Amendment No. 1400 (to Amendment No. 1373), to eliminate the appropriation for the Over-the-Road Bus Security Assistance, as recommended by the Administration. Pages S7172–74, S7178

Pending:

Reid (for Byrd/Inouye) Amendment No. 1373, in the nature of a substitute. Pages S7164–67, S7168–82

Sessions Amendment No. 1371 (to Amendment No. 1373), to make the pilot program for employment eligibility confirmation for aliens permanent and to improve verification of immigration status of employees. Pages S7166–67, S7168–72

DeMint Amendment No. 1399 (to Amendment No 1373), to require the completion of at least 700 miles of reinforced fencing along the southwest border by December 31, 2010. Page S7172

Feingold Amendment No. 1402 (to Amendment No 1373), to require grants for Emergency Operations Centers and financial assistance for the predisaster mitigation program to be awarded without regard to earmarks. Pages S7179–82

A unanimous-consent-time agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Wednesday, July 8, 2009, and that there be 5 minutes for debate prior to a vote on or in relation to Sessions Amendment No. 1371 (listed above), with the time equally divided and controlled between Senators Schumer and Sessions, or their designees; provided that upon disposition of Sessions Amendment No. 1371 (listed above), Senate resume consideration of DeMint Amendment No. 1399 (listed above), with two minutes of debate prior to a vote on or in relation thereto, with the time equally divided and controlled between Senators Murray and DeMint, or their designees; provided further, that no amendment be in order to any of the amendments covered in this agreement prior to a vote on or in relation to the amendments. Page S7177
Announcements:

Committee Assignments: The Majority Leader announced, in accordance with S. Res. 18, that the following Democratic member has been assigned to the following committees:

Committee on Indian Affairs: Senator Franken.
Select Committee on Aging: Senator Franken.

Nominations Received: Senate received the following nominations:

Susan L. Kurland, of Illinois, to be an Assistant Secretary of Transportation.
Matthew Winthrop Barzun, of Kentucky, to be Ambassador to Sweden.
William Carlton Eacho III, of Maryland, to be Ambassador to the Republic of Austria.
Fay Hartog-Levin, of Illinois, to be Ambassador to the Kingdom of the Netherlands.
Patricia Newton Moller, of Arkansas, to be Ambassador to the Republic of Guinea.

Measures Placed on the Calendar:

Executive Communications:

Executive Reports of Committees:

Additional Cospersons:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Notices of Hearings/Meetings:

Authorities for Committees to Meet:

Privileges of the Floor:

Record Votes: One record vote was taken today. (Total—218)

Adjournment: Senate convened at 10 a.m. and adjourned at 7:06 p.m., until 9:30 a.m. on Wednesday, July 8, 2009. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S7215.)
O’Toole, CATO Institute, both of Washington, D.C.; Clinton J. Andrews, Rutgers, The State University of New Jersey, New Brunswick; and Mayor Christopher Cabaldon, West Sacramento, California.

UNITED STATES COAST GUARD
Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded an oversight hearing to examine the United States Coast Guard, after receiving testimony from Admiral Thad W. Allen, Commandant, United States Coast Guard, Department of Homeland Security; and Stephen Caldwell, Director, Homeland Security and Justice Issues, Government Accountability Office.

CLEAN ENERGY
Committee on Environment and Public Works: Committee concluded a hearing to examine legislative tools used to move America toward a clean energy economy and reducing global warming pollution, after receiving testimony from Thomas Vilsack, Secretary of Agriculture; Steven Chu, Secretary of Energy; Lisa P. Jackson, Administrator, Environmental Protection Agency; Kenneth L. Salazar, Secretary of the Interior; Mississippi Governor Haley Barbour, Jackson; Mayor John Fetterman, Braddock, Pennsylvania; David G. Hawkins, Natural Resources Defense Council, Washington, DC.; and Rich Wells, The Dow Chemical Company, Midland, Michigan.

BUSINESS MEETING
Committee on Environment and Public Works: Committee ordered favorably reported the nominations of Colin Fulton, to be General Counsel, and Paul Anastas, to be Assistant Administrator for the Office of Research and Development, both of the Environmental Protection Agency.

NOMINATIONS
Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Timothy J. Roemer, of Indiana, to be Ambassador to India, who was introduced by Senator Lugar, Richard J. Schmierer, of Virginia, to be Ambassador to the Sultanate of Oman, and Gordon Gray, of Virginia, to be Ambassador to the Republic of Tunisia, all of the Department of State, after the nominees testified and answered questions in their own behalf.

NOMINATIONS
Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Laurie Susan Fulton, of Virginia, to be Ambassador to Denmark, who was introduced by Senators Johnson and Warner, Louis B. Susman, of Illinois, to be Ambassador to the United Kingdom of Great Britain and Northern Ireland, who was introduced by Senators Kerry, Durbin, and McCaskill, Charles H. Rivkin, of California, to be Ambassador to France, and to serve concurrently and without additional compensation as Ambassador to Monaco, who was introduced by Senator Kerry and Representative Waxman, and Mark Henry Gitenstein, of the District of Columbia, to be Ambassador to Romania, who was introduced by Senators Dodd and Kaufman, all of the Department of State, after the nominees testified and answered questions in their own behalf.

STRENGTHENING U.S.-PAKISTAN RELATIONS

BUSINESS MEETING
Committee on Health, Education, Labor, and Pensions: Committee continued consideration of Affordable Health Choices Act, but did not complete action thereon, and will meet again on Wednesday, July 8, 2009.

BOWL CHAMPIONSHIP SERIES
Committee on the Judiciary: Subcommittee on Antitrust, Competition Policy and Consumer Rights concluded a hearing to examine the Bowl Championship Series, focusing on its compliance with Antitrust Law, after receiving testimony from Michael Young, University of Utah, Salt Lake City; Barry J. Brett, Troutman Sanders LLP, New York, New York; Harvey S. Perlman, University of Nebraska-Lincoln; and William Monts III, Hogan and Hartson LLP, Washington, DC.
House of Representatives

**Chamber Action**

Public Bills and Resolutions Introduced: 8 public bills, H.R. 3113–3120; 1 private bill, H.R. 3121; and 6 resolutions, H. Res. 607–608, and 611–14, were introduced.

Additional Cosponsors: Pages H7740–42

Reports Filed: Reports were filed today as follows:

- H.R. 2965, to amend the Small Business Act with respect to the Small Business Innovation Research Program and the Small Business Technology Transfer Program, with an amendment (H. Rept. 111–190, Pt. 2);
- H. Res. 609, providing for consideration of the bill (H.R. 2997) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010 (H. Rept. 111–191); and
- H. Res. 610, providing for consideration of the bill (H.R. 2965) to amend the Small Business Act with respect to the Small Business Innovation Research Program and the Small Business Technology Transfer Program (H. Rept. 111–192). Page H7740

Speaker: Read a letter from the Speaker wherein she appointed Representative Cuellar to act as Speaker pro tempore for today. Page H7709

Suspensions: The House agreed to suspend the rules and pass the following measures:

- Authorizing the Secretary of the Interior to provide an annual grant to facilitate an iron working training program for Native Americans: H.R. 1129, to authorize the Secretary of the Interior to provide an annual grant to facilitate an iron working training program for Native Americans, by a recorded vote of 329 ayes to 75 noes, Roll No. 479; Pages H7712–13, H7725
- Utah Recreational Land Exchange Act of 2009: H.R. 1275, amended, to direct the exchange of certain land in Grand, San Juan, and Uintah Counties, Utah; Pages H7710–12
- Tule River Tribe Water Development Act: H.R. 1945, to require the Secretary of the Interior to conduct a study on the feasibility and suitability of constructing a storage reservoir, outlet works, and a delivery system for the Tule River Indian Tribe of the Tule River Reservation in the State of California to provide a water supply for domestic, municipal, industrial, and agricultural purposes; Pages H7713–14
- Supporting National Men's Health Week: H. Con. Res. 142, to support National Men's Health Week; Pages H7714–16
- Recognizing the significance of National Caribbean-American Heritage Month: H. Con. Res. 127, to recognize the significance of National Caribbean-American Heritage Month; and Pages H7716–19
- Directing the Architect of the Capitol to engrave the Pledge of Allegiance to the Flag and the National Motto of “In God We Trust” in the Capitol Visitor Center: H. Con. Res. 131, to direct the Architect of the Capitol to engrave the Pledge of Allegiance to the Flag and the National Motto of “In God We Trust” in the Capitol Visitor Center. Pages H7721–23

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H7710.

Quorum Calls—Votes: One yea-and-nay vote and one recorded vote developed during the proceedings of today and appear on pages H7725 and H7725–26. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 8:59 p.m.
Committee Meetings

ENERGY AND WATER DEVELOPMENT/ FINANCIAL SERVICES APPROPRIATIONS FISCAL YEAR 2010

Committee on Appropriations: Ordered reported the following appropriations for fiscal year 2010: Energy and Water Development, and Related Agencies; and Financial Services and General Government.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Committee on Rules: Granted, by a non-record vote, a structured rule. The rule provides one hour of general debate on H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010, equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill except for clauses 9 and 10 of rule XXI. The rule waives all points of order against provisions in the bill for failure to comply with clause 2 of rule XXI.

The rule makes in order the following amendments: (1) the amendment printed in part A of the report of the Committee on Rules accompanying the resolution; (2) the amendments printed in part B of the report of the Committee on Rules; (3) not to exceed one of the amendments printed in part C of the report of the Committee on Rules if offered by Representative Campbell of California or his designee; (4) not to exceed three of the amendments printed in part D of the report of the Committee on Rules if offered by Representative Flake of Arizona or his designee; and (5) not to exceed one of the amendments printed in part E of the report of the Committee on Rules if offered by Representative Hensarling of Texas or his designee. The rule provides that each such amendment shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. The rule also provides that the amendments printed in part B through E of the report may be offered only at the appropriate point in the reading.

The rule provides that for those amendments reported from the Committee of the Whole, the question of their adoption shall be put to the House en gros and without demand for division of the question. The rule provides one motion to recommit with or without instructions.

The rule provides that after consideration of the bill for amendment, the chair and ranking minority member of the Committee on Appropriations or their designees each may offer one pro forma amendment to the bill for the purpose of debate, which shall be controlled by the proponent. The rule provides that the Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations or his designee and that the Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII). Finally, the rule provides that during consideration of H.R. 2997, the Chair may reduce to two minutes the minimum time for electronic voting under clause 6 of rule XVIII and clauses 8 and 9 of rule XXI. Testimony was heard by Representatives DeLauro, Welch (VT), Courtney, Kingston, and Jordan.

ENHANCING SMALL BUSINESS RESEARCH AND INNOVATION ACT OF 2009

Committee on Rules: Granted, by a non-record vote, a structured rule. The rule provides one hour of general debate on H.R. 2965, the Enhancing Small Business Research and Innovation Act of 2009, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Small Business and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Science and Technology. The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Small Business now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute except for clause 10 of rule XXI.

The rule makes in order only those amendments printed in the report of the Committee on Rules. The amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule provides that the proponent of any such amendment may modify its amendatory instructions. All points of order against the amendments except for clauses
9 and 10 of rule XXI are waived. The rule provides that the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The rule also provides that the Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Small Business or a designee. The rule provides that the Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII). Finally, the rule provides that during consideration of H.R. 2965, the Chair may reduce to two minutes the minimum time for electronic voting under clause 6 of rule XVIII and clauses 8 and 9 of rule XX.

Testimony was heard by Chairwoman Velázquez, Markey (MA), Tsongas, and Graves.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, JULY 8, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Energy and Water Development, business meeting to mark up proposed budget estimates for fiscal year 2010 for Energy and Water Development, 10 a.m., SD–192.

Subcommittee on Financial Services and General Government, business meeting to mark up proposed budget estimates for fiscal year 2010 for Financial Services and General Government, 1:30 p.m., SD–192.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Financial Institutions, to hold hearings to examine the effects of the economic crisis on community banks and credit unions in rural communities, 2 p.m., SD–538.

Committee on Commerce, Science, and Transportation: business meeting to consider S. 588, to amend title 46, United States Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels, S. 649, to require an inventory of radio spectrum bands managed by the National Telecommunications and Information Administration and the Federal Communications Commission, S. 668, to reauthorize the Northwest Straits Marine Conservation Initiative Act to promote the protection of the resources of the Northwest Straits, S. 1194, to reauthorize the Coast Guard for fiscal years 2010 and 2011, and S. 1308, to reauthorize the Maritime Administration; to be immediately followed by a hearing to examine the nominations of Charles F. Bolden, Jr., of Texas, to be Administrator, Lori Garver, of Virginia, to be Deputy Administrator, both of the National Aeronautics and Space Administration, Deborah A. P. Hersman, of Virginia, to be Chairman of the National Transportation Safety Board, Richard A. Lidinsky, Jr., of Maryland, to be a Federal Maritime Commissioner, and Polly Trottenberg, of Maryland, to be Assistant Secretary of Transportation for Transportation Policy, 2 p.m., SR–253.

Committee on Environment and Public Works: Subcommittee on Water and Wildlife, to hold hearings to examine threats to native wildlife species, 10 a.m., SD–406.

Full Committee, to hold hearings to examine the nominations of Robert Perciasepe, of New York, to be Deputy Administrator, and Craig E. Hooks, of Kansas, to be an Assistant Administrator, both of the Environmental Protection Agency, 2:30 p.m., SD–406.

Committee on Finance: to hold hearings to examine how climate change legislation relates to international trade considerations, 10 a.m., SD–215.

Committee on Foreign Relations: business meeting to consider the nominations of Christopher William Dell, of New Jersey, to be Ambassador to the Republic of Kosovo, Nancy J. Powell, of Iowa, to be Director General of the Foreign Service, Capricia Penavic Marshall, of the District of Columbia, to be Chief of Protocol, and to have the rank of Ambassador during her tenure of service, Maria Otero, of the District of Columbia, to be Under Secretary for Democracy and Global Affairs, and Philip L. Verveer, of the District of Columbia, for the rank of Ambassador during his tenure of service as Deputy Assistant Secretary for International Communications and Information Policy in the Bureau of Economic, Energy, and Business Affairs and United States Coordinator for International Communications and Information Policy, all of the Department of State, time to be announced, S–116, Capitol.

Full Committee, to hold hearings to examine the nominations of Carlos Pascual, of the District of Columbia, to be Ambassador to Mexico, Arturo A. Valenzuela, of the District of Columbia, to be Assistant Secretary for Western Hemisphere Affairs, Kenneth H. Merten, of Virginia, to be Ambassador to the Republic of Haiti, and Thomas Alfred Shannon, Jr., of Virginia, to be Ambassador to the Republic of Brazil, all of the Department of State, 9 a.m., SD–419.

Subcommittee on European Affairs, to hold hearings to examine industrial competitiveness under climate policies, focusing on lessons from Europe, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: business meeting to continue consideration of Affordable Health Choices Act, subcommittee assignments, and any pending nominations, 10 a.m., SD–106.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine reform in the Federal Protective Service, 10 a.m., SD–342.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters from officials of the intelligence community, 2:30 p.m., S–407, Capitol.

House

Committee on Education and Labor, Subcommittee on Early Childhood, Elementary and Secondary Education
and the Subcommittee on Healthy Families and Communities, joint hearing on Strengthening School Safety through Prevention of Bullying 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection, hearing to examine the Administration’s proposal to create a new agency responsible for consumer protection with regard to financial products and services, 10 a.m., 2123 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled “Regulation of Bottled Water,” 10 a.m., 2322 Rayburn.

Committee on Financial Services, to mark up H.R. 3045, Section 8 Voucher Reform Act of 2009, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, hearing on Nuclear Cooperation with the United Arab Emirates: Review of the Proposed U.S.–UAE Agreement, 10 a.m., 2172 Rayburn.


Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, hearing on Legal Issues Surrounding the Military Commissions System, 10 a.m., 2141 Rayburn.


Committee on Natural Resources, Subcommittee on Insular Affairs, Oceans and Wildlife, hearing on the following bills: H.R. 1771, Chesapeake Bay Science, Education, and Ecosystem Enhancement Act of 2009; H.R. 1053, Chesapeake Bay Accountability and Recovery Act of 2009; and H.R. 905, Thunder Bay National Marine Sanctuary and Underwater Preserve Boundary Modification Act, 10 a.m., 1324 Longworth.

Subcommittee on National Parks, Forests and Public Lands, hearing on the following bills: H.R. 481, North Country National Scenic Trail Route Adjustment Act of 2009; H.R. 685, United States Civil Rights Trail System Act of 2009; H.R. 1593, To amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System; H.R. 2167, To authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating certain lands as the Los Caminos del Rio National Heritage Corridor; and H.R. 2806, To authorize the Secretary of the Interior to adjust the boundary of the Stephen Mather Wilderness and the North Cascades National Park in order to allow the rebuilding of a road outside of the floodplain while ensuring that there is no net loss of acreage to the Park or the Wilderness, 10 a.m., 1354 Longworth.

Committee on Oversight and Government Reform, hearing entitled “Tracking the Money: Preventing Waste, Fraud, and Abuse of Recovery Act Funding,” 10 a.m., 2154 Rayburn.

Subcommittee on Federal Workforce, Postal Service and the District of Columbia, hearing to examine H.R. 2517, Domestic Partnership Benefits and Obligations Act of 2009, 2 p.m., 2154 Rayburn.

Subcommittee on Government Management, Organization, and Procurement, hearing on Oversight of Federal Financial Management, 2 p.m., 2247 Rayburn.

Committee on Rules, to consider the following bills: H.R. 3081, Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2010, and for other purposes; and H.R. 2701, Intelligence Authorization Act for Fiscal Year 2010, 3 p.m., H–313 Capitol.

Committee on Science and Technology, Subcommittee on Technology and Innovation, hearing on the Reauthorization of the FIRE Grant Programs, 10 a.m., 2318 Rayburn.


Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing on the General Services Administration’s Fiscal Year 2010 Capital Investment and Leasing Program (CILP), 3 p.m., 2167 Rayburn.
Congressional Record—DAILY DIGEST  
July 7, 2009

Next Meeting of the SENATE
9:30 a.m., Wednesday, July 8

Program for Wednesday: After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of H.R. 2892, Department of Homeland Security Appropriations Act, and after a period of debate, vote on or in relation to Sessions Amendment No. 1371 (to Amendment No. 1375), to be followed by a vote on or in relation to DeMint Amendment No. 1399 (to Amendment No. 1373).

House Chamber

Program for Wednesday: Consideration of H.R. 2965—Enhancing Small Business Research and Innovation Act of 2009 (Subject to a Rule) and H.R. 2997—Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HUSE

Bishop, Rob, Utah, E1658
Blunt, Roy, Mo., E1658
Bono Mack, Mary, Calif., E1644
Boustedt, Charles W., Jr., La., E1659
Brown, Henry E. Jr., S.C., E1656
Brown-Waite, Ginny, Fla., E1656
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