United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, FRIDAY, JULY 31, 2009 *No. 118*

House of Representatives

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

Rev. Dr. Ivan Raley, First Baptist Church, Byrdstown, Tennessee, offered the following prayer:

Almighty and eternal Father, we humbly come before You in this hallowed place that we might seek Your wisdom for the work of these whom You have chosen to serve our Nation.

Father, there are many people in our land today who are hurting. There are people this morning who are afraid. They are confused, and they are fearful of the future and what it holds. Father, they need the help of this Congress.

God, accept this prayer as our confession of faith in You and total dependence on You. Forgive us where we have failed and fallen short. Father, You know the solution our Nation needs. Teach it to these who have been chosen to lead our Nation so that they can know Your will as well.

Father, may future generations call these who are now assembled the greatest generation. Let them be like those who came before them, who rose to their country's need and were thus called. May they say of these, they did their best. They are a great generation.

Father, God, we pray this in Your Son's name. God bless America.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from 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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed withuot amendment a bill of the House of the following title:

H.R. 3357. An act to restore sums to the Highway Trust Fund and for other purposes.

WELCOMING REV. DR. IVAN RALEY

The SPEAKER. Without objection, the gentleman from Tennessee (Mr. DAVIS) is recognized for 1 minute.

Mr. DAVIS of Tennessee. Madam Speaker, it's an honor to thank my friend and pastor, Dr. Ivan Raley of First Baptist Church in Byrdstown, for joining us here today. Pastor Raley has served our church at home since 2002, and is retired after 10 years of service as regional vice president of the Tennessee Baptist Children's Homes in Brentwood, Tennessee.

While serving as pastor, Dr. Raley has traveled on mission trips to Venezuela, Belize, Guatemala and Mexico, and in September of 2001, he went to New York to serve as a chaplain with the police and firemen involved in the 9/11 World Trade Center attack. He also served with the International Mission Board of the Southern Baptist Convention in Rwanda during the wars there in 1994.

I want to thank Ivan for being here today and for serving our church family for the past 7 years. I have looked to him for ministry as we continue our work in Congress to build a stronger America for our children and our grandchildren. Through the war in Iraq and Afghanistan, and now in the midst of a difficult economy, I appreciate Pastor Raley being there to join me in search of guidance and wisdom.

On behalf of my colleagues, I welcome Dr. Raley, and again, I thank him for delivering our invocation here this morning.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PASTOR of Arizona). The Chair will entertain up to five further requests for 1-minute speeches on each side of the aisle.

MEDICAL DEBT IN AMERICA

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

Ms. KILROY. Mr. Speaker, in my district, as in many districts around the country, medical debt has been a contributing factor in bankruptcies and in foreclosures. In fact, 72 million Americans today are affected by the issue of medical debt.

Another more insidious but also serious issue that arises from medical debt, and one that costs our constituents a great deal of money, is the issue of medical debt that is paid late or is settled eventually, but paid nevertheless, but has gone to collections and is reported negatively on a credit report or a score.

Twenty-eight million Americans pay their medical debt off over a period of time. Some of those accrue debt only because of a dispute with an insurance company, some of them because of the high cost of medical care and high deductibles or caps that have been exceeded in the course of the year, some because of job loss. But that negative credit score stays with them for years to come.

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□ 0915

RECOGNIZING THE 150TH ANNIVERSARY OF ST. COLUMBAN ROMAN CATHOLIC CHURCH

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

Mrs. SCHMIDT. Mr. Speaker, I rise this morning to recognize the 150th anniversary of my childhood parish, St. Columban Roman Catholic Church of Loveland, Ohio.

In 1859, Father John Baptist O'Donoghue, of St. Andrew's Parish in Milford, and 10 families worked together to raise enough money to purchase an old, one-room schoolhouse from the Village of Loveland on Broadway Avenue.

Like many budding parishes, the original rectory did not meet the needs of the local Catholic community for very long. In 1893, St. Columban built their second house of worship on that site. A few years later, the first school was built. This church will always hold a special place in my heart because my home was built from its bricks.

As the parish was celebrating its 100th anniversary, St. Columban was, once again, forced to expand to a new church at a different site. I was in attendance that day 50 years ago when Archbishop Karl J. Alter dedicated the new school building which housed the church in the cafeteria. Rapid growth twice required separate additions to be built to house the church. In 2002, the church finally moved out of the school and into its own building.

Each year, I have the privilege to host the St. Columban eighth-grade students to the Capitol. I am honored to be their Congresswoman and tour guide.

Mr. Speaker, I ask you to join me in celebrating St. Columban's 150th anniversary and in wishing them continued success.

God bless them. God bless the United States of America.

COMMONSENSE LEGISLATION TO PROMOTE WELLNESS

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

Mrs. DAHLKEMPER. Mr. Speaker, during the upcoming August work period, my colleagues and I will travel back to our districts to talk about meaningful health care reform that fixes what is broken and that protects what works.

One of the things that does not work is the skyrocketing costs of medical treatment in the United States. If Congress is serious about tackling the issue, we must address the growing concern of chronic disease—preventable conditions that account for 85 percent of total health spending. Obesity alone cost $147 billion last year.

Today, I am introducing legislation that will offer up to 20 percent discounted premiums to those who make the effort to live healthier lifestyles, such as not smoking, such as achieving and maintaining normal body mass index and working at lowering blood pressure and cholesterol levels. As a result, there will be an economic incentive to encourage personal responsibility for one's health, which will dramatically reduce overall costs.

As we look at health insurance reform, we need to make sure that we look at encouraging wellness. I urge my colleagues to join me in support of this commonsense legislation to promote wellness.

IN APPRECIATION OF ALLEN AIMAR

(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, I rise today to wish a fond farewell to a member of the Second Congressional District staff, Allen Aimar.

Allen first served as a field representative in our Beaufort Lowcountry office before coming to Washington as military legislative assistant. Allen is leaving Washington behind for his law school career at Capital University in Columbus, Ohio. He will be joined by his wife, Amber, who previously served on the staff of the Second District and as staff to Dr. Phil Roe.

Allen has been vital in helping constituents, particularly on military issues. He has brought his own experience and knowledge as a veteran of the Army National Guard in Iraq. He appreciates our servicemembers, their families and veterans.

Allen is the son of Allen and Deborah Aimar of Johnson City, Tennessee, and of Greg and Marian Erickson of Beaufort, South Carolina, and is brother to Adam Aimar.

We are all tremendously proud of Allen and Amber, and we wish them and their young son, Alexander Jacob Aimar, all the best in the years to come. Godspeed to the Aimar family.

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

HEALTH CARE REFORM

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

Mr. MCGOVERN. Mr. Speaker, as we debate health care reform legislation, my Republican friends say things are fine just the way they are. ''Take two tax breaks and call me in the morning,'' is their prescription. This in spite of the fact that premiums have doubled in 9 years, growing three times faster than wages; this in spite of the fact that the average American family already pays an extra $1,100 a year in premiums to support a broken system; this in spite of the fact that 46 million Americans are uninsured.

When my Republican friends say that the American people don't deserve health reform, my response is: Are you kidding?

KATRINA ANNIVERSARY

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

Mr. CAO. Mr. Speaker, August 29, 2009 will mark the fourth anniversary of Hurricane Katrina. As I prepare to return to the Second District, I am reflective not so much of the unprecedented damage that wreaked havoc on the innocent but of the power of the human spirit that was so evident in every citizen as they've returned to New Orleans to rebuild their homes and to jump-start their communities.

I, too, lost everything in this storm. My wife and I, like so many others, were forced to start over after losing our home and business.

As Katrina became the byword for our Nation's social ills and failures, many even questioned the logic of rebuilding, but one only has to look around New Orleans and Jefferson Parish today to completely dispute that line of reasoning. New Orleans and Jefferson Parish are reemerging as the productive areas they once were. Tourism is back on the rise, and entrepreneurs are returning to reintroduce commerce and to boost the job market. But there is still much work to do.

The Stafford Act must be redesigned to bring a systemic means of Federal natural disaster assistance for State and local governments to aid citizens, and there must be a fundamental change in FEMA's approach to catastrophic disasters.

A UNIQUELY AMERICAN HEALTH CARE PLAN

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

Ms. EDWARDS of Maryland. Mr. Speaker, today, it is time for health care reform.

Now, there are some out there who like to claim that we don't need reform now because the private marketplace will take care of everything. Well, the private marketplace hasn't taken care of anything except to increase deductibles, to increase premiums, and to increase copays that cost the American people. Let me tell you what that means in my home State of Maryland.

In 2001, if you were paying on the average of $600 a month for your health care, today, you're paying an average of $1,000 a month for your health care. Well, I don't know about anybody else, but in my household, an extra $400 a month is real money. It's groceries. It's an electric bill. It's daycare. I mean, this is an important cost to the American people.

It is time for us to enact a uniquely American plan that doesn't embrace the insurance industry, that doesn't close down the insurance industry, but that says to the insurers: you have to compete in the marketplace with a public plan that relies on Medicare rates, that ensures that we will have real competition, and that is real change for the American people.

It is time for us to educate the American people and to get this done for the public so that we can be competitive.

THE BRITISH HEALTH CARE SYSTEM IS UNHEALTHY

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

Mr. POE of Texas. Mr. Speaker, government-run health care has been around in England for over 60 years. In those years, the government still hasn't gotten it right.

In March, Britain's Health Care Commission, which has ironically been renamed the Care Quality Commission, reported that 1,200 people have died needlessly at two British hospitals over the past 3 years.

The government report said that Stafford Hospital and Cannock Chase Hospital have filthy conditions and unhygienic practices. The government report says government-run hospitals don't have enough doctors and nurses and the doctors and nurses are poorly trained. They don't know how to use the cardiac monitors, and the hospitals don't even have enough of the cardiac monitors that they don't know how to operate. The British Government report also says that these two government-run hospitals have left patients with no food, no water and no medicine for up to 4 days.

Mr. Speaker, this is just another example that government-run health care has not worked. Doctors and nurses are rationed; care is rationed; medicine, food and water are rationed. The British health care plan is: ''Just don't get sick'' because the government-run system can't help you.

And that's just the way it is.

AMERICANS WILL FINALLY BE GUARANTEED HEALTH CARE

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

Mr. PALLONE. Mr. Speaker, today is a great day.

My committee, the Energy and Commerce Committee, will report out the health care reform bill today. It is very exciting because what it means is that people will finally be guaranteed health care, and they'll know that they'll have health care regardless of what job they have. They won't lose it if they go from job to job.

Right now, we have a lot of people in this country who are uninsured. They will be provided with health insurance. We have a lot of other people who are afraid they're going to lose their jobs or who are afraid they're not going to be able to afford their health insurance.

Again, we'll address the affordability issue by bringing down costs for people who actually have insurance, and we'll guarantee that, whether or not you have a health condition and regardless of your gender, you'll be able to get the same health care; you'll be able to get the same insurance policy, and you won't be discriminated against.

This is a real opportunity for America to see that this Congress can actually do the job, that we can get the job done—that we can cover everyone and reduce costs—so that you'll finally have the peace of mind that you're guaranteed health insurance.

THE TRUTH ABOUT HOUSE DEMOCRATS' TAX INCREASES

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

Mr. PENCE. Mr. Speaker, the American people know we need health care reform in this country, but thanks to House Republicans and a handful of Democrats in Congress, the American people have been given a reprieve on the Democrat plan to enact a government takeover of health care, paid for with more than $800 billion in new taxes. Now, that tax increase number has been disputed in the past 24 hours, so I thought I'd pull the stats.

According to the Congressional Budget Office and the Joint Committee on Taxation, the House Democrat reform bill includes $543 billion in a surtax on high-income filers, $208 billion in increased taxes on businesses, an additional set of tax increases—international tax increases which they refer to—of $37 billion, and more taxes on benefits of $2 billion. Taxes on individuals who do not purchase bureaucrat-approved health insurance—$29 billion. So the total amount of tax increases included in the Democrat bill, according to official estimates, is $820.1 billion over 10 years.

The chance for the American people to know what's in this plan and to come back and to pass health care reform without more government and more taxes? Priceless.

Let the debate begin.

PROVIDING FOR CONSIDERATION OF H.R. 3269, CORPORATE AND FINANCIAL INSTITUTION COMPENSATION FAIRNESS ACT OF 2009

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 697 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 697

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3269) to amend the Securities Exchange Act of 1934 to provide shareholders with an advisory vote on executive compensation and to prevent perverse incentives in the compensation practices of financial institutions. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions of the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Financial Services; (2) the amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Frank of Massachusetts or his designee, which shall be considered as read, shall be separately 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; (3) the amendment in the nature of a substitute printed in the report of the Committee on Rules, if offered by Representative Garrett of New Jersey or his designee, which shall be considered as read, and shall be separately debatable for 30 minutes equally divided and controlled by the proponent and an opponent; and (4) one motion to recommit with or without instructions.

SEC. 2. All points of order against amendments printed in the report of the Committee on Rules accompanying this resolution are waived except those arising under clause 9 or 10 of rule XXI.

SEC. 3. During consideration of an amendment printed in the report of the Committee on Rules accompanying this resolution, the Chair may postpone the question of adoption as though under clause 8 of rule XX.

SEC. 4. In the engrossment of H.R. 3269, the Clerk is authorized to make technical and conforming changes to amendatory instructions.

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

Mr. MCGOVERN. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. MCGOVERN. Mr. Speaker, I ask unanimous consent that all Members may be given 5 legislative days in which to revise and extend their remarks on House Resolution 697.

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

There was no objection.

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

Mr. Speaker, House Resolution 697 provides for the consideration of H.R. 3269, the Corporate and Financial Institution Compensation Fairness Act of 2009, under a structured rule.

The rule provides 1 hour of general debate controlled by the Committee on Financial Services. The rule makes in order an amendment by Chairman

FRANK, which is debatable for 10 minutes. It also makes in order an amendment in the nature of a substitute by Representative GARRETT, which is debatable for 30 minutes. The rule provides one motion to recommit with or without instructions.

Mr. Speaker, I rise today in support of H.R. 3269, the Corporate and Financial Institution Compensation Fairness Act. I would like to congratulate my good friend and my colleague from Massachusetts, Chairman BARNEY FRANK, for all of his hard work on this bill.

□ 0930

Mr. Speaker, if the last year has taught us anything, it's that the compensation practices of some of our largest corporations have gotten completely out of control. Middle class Americans on Main Street are struggling to hold on to their jobs, struggling to pay for health care and education and food and energy. They have seen their wages stagnate while their costs have skyrocketed.

Meanwhile, over on Easy Street, things are great. Corporate executives are continuing to give themselves multi-million dollar pay packages; the golden parachutes are still flying. One of the most egregious cases of this came when American taxpayers watched as AIG, the American International Group, doled out lavish bonuses after being bailed out of the financial mess that they helped create.

Chairman FRANK is thoroughly committed to ensuring our financial system remains sound, and I am pleased to see this bill as the first piece of larger reforms by the House Financial Services Committee.

Mr. Speaker, I would also like to voice my support for the proposed Consumer Financial Protection Agency. I know there has been strong pushback from the industry, but I would like to commend my colleagues for their perseverance in putting these protections in place. The bill will help to give the owners of these corporations, the shareholders, a meaningful voice in how companies are run. Specifically, this bill grants shareholders a say on pay for top executives by guaranteeing them a non-binding advisory vote on their company's pay practices. Again this vote is nonbinding.

The board of directors and the compensation committees are free to ignore their shareholders' wishes, but those shareholders will at least have the opportunity to express their views.

The bill would also strengthen the ability of Federal regulators, namely, the Federal Reserve and Federal Deposit Insurance Corporation, to restrict pay structures that encourage inappropriate risk at financial companies. If regulators see a large company driving itself off a cliff by employing unstable pay practices for top executives, they should have the ability to act.

I'm pleased that the Financial Services Committee adopted a number of amendments. To note one in particular, Mr. HENSARLING, my Republican colleague from Texas, recognized the need to take the size of the institution into account. His amendment to exempt financial institutions with assets of less than $1 billion from the bill's incentive base compensation disclosure requirements and related compensation structure oversight was adopted in committee.

I look forward to the debate on this bill and on the Republican substitute which is made in order under this rule.

I urge my colleagues to send a strong message that the misbehavior in corporate America must come to an end by supporting this bill.

I reserve my time.

Mr. SESSIONS. Mr. Speaker, I appreciate the gentleman from Massachusetts, my friend Mr. MCGOVERN, for yielding me the time this morning. And I would yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to this rule and to the underlying legislation. The structured rule does not call for the open and honest debate that we really had been promised years ago by our Democrat colleagues to have an open, honest debate on the issues that are before this country. But once again, time in and time out, here we are without an open rule.

Mr. Speaker, it's my intention today to discuss the dangerous precedent that this legislation sets forth on the future of business in America and the stranglehold that government will have over the free enterprise system.

Additionally, I offered two amendments in the Rules Committee last night, and I will discuss those here today. One would ensure this legislation would not create a bonanza for trial lawyers, and the other would provide for the necessary transparency and disclosure for shareholders. Both were rejected by the Democrats of the Rules Committee and eliminated from debate on the House floor today.

Mr. Speaker, government takeover of the free enterprise system seems to be a common theme with this Democrat Congress and with the Obama administration, a theme that has led to record deficits and record unemployment. This underlying legislation has masked itself as a bill to restrict CEO pay by giving shareholders a nonbinding vote on executive compensation. Yet in reality, it gives the government broad authority to review and determine appropriate compensation for every employee of a financial firm.

This legislation empowers the Federal Government to set unprecedented standards for annual shareholder votes while providing broad government authority for regulators who will have guidance to implement this and give authority to them over the free enterprise system.

We all agree that we need to curb abuses of the past and to promote responsible approaches to executive compensation. But this bill provides unprecedented government intervention in the free enterprise system. It is the wrong solution. The goal of regulatory reform should be to help, not hinder, our economy's ability to sustain economic growth and job creation.

This legislation does the opposite by legislating a one-size-fits-all rule for public companies that discourage private firms from going public. This will limit U.S. companies' access to the capital markets and undermine U.S. economic competitiveness. This legislation allows financial regulators the authority to determine wages for all employees, not just CEOs, officers, and bankers, but everyone.

The rank and file of community banks, minority banks, and credit unions could all have their compensation determined by unelected Washington bureaucrats. This perception undermines the confidence in corporate America and unfairly taints the vast majority of U.S. companies.

In an effort to provide the clarification necessary to ensure the intent of this legislation is not to create a bonanza for trial lawyers, I offered an amendment in the Rules Committee. The amendment would have clarified that this legislation simply creates no new private right of action in our courts, nor would its passage make a compensation committee's decisions to uphold its fiduciary responsibilities to shareholders subject to any existing private right of action.

Without this amendment, trial lawyers will be able to exploit a new opportunity to shake down companies for huge payments by challenging any action deemed non-compliant from this non-binding vote. This is a commonsense amendment that should have been considered on the House floor today, and it should be in the bill as law.

My second amendment would have provided sunshine and transparency for shareholders by requiring a full SEC disclosure about who is financing efforts to influence votes on this new congressionally mandated non-binding shareholder resolution. Put simply, this amendment would provide shareholders with access to information about who is spending money to influence that vote.

As Federal candidates, we're obligated to disclose to the Federal Election Commission the name, occupation, and amount given from each of our donors. We require this because the public interest is advanced by letting voters know who funds each candidate's campaign. My amendment asks the same disclosure so the shareholders know what people, what organization—whether they be labor unions, environmental groups, consumer advocates or simply a normal citizen of this country. We need to know who is spending money on influencing this new mandatory, non-binding vote.

Americans pride themselves on free enterprise choice and a marketplace

that works for all of us; yet today Congress will pass legislation that increases government intervention in the financial markets, rations resources, limits consumer choices, and dictates wages and prices. In a time of economic recession with record unemployment and record deficits, Congress should be enacting legislation to assist our economy.

Mr. Speaker, the motives are clear. This administration and this Congress are using policy and regulation to force a government takeover of the free enterprise system.

Mr. Speaker, this Congress should be doing things to encourage employment, to encourage people to go back to work, to encourage competitiveness, to encourage our country to be prepared tomorrow; not to have record unemployment, not to spend more money for record debts, but to give America and the free enterprise system the chance and opportunity it deserves to flourish in America.

Mr. Speaker, I encourage my colleagues to vote against this rule and the underlying legislation.

I reserve the balance of my time.

Mr. MCGOVERN. We have no further speakers at this time, and I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, in closing, I would like to stress that while my friends on the other side of the aisle claim to be protecting consumers with this legislation, they refuse to protect all Americans in this legislation from trial lawyers benefiting from their tax dollars, and they also voted in the committee against transparency and accountability.

Mr. Speaker, as a Nation, we have many, many, many real problems to deal with that require leadership and dedication to ensure the future of this Nation. We need to provide for jobs, encourage economic growth and spur innovation and prosperity of this Nation, not to hamper the free enterprise system. This is, without question, further government control and muzzling of the free enterprise system. Some argue that this legislation is about executive compensation; but in reality, it continues to be the government takeover of the free enterprise system.

I encourage a ''no'' vote on this structured rule and a ''no'' vote on the underlying legislation.

I yield back the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself the remaining time.

Mr. Speaker, as we're about to adjourn for the August recess, I think it's important to note that this is a Congress that accomplished a great deal.

We have passed 12 of our appropriations bills. We passed the historic Recovery and Reinvestment Act, which is keeping teachers and police officers employed, and stimulating economic growth throughout this country. We have passed an energy bill that, if signed into law, will create thousands and thousands of new green jobs as well as free us of our dependence on foreign oil. We have extended SCHIP, which means that more and more children have access to health care. We passed the Lilly Ledbetter Pay Equity Act bill to address the issue of discrimination of women in the workplace. Yesterday we passed a food safety bill.

So we did all of this in spite of resistance and in spite of obstructionism by many of my colleagues on the other side of the aisle. But I think it is an indication that this is a Congress that has accomplished a great deal.

Let me just say finally, Mr. Speaker, with regard to the underlying legislation, that if you like the status quo, if you want to embrace the same old, same old when it comes to corporate misbehavior, then vote against the rule and vote against the bill. If you want things to change, if you want to ensure corporate responsibility, then please support the underlying bill championed by Chairman FRANK.

With that Mr. Speaker, I urge a ''yes'' vote on the previous question and on the rule.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 0945

CORPORATE AND FINANCIAL INSTITUTION COMPENSATION FAIRNESS ACT OF 2009

Mr. FRANK of Massachusetts. Mr. Speaker, pursuant to H. Res. 697, I call up the bill (H.R. 3269) to amend the Securities Exchange Act of 1934 to provide shareholders with an advisory vote on executive compensation and to prevent perverse incentives in the compensation practices of financial institutions, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 697, the amendment in the nature of a substitute recommended by the Committee on Financial Services, now printed in the bill is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 3269

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 ''Corporate and Financial Institution Compensation Fairness Act of 2009''.

SEC. 2. SHAREHOLDER VOTE ON EXECUTIVE COMPENSATION DISCLOSURES.

(a) AMENDMENT.—Section 14 of the Securities Exchange Act of 1934 (15 U.S.C. 78n) is amended by adding at the end the following new subsection:

''(i) ANNUAL SHAREHOLDER APPROVAL OF EXECUTIVE COMPENSATION.—

''(1) ANNUAL VOTE.—Any proxy or consent or authorization (the solicitation of which is subject to the rules of the Commission pursuant to subsection (a)) for an annual meeting of the shareholders to elect directors (or a special meeting in lieu of such meeting) where proxies are solicited in respect of any security registered under section 12 occurring on or after the date that is 6 months after the date on which final rules are issued under paragraph (4), shall provide for a separate shareholder vote to approve the compensation of executives as disclosed pursuant to the Commission's compensation disclosure rules for named executive officers (which disclosure shall include the compensation committee report, the compensation discussion and analysis, the compensation tables, and any related materials, to the extent required by such rules). The shareholder vote shall not be binding on the issuer or the board of directors and shall not be construed as overruling a decision by such board, nor to create or imply any additional fiduciary duty by such board, nor shall such vote be construed to restrict or limit the ability of shareholders to make proposals for inclusion in such proxy materials related to executive compensation.

''(2) SHAREHOLDER APPROVAL OF GOLDEN PARACHUTE COMPENSATION.—

''(A) DISCLOSURE.—In any proxy or consent solicitation material (the solicitation of which is subject to the rules of the Commission pursuant to subsection (a)) for a meeting of the shareholders occurring on or after the date that is 6 months after the date on which final rules are issued under paragraph (4), at which shareholders are asked to approve an acquisition, merger, consolidation, or proposed sale or other disposition of all or substantially all the assets of an issuer, the person making such solicitation shall disclose in the proxy or consent solicitation material, in a clear and simple form in accordance with regulations to be promulgated by the Commission, any agreements or understandings that such person has with any named executive officers of such issuer (or of the acquiring issuer, if such issuer is not the acquiring issuer) concerning any type of compensation (whether present, deferred, or contingent) that is based on or otherwise relates to the acquisition, merger, consolidation, sale, or other disposition of all or substantially all of the assets of the issuer and the aggregate total of all such compensation that may (and the conditions upon which it may) be paid or become payable to or on behalf of such executive officer.

''(B) SHAREHOLDER APPROVAL.—Any proxy or consent or authorization relating to the proxy or consent solicitation material containing the disclosure required by subparagraph (A) shall provide for a separate shareholder vote to approve such agreements or understandings and compensation as disclosed, unless such agreements or understandings have been subject to a shareholder vote under paragraph (1). A vote by the shareholders shall not be binding on the issuer or the board of directors of the issuer or the person making the solicitation and shall not be construed as overruling a decision by any such person or issuer, nor to create or imply any additional fiduciary duty by any such person or issuer.

''(3) DISCLOSURE OF VOTES.—Every institutional investment manager subject to section 13(f) shall report at least annually how it voted on any shareholder vote pursuant to paragraphs (1) or (2) of this section, unless such vote is otherwise required to be reported publicly by rule or regulation of the Commission.

''(4) RULEMAKING.—Not later than 6 months after the date of the enactment of the Corporate and Financial Institution Compensation Fairness Act of 2009, the Commission shall issue final rules to implement this subsection.

''(5) EXEMPTION AUTHORITY.—The Commission may exempt certain categories of issuers from the requirements of this subsection, where appropriate in view of the purpose of this subsection. In determining appropriate exemptions, the Commission shall take into account, among

other considerations, the potential impact on smaller reporting issuers.''.

(b) PROHIBITION ON CLAWBACKS.—

(1) PROHIBITION.—No compensation of any executive of an issuer, having been approved by a majority of shareholders pursuant to section 14(i) of the Securities Exchange Act of 1934 (as added by subsection (a)), may be subject to any clawback except—

(A) in accordance with any contract of such executive providing for such a clawback; or

(B) in the case of fraud on the part of such executive, to the extent provided by Federal or State law.

(2) REGULATIONS.—The Securities and Exchange Commission shall promulgate rules necessary to implement and enforce paragraph (1).

SEC. 3. COMPENSATION COMMITTEE INDEPENDENCE.

(a) STANDARDS RELATING TO COMPENSATION COMMITTEES.—The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended by inserting after section 10A the following new section:

''SEC. 10B. STANDARDS RELATING TO COMPENSATION COMMITTEES.

''(a) COMMISSION RULES.—

''(1) IN GENERAL.—Effective not later than 9 months after the date of enactment of the Corporate and Financial Institution Compensation Fairness Act of 2009, the Commission shall, by rule, direct the national securities exchanges and national securities associations to prohibit the listing of any class of equity security of an issuer that is not in compliance with the requirements of any portion of subsections (b) through (f).

''(2) OPPORTUNITY TO CURE DEFECTS.—The rules of the Commission under paragraph (1) shall provide for appropriate procedures for an issuer to have an opportunity to cure any defects that would be the basis for a prohibition under paragraph (1) before the imposition of such prohibition.

''(3) EXEMPTION AUTHORITY.—The Commission may exempt certain categories of issuers from the requirements of subsections (b) through (f), where appropriate in view of the purpose of this section. In determining appropriate exemptions, the Commission shall take into account, among other considerations, the potential impact on smaller reporting issuers.

''(b) INDEPENDENCE OF COMPENSATION COMMITTEES.—

''(1) IN GENERAL.—Each member of the compensation committee of the board of directors of the issuer shall be independent.

''(2) CRITERIA.—In order to be considered to be independent for purposes of this subsection, a member of a compensation committee of an issuer may not, other than in his or her capacity as a member of the compensation committee, the board of directors, or any other board committee accept any consulting, advisory, or other compensatory fee from the issuer.

''(3) EXEMPTION AUTHORITY.—The Commission may exempt from the requirements of paragraph (2) a particular relationship with respect to compensation committee members, where appropriate in view of the purpose of this section.

''(4) DEFINITION.—As used in this section, the term 'compensation committee' means—

''(A) a committee (or equivalent body) established by and amongst the board of directors of an issuer for the purpose of determining and approving the compensation arrangements for the executive officers of the issuer; and

''(B) if no such committee exists with respect to an issuer, the independent members of the entire board of directors.

''(c) INDEPENDENCE STANDARDS FOR COMPENSATION CONSULTANTS AND OTHER COMMITTEE ADVISORS.—Any compensation consultant or other similar adviser to the compensation committee of any issuer shall meet standards for independence established by the Commission by regulation.

''(d) COMPENSATION COMMITTEE AUTHORITY RELATING TO COMPENSATION CONSULTANTS.—

''(1) IN GENERAL.—The compensation committee of each issuer, in its capacity as a committee of the board of directors, shall have the authority, in its sole discretion, to retain and obtain the advice of a compensation consultant meeting the standards for independence promulgated pursuant to subsection (c), and the compensation committee shall be directly responsible for the appointment, compensation, and oversight of the work of such independent compensation consultant. This provision shall not be construed to require the compensation committee to implement or act consistently with the advice or recommendations of the compensation consultant, and shall not otherwise affect the compensation committee's ability or obligation to exercise its own judgment in fulfillment of its duties.

''(2) DISCLOSURE.—In any proxy or consent solicitation material for an annual meeting of the shareholders (or a special meeting in lieu of the annual meeting) occurring on or after the date that is 1 year after the date of enactment of the Corporate and Financial Institution Compensation Fairness Act of 2009, each issuer shall disclose in the proxy or consent material, in accordance with regulations to be promulgated by the Commission whether the compensation committee of the issuer retained and obtained the advice of a compensation consultant meeting the standards for independence promulgated pursuant to subsection (c).

''(3) REGULATIONS.—In promulgating regulations under this subsection or any other provision of law with respect to compensation consultants, the Commission shall ensure that such regulations are competitively neutral among categories of consultants and preserve the ability of compensation committees to retain the services of members of any such category.

''(e) AUTHORITY TO ENGAGE INDEPENDENT COUNSEL AND OTHER ADVISORS.—The compensation committee of each issuer, in its capacity as a committee of the board of directors, shall have the authority, in its sole discretion, to retain and obtain the advice of independent counsel and other advisers meeting the standards for independence promulgated pursuant to subsection (c), and the compensation committee shall be directly responsible for the appointment, compensation, and oversight of the work of such independent counsel and other advisers. This provision shall not be construed to require the compensation committee to implement or act consistently with the advice or recommendations of such independent counsel and other advisers, and shall not otherwise affect the compensation committee's ability or obligation to exercise its own judgment in fulfillment of its duties.

''(f) FUNDING.—Each issuer shall provide for appropriate funding, as determined by the compensation committee, in its capacity as a committee of the board of directors, for payment of compensation—

''(1) to any compensation consultant to the compensation committee that meets the standards for independence promulgated pursuant to subsection (c), and

''(2) to any independent counsel or other adviser to the compensation committee.''.

(b) STUDY AND REVIEW REQUIRED.—

(1) IN GENERAL.—The Securities and Exchange Commission shall conduct a study and review of the use of compensation consultants meeting the standards for independence promulgated pursuant to section 10B(c) of the Securities Exchange Act of 1934 (as added by subsection (a)), and the effects of such use.

(2) REPORT TO CONGRESS.—Not later than 2 years after the rules required by the amendment made by this section take effect, the Commission shall submit a report to the Congress on the results of the study and review required by this paragraph.

SEC. 4. ENHANCED COMPENSATION STRUCTURE REPORTING TO REDUCE PERVERSE INCENTIVES.

(a) ENHANCED DISCLOSURE AND REPORTING OF COMPENSATION ARRANGEMENTS.—

(1) IN GENERAL.—Not later than 9 months after the date of enactment of this Act, the appropriate Federal regulators jointly shall prescribe regulations to require each covered financial institution to disclose to the appropriate Federal regulator the structures of all incentive-based compensation arrangements offered by such covered financial institutions sufficient to determine whether the compensation structure—

(A) is aligned with sound risk management;

(B) is structured to account for the time horizon of risks; and

(C) meets such other criteria as the appropriate Federal regulators jointly may determine to be appropriate to reduce unreasonable incentives offered by such institutions for employees to take undue risks that—

(i) could threaten the safety and soundness of covered financial institutions; or

(ii) could have serious adverse effects on economic conditions or financial stability.

(2) RULES OF CONSTRUCTION.—Nothing in this subsection shall be construed as requiring the reporting of the actual compensation of particular individuals. Nothing in this subsection shall be construed to require a covered financial institution that does not have an incentive-based payment arrangement to make the disclosures required under this subsection.

(b) PROHIBITION ON CERTAIN COMPENSATION ARRANGEMENTS.—Not later than 9 months after the date of enactment of this Act, and taking into account the factors described in subparagraphs (A), (B), and (C) of subsection (a)(1), the appropriate Federal regulators shall jointly prescribe regulations that prohibit any incentive-based payment arrangement, or any feature of any such arrangement, that the regulators determine encourages inappropriate risks by covered financial institutions that—

(1) could threaten the safety and soundness of covered financial institutions; or

(2) could have serious adverse effects on economic conditions or financial stability.

(c) ENFORCEMENT.—The provisions of this section shall be enforced under section 505 of the Gramm-Leach-Bliley Act and, for purposes of such section, a violation of this section shall be treated as a violation of subtitle A of title V of such Act.

(d) DEFINITIONS.—As used in this section—

(1) the term ''appropriate Federal regulator'' means—

(A) the Board of Governors of the Federal Reserve System;

(B) the Office of the Comptroller of the Currency;

(C) the Board of Directors of the Federal Deposit Insurance Corporation;

(D) the Director of the Office of Thrift Supervision;

(E) the National Credit Union Administration Board;

(F) the Securities and Exchange Commission; and

(G) the Federal Housing Finance Agency; and

(2) the term ''covered financial institution'' means—

(A) a depository institution or depository institution holding company, as such terms are defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813);

(B) a broker-dealer registered under section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o);

(C) a credit union, as described in section 19(b)(1)(A)(iv) of the Federal Reserve Act;

(D) an investment advisor, as such term is defined in section 202(a)(11) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–2(a)(11));

(E) the Federal National Mortgage Association;

(F) the Federal Home Loan Mortgage Corporation; and

(G) any other financial institution that the appropriate Federal regulators, jointly, by rule, determine should be treated as a covered financial institution for purposes of this section.

(e) EXEMPTION FOR CERTAIN FINANCIAL INSTITUTIONS.—The requirements of this section shall not apply to covered financial institutions with assets of less than $1,000,000,000.

(f) GAO STUDY.—

(1) STUDY REQUIRED.—

(A) IN GENERAL.—The Comptroller General of the United States shall carry out a study to determine whether there is a correlation between compensation structures and excessive risk taking.

(B) FACTORS TO CONSIDER.—In carrying out the study required under subparagraph (A), the Comptroller General shall—

(i) consider compensation structures used by companies from 2000 to 2008; and

(ii) compare companies that failed, or nearly failed but for government assistance, to companies that remained viable throughout the housing and credit market crisis of 2007 and 2008, including the compensation practices of all such companies.

(C) DETERMINING COMPANIES THAT FAILED OR NEARLY FAILED.—In determining whether a company failed, or nearly failed but for government assistance, for purposes of subparagraph (B)(ii), the Comptroller General shall focus on—

(i) companies that received exceptional assistance under the Troubled Asset Relief Program under title I of the Emergency Economic Stabilization Act of 2009 (12 U.S.C. 5211 et seq.) or other forms of significant government assistance, including under the Automotive Industry Financing Program, the Targeted Investment Program, the Asset Guarantee Program, and the Systemically Significant Failing Institutions Program;

(ii) the Federal National Mortgage Association;

(iii) the Federal Home Loan Mortgage Corporation; and

(iv) companies that participated in the Security and Exchange Commission's Consolidated Supervised Entities Program as of January 2008.

(2) REPORT.—Not later than the end of the 1-year period beginning on the date of the enactment of this Act, the Comptroller General shall issue a report to the Congress containing the results of the study required under paragraph (1).

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, the amendment printed in House Report 111–237, if offered by the gentleman from Massachusetts (Mr. FRANK) or his designee, shall be considered read, and shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent. Thereafter, the amendment in the nature of a substitute printed in the report, if offered by the gentleman from New Jersey (Mr. GARRETT) or his designee, shall be considered read and shall be debatable for 30 minutes equally divided and controlled by the proponent and an opponent.

The gentleman from Massachusetts (Mr. FRANK) and the gentleman from Alabama (Mr. BACHUS) each will control 30 minutes.

The Chair will recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. FRANK of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days on this bill to revise and extend their remarks and include therein extraneous material.

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

There was no objection.

Mr. FRANK of Massachusetts. Mr. Speaker, I recognize myself for such time as I may consume.

Mr. Speaker, I have encountered gaps between rhetoric and reality in this Chamber, never one as great as the wildly distorted description of this bill that we've got before us.

Let's be very clear. There are differences between the parties here on the whole, at least as reflected in the committee vote. I think it will probably be different on the floor. There is much less difference than there used to be about one piece of it, the say-on-pay.

When the say-on-pay bill came up previously in 2007—by the way, when the Republicans were in the majority prior to 2007, on this, as on many other issues, we Democrats tried to do some reforms, predatory lending being one—we got nowhere—credit cards being another. We did try, in our Committee on Financial Services, to bring this up. The Republicans used their majority not to allow it.

In 2007, when we were in the majority, we did bring it to the floor, and it passed over the objection of most Republicans, and I will introduce into the RECORD their comments denouncing say-on-pay. But 2 years later, they have moved some. So they are now for reform on say-on-pay, many of them, although a somewhat watered-down form.

I should say there is a stark difference between us remaining on whether or not any action should be taken whatsoever by the Federal Government to restrain compensation practices that inflict excessive risk on the economy. We should be very clear; this assertion that this amounts to control of all wages and prices is nonsense. There is, of course, nothing about prices at all in the bill. As to wages, what it says is that the SEC shall impose rules that prevent excessive risk-taking, and the reference to wages is only in that context.

The amount of wages is irrelevant to the SEC. What this bill explicitly aims at is the practice whereby people are given bonuses that pay off if the gamble or the risk pays off but don't lose you anything if it doesn't. That is, there is a wide consensus that this incentivizes excessive risk for you a shorter time. If you're the head of a financial institution or you're one of the decisionmakers or you take actions that are risky and 1 month later it looks like they paid off and you get your money and then 6 months later it turns out it blew up, you don't lose any of the money you got. And if at the outset you take a risk and it costs the company a lot of money, that doesn't cost you anything.

All we are saying is that there has to be some balance to the risk-taking. And people ask, What is excessive risk? Excessive risk is when the people who take the risk pay no penalty when it goes wrong; when they have a heads they win, tails they break even situation; when the company loses money and the economy may suffer, but the decision-makers do not.

Now, one of the sillier remarks we heard was this will cause us a problem with international competition. In fact, say-on-pay, when the Republican Party overwhelmingly opposed it 2 years ago, was already borrowed from Great Britain, the United Kingdom. And we were told during 2006 that we were losing a lot of business to Great Britain, that we should cut back on Sarbanes-Oxley, for instance, because people would go to England. But England had the very proposal that they were saying was going to drive people away.

In fact, today—I will read from an article from a couple weeks ago. The Prime Minister of England says they are going to adopt plans forcing banks to hold back half of all bonuses for up to 5 years to discourage excessive risk-taking. That's our major financial competitor. And the conservative opposition is critical because it's not mandatory.

We have been in conversations with the European Union, the United Kingdom, with Canada, and others. This will be done on a coordinated basis. In fact, American salaries, American compensation has been much higher.

So, no, there is no price control; no, there is no wage control; no, it is not a problem for international competition. And by the way, as to every institution, every credit union—you heard that rhetoric—the bill exempts any institution with less than $1 billion in assets, and it gives the SEC the authority to even raise that so there's even less. But here's the nub of it: The Republican Party has reluctantly been dragged—reality sometimes has an impact—to supporting a watered-down version of say-on-pay.

Say-on-pay, by the way, says that the shareholders of the company can vote and express their opinion. The gentleman from Texas was upset that we don't have a Federal Election Commission mechanism for these votes. But why only these votes? Shareholders vote on everything. Apparently it's only when the shareholders tend to vote on pay that Republican sensibilities are trampled.

We do not, in this bill, talk about the amounts. We do say the shareholders should. We say, in consultation with all the advocacy groups who represent shareholders and pension funds and elsewhere, that the people who own the company, the shareholders, should be able to express their opinion on the compensation.

We go beyond that to say that we believe the Federal Government has interest—not in the level of compensation, that's up to the shareholders—in the structure. When you have, as we have seen, structures whereby companies lose lots of money, and they lose lots of money on particular deals, but the people who made those deals make money on them, that has a systemic

negative impact on this society because it incentivizes much too much risk.

Now, what is the Republican approach to that? Nothing. They admit that these are problems. They regret that these things are happening, but their regrets won't stop the damage. In the Republican substitute there is a watering down of say on pay, but they at least acknowledge that reluctantly. But when it comes to the practice of large corporations in the financial area structuring bonuses that incentivize excessive risk, my Republican friends admit that that's the case and lament it and are adamant that we should do nothing about it. That's the big difference.

We believe that the SEC—and by the way, as to the form, it was a Republican former Member of this body, Christopher Cox, who was Chair of the SEC, proposed disclosure. He broached it first. He said we have an important public interest in knowing it.

So we are going to take the form of disclosure of compensation prescribed by a Republican Member of this House as Chairman of the SEC, with his colleagues, and let the shareholders say yes or no. We are going to go beyond that and say that the SEC should look at this and say, you know, you have a situation here where people making the decisions will have an incentive to take too much risk. If you tell people that if they take a risk and it pays off they are enriched, and if it fails miserably, they don't lose anything, they will take more risk than rationally should be taken.

You should not incentivize people to take risks where they can only benefit and never suffer a penalty. That's all this bill says. We will prevent that kind of thing from happening. We won't set amounts. We won't deal with wage controls. We won't do anything else, and we exempt institutions under $1 billion.

So I await the Republican counter. Yes, they want to water down say-on-pay, but they reluctantly accept it, but they have zero to offer with regard to the situation of excessive bonuses. And yes, we did get some reluctant agreement that we put some limits on the people who are recipients of TARP funds, but one of those who received TARP funds prospered with those funds, paid back the funds, and are now engaging in the same risky bonus practices they had before.

The Republican position, at least in committee, was to do nothing about it, zero. Ours is, have rules, not that set the limits, not that set wage controls, but simply say that you cannot structure it so that whatever level of compensation you have, you profit if the bonus pays off and you lose nothing if the bonus causes great damage to your company and the economy.

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

Mr. BACHUS. Mr. Speaker, I rise in opposition to this legislation and yield myself 5 minutes.

Mr. Speaker, the American people are rightly disturbed by almost daily reports of so-called ''too big to fail'' corporations that have received billions of dollars in government assistance and have, at the same time, paid their employees billions of dollars in bonuses.

In response to those events, Republicans have introduced legislation which gets the American people out of the bailout business—that, Mr. Speaker, is our response—and prohibits the government from picking winners and losers. We believe that's the solution.

The legislation we have introduced clearly establishes a structure where failure is not rewarded and market discipline is reestablished by placing responsibility for those who engage in risky behavior squarely where it belongs, on the risk-taker, not the taxpayer. That is the Republican response.

The Obama administration takes a different approach. It continues to embrace the ''too big to fail'' doctrine. That's why we're here today. That's why we have to address executive compensation. It appoints a pay czar to oversee compensation at the growing list of companies receiving taxpayer-funded bailouts and guarantees.

Despite growing public outrage over these companies dishing out billions of dollars in government-enabled bonuses, the Obama administration and the Democratic congressional leadership steadfastly refuses to embrace Republican legislation or offer its own proposals prohibiting further taxpayer bailouts. Instead, it says that these same corporations are simply too significant to allow them to fail, which not only enables but encourages these same corporations to continue what the Obama administration concedes is more risky behavior.

One of the behaviors that the administration and Chairman FRANK identify as risky in these systematically significant corporations is executive compensation. Today we are presented with a fix, a legislative response to these bailout bonuses and the resulting public outrage. The cure-all solution bears the lofty and noble title Corporate and Financial Institution Compensation Fairness Act. It is in every way up to the challenge laid down by our former colleague, Mr. Emanuel, most recently of 1600 Pennsylvania Avenue, who said, ''Never let a crisis go to waste.''

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It is also in many ways closely akin to the recently departed cap-and-tax legislation and the ever-looming government, or should I say public option, health plan. All three are sweeping power grabs into the private sector under the guise of the government's riding to the rescue. All three rely on the government to fix the problem. All three promise to fix the problem, which to a great extent was caused by guess who? That's right, the government and lack of regulation by the government. All three will create, or more accurately duplicate, large government bureaucracies. All three represent ill-advised and in many cases incompetent government intrusions.

Just 3 weeks or 4 weeks ago, Gene Sperling, legal counsel for our Secretary of Treasury, warned, Go slow. He said this is a very difficult subject. It needs testing. It has potential for unintended consequences. Just yesterday before the Senate, the White House press spokesman Robert Gibbs stated that the Obama administration is concerned that the chairman's legislation may give the government regulators too much say on incentive-based compensation. But as the chairman said to the Rules Committee, My legislation goes beyond what the Obama administration has proposed.

Now, if that doesn't take your breath away, nothing will.

In some ways this legislation borders on the classic ''bait and switch.'' It's being sold as giving the owners of the corporation the right to set pay and compensation standards. That's the shareholders. Chairman FRANK just this week on CNBC said, Dollar amounts are for the shareholders to decide. It's up to the shareholders.

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

Mr. BACHUS. I yield myself an additional 2 minutes.

At the markup of this bill, he said say-on-pay empowers the shareholders, and that's where questions about amounts would come in. True, the first 6 pages of the bill give the owners, the shareholders, a non-binding vote on the pay of top executives. But then come the next 8 pages, the switch, which gives the regulators the power to decide appropriate compensation for not only just top executives but for all employees of all financial institutions above $1 billion in assets and all without regard for the shareholders' prior approval. So under the guise of empowering shareholders, it is, in fact, the government that is empowered.

One lesson we have learned from the government's arbitrary interventions over the past 18 months, and that is the converse of ''too big to fail'' is too small to save, which, of course, is the designation which applies to 99.9 percent of businesses, which have been deemed by this administration and the regulators as ''systemically unimportant or insignificant.'' But not so unimportant, not so insignificant to be totally ignored. While not significant enough to receive a bailout, they are apparently worthy of increased regulation in the form of government-mandated pay regulations and new disclosure requirements in the chairman's bill.

And, finally, on page 15, the bill designates those same government entities which are empowered to control compensation plans that would threaten the safety of financial institutions or adversely impact economic conditions or financial stability to oversee this riskiness. Look over the list and see if it inspires confidence.

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

Mr. BACHUS. I yield myself 1 additional minute.

These are the same government agencies that regulated AIG, Countrywide, and collectively failed to prevent the worst financial calamity since the Great Depression. If it took them 30 years to catch Bernie Madoff, do you really think the SEC can do a better job of identifying inappropriate risk than the vast majority of financial institution executives whose businesses have remained solvent during these challenging times? Really, now, is there any question who is better qualified or, for that matter, who ought to be responsible for setting compensation within an American corporation?

In closing, Mr. Speaker, this bill continues the Democrat majority's tendency to go to the default solution for every problem: create a government bureaucracy to make decisions better left to private citizens and private corporations. That's what we did in cap-and-trade. That's what we did in the health care proposals. And it's this bill on executive compensation. Government bureaucrats do not know what's best for America.

For those reasons, Mr. Speaker, I urge opposition to this legislation.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 3 minutes to deal with some of these comments.

First of all, I am struck by the fact that the gentleman, as he indicated in our markup, is sufficiently nervous about the political implications of opposing this bill and having the House take no action whatsoever to deal with the problem of risk-incentivizing bonuses but he wants to debate cap-and-trade and health care. They're not before us. What's before us is this bill. And when Members debate the bills that aren't there, it's an indication that they're a little shaky on the bills that are there.

Secondly, yes, it does say that they can deal with all wages but not in general. The gentleman reads very selectively. The language about taking action is in this context: to determine whether the compensation structure is aligned with sound risk management, is structured to account for the time horizon of risks, and will reduce unreasonable incentives by such institutions for employees to take undue risks.

It is limited in its grant of authority only to structures that incentivize excessive risk. There is no mandate here to set wages for anybody. There is no mandate to say this percentage is bonuses and that percentage is pay. It is a mandate only to act where the structure incentivizes risk, as has been recognized as part of the problem, very broadly.

I will plead guilty to one issue, yes. We are not in this case taking orders from the Obama administration. And maybe having represented a party that took orders from the Bush administration, they now wish they didn't, but that's not an example I want to follow. I am not here as a Member of Congress or as chairman of a committee to do whatever the administration says. I am here for us to put our independent judgment on it.

The gentleman closed with the key difference between us: the Republican position, as he articulates it—and I don't think it will be the unanimous position—is have the Federal Government take no action whatsoever to restrain the granting of bonuses that incentivize excessive risk. If they pay back that TARP money having benefited from it—and, by the way, on the bailout, every single bailout now underway happened under the Bush administration. But their position is, do nothing to deal with this. We take the opposite position.

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

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. BARRETT).

Mr. BARRETT of South Carolina. Mr. Speaker, I rise today in opposition of H.R. 3269, the Corporate and Financial Institution Compensation Fairness Act of 2009.

Restoring confidence in our financial markets is crucial, Mr. Speaker, a component in bringing about economic recovery. And I support efforts to responsibly address the issues that led to the financial crisis that we're facing today.

However, H.R. 3269 does not do either. Instead of addressing the need for smarter regulation, this bill represents further government intrusion into the private sector that could ultimately hinder economic recovery. If this legislation is passed, it will put in place far-reaching and permanent government regulations on the compensation practices of financial institutions, crippling their ability to recruit top talent and remain competitive abroad and here at home.

Mr. Speaker, this bill goes too far by giving the Federal Government the authority to make compensation decisions for a wide range of employees in thousands of financial firms across the United States, which we can all agree is a far cry from just capping executive pay.

In tough economic times like these, we need to focus on ways to restore confidence in America's financial markets and increase the ability of American businesses through responsible policies that restore market discipline and discourage excessive risk. I firmly believe that we cannot have a successful economic recovery with the permanent overreaching regulations that this puts in place by this legislation.

I therefore urge my colleagues to join me in voting ''no'' on this legislation.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 4 minutes to a member of the committee, the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Speaker, let me just start out by saying this. We're hearing complaints from the other side that we are taking over the private enterprise system; we are taking over the free enterprise system.

Let me remind them that it wasn't us that went to the private enterprise system. It wasn't the government that went to Wall Street. Wall Street came to the government to bail them out from their behaviors.

Now, Mr. Speaker, the American landscape is absolutely littered with company after company that has been driven into the ground by executives who were greedy, who were selfish, cared only about themselves, with these huge salaries, and these companies are left to wither on the vine after they have gotten their golden parachutes and have landed elsewhere.

Somebody needs to say something about the American people. This is a free enterprise system, but it's not just free for top executives. It's free for shareholders. It's free for those men and women who have given their lives, their blood, their sweat, and their tears. And to see their companies in shambles because of excessive pay by executives who have abandoned those companies, what about their pensions? What about their retirements that have gone?

No, Mr. Speaker, this is not about taking over the private enterprise system. Mr. Speaker, this is about saving and protecting the free enterprise system so that we all can be free to participate in this system.

Mr. Speaker, what we have before us here is something because of the fact that financial firms put together compensation packages and bonuses that were based on incentives, that were laden with excessive risk, that caused our financial crisis and brought this economy to the edge of collapse and caused us here in Congress to go and get over $2 trillion of the American taxpayers' money to bail them out.

Now, the first order of business—and this is why this bill that Chairman FRANK has pushed, and I'm proud to say that we worked on this together over 3 years ago. Had we had that bill in place 3 years ago, we might not have had this financial crisis, because we would have been able to rein in the risky corporate behavior that brought about the collapse. So that's what we are doing. We're putting forward some reasonable means here.

What is more reasonable than giving the shareholders a simple say, a vote? It's nonbinding. We are not setting the salaries. Even the shareholders are not. But don't they have a right? Isn't it their company? They are the ones that are pumping the money into it.

The other feature about the bill, Mr. Speaker, that is very simple, very reasonable, is that we require these compensation committees that are on these boards to be independent. Right now it's a cozy relationship. The CEO refers to them as his board. They're

handpicked. They are paid $50,000, $100,000, $200,000 to come and sit.

They need to be independent. And we have rules and regulations in the bill that allow for the regulators to determine what these conditions will be to make sure they're independent. We make sure that the consultants who come in and help set up these compensation packages are there.

The other point that we do, Mr. Speaker, is this, which is very important: we also want to make sure that as we move forward in this, that risky behavior is disclosed so that we can prevent it.

It's a very good bill, Mr. Speaker, and I urge its passage.

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. LANCE).

□ 1015

Mr. LANCE. Mr. Speaker, I rise out of concern for section 4 of this bill. We had an amendment in the Rules Committee that I offered with the distinguished gentleman from Georgia, and it was ruled out of order by the Rules Committee. We believe that the amendment was germane, drafted properly and submitted on time. The amendment dealt with section 4.

Regarding section 4, I believe that it is overly broad, and in particular I am concerned with the section that says, regarding incentive-based compensation, that Federal regulators can review that based upon other criteria as the appropriate Federal regulators jointly may determine to be appropriate to reduce unreasonable incentives for officers and employees to take undue risks.

In my judgment, that gives too much discretion to Federal regulators, and we should be specific as Members of Congress in the statutory basis for compensation issues.

I am also concerned that if this becomes law, that there will be a tendency for capital to move away from the United States, particularly New York, and to places like London and Asia. This is a matter I have discussed previously in the committee, and I certainly believe that we should continue to be the place in the world where this type of activity occurs.

Our amendment in no way takes away the other provisions of this bill regarding say-on-pay and the independence of compensation boards. But I am sorry that our amendment was not considered favorably in the Rules Committee and therefore will not be considered favorable here on the floor.

This morning, a report from Bloomberg indicates that the White House press secretary, Mr. Gibbs, said yesterday the administration is concerned that the measure may give regulators too much say on incentive pay. I agree with that sentiment.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 30 seconds to say on behalf of the Obama administration, I welcome this very temporary expression of deference to their views. It will not last very long. As soon as it is politically convenient, it will disappear. So I urge them to enjoy that brief moment of graciousness.

Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Mr. Speaker, although they are not my words, we have heard that it takes an act of Congress to get many things done. I would only add to this what I have heard, it also takes a Congress willing to act. This is our opportunity to act. This is our opportunity to do what Dr. King called ''bending the arc of the moral universe toward justice.'' This piece of legislation is just, given the circumstances that we have been coping with.

There is no dispute that many CEOs have had their pay structured such that no matter what the consequences of their actions, they were going to receive enormous bonuses. I think there are two good reasons to support this legislation: one, it deals with the safety and soundness of the banking institutions. It performs perfectly if it does just this, as far as I am concerned.

If it allows a banking regulator who sees that the structure of pay is impacting the safety and soundness of the institution, if it allows this regulator to take some affirmative action to protect the safety and soundness of the institution, this piece of legislation is working. That is what it is designed to do, not to structure the pay, but to prevent the pay from causing ordinary people to have to bail out big banks.

People are expecting us to do something to prevent this from happening again. If we are going to act, this is a means by which we can act. Talking about that which we cannot do and will not do that is not on the agenda will not help us to do what we can do today. I never let what I cannot do prevent me from doing what I can do.

The second reason why I support this legislation: this legislation allows shareholders—by the way, I trust shareholders. I think people who have a vested interest in something ought to have some say. I think they ought to be able to know what the salary structure is and say something about it. And in this case it is nonbinding. There are many people who are of the opinion that nonbinding is not enough. But I trust the shareholders to have an opinion. They have but an opinion. They don't do anything to bind the corporation.

These two reasons, when combined, will help us with the safety and soundness of these institutions and give the shareholders an opportunity to know how the salaries are structured and have some say.

Finally, if we want to be a Congress that acts, we have got to have courage. These are trying times. These are difficult times. It is easy to stay with the status quo. Those who want change have got to be willing to take the risk of doing the right thing.

The arc of the moral universe bends towards justice, but it doesn't do so by itself. It does so because of people who are willing to do the right thing under unusual and extraordinary circumstances.

I am going to stand with the chairman. I believe the chairman is eminently correct. He has structured a great piece of legislation. Those who really want change will vote for this legislation. Those who want to see a better system so we don't end up with more headlines that read ''bailed out banks gave millions in executive bonuses,'' notwithstanding the fact that these banks have not been managed properly and could have been managed a lot better, these kinds of headlines are going to cause problems for a lot of people.

I am going to vote with the chairman. I am voting for the bill. It is a good bill. It is a just bill.

Mr. BACHUS. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. HENSARLING).

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

There are aspects of this legislation that I certainly appreciate. All Americans have been outraged—it is a word we use frequently, and we use justifiably—about some of the compensation packages we have seen from failed companies that come with tin cup in hand to the United States taxpayer looking for more.

This bill has some provisions that add increased transparency, some increased accountability; and that is good. But, unfortunately, the bad in the bill way outshadows the good.

I have always said, Mr. Speaker, what you do with your money is your business. What you do with the taxpayer money is our business.

Mr. Speaker, unfortunately, you can't just read the bumper sticker slogan. You actually have to read the legislation. So we hear speech after speech about these failed institutions taking in all of this government money.

Well, I wonder then why in committee on a party-line vote did we vote down an amendment that I brought that would have ensured that the bailout recipients, that this legislation applied to them and them only. They are the poster children in this debate, yet the legislation extends potentially to every public company in America that somehow is defined as a ''covered financial institution.''

By the way, I would say to my friends on the other side of the aisle, the best way to deal with risky pay schemes is to quit bailing them out in the first place. My friends on the other side of the aisle are enshrining us as a bailout Nation. So you complain about the taxpayers picking up the tab. I have complained about the taxpayers picking up the tab. Quit bailing them out in the first place.

Again, we have to read the bill and not just read the slogan, because if you read the bill, what you find out is,

number one, this isn't just pay restrictions that go to those in the troubled Wall Street firms. Again, it is almost every covered financial institution. And guess what? If you read further into the bill, it doesn't just cover the top officers, the top executives. Every single employee, every single employee who has an ''incentive-based compensation plan'' could be covered by this.

We have already learned that somehow, with a very interpretive approach to the English language, General Motors and Chrysler have been found to be financial institutions. This means that any employee, any employee who receives a tip, a sales commission, a Christmas bonus, could have a Federal bureaucrat take it away from them. Ho ho ho.

That is what this legislation is all about. Again, don't get sucked in by the bumper sticker slogan. Read the legislation. That was the problem here on the original bailout. Nobody read the legislation. The government stimulus, nobody read the legislation. Well, fortunately, this isn't a 1,000-page bill. I think it is about 15 or 20 pages. I actually took the time to read it.

And if this is just about class warfare, Mr. Speaker, why doesn't this do anything about Hollywood stars who make $25 million for a movie, and yet the movie loses money? Why isn't it about a third baseman for the New York Yankees who gets $21 million and ties his worst record for striking out in the season? Why doesn't this have anything to do with the personal injury trial lawyers who make millions and millions, and their clients are doing good to make thousands?

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

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

Mr. HENSARLING. So I hear the rhetoric from the other side of the aisle, which once again seems like a lot of recycled class warfare to me.

Another point I would make, Mr. Speaker, is we hear that we need this in order to somehow deal with safety and soundness. We need this legislation to somehow deal with systemic risk.

Well, number one, I listened very carefully to the testimony that was presented in our committee, and I am sure it is theoretically possible that there are pay structures that somehow may lend themselves to this. But, again, show me the evidence. Where is the evidence? When I look at pay structures among financial firms that failed versus those that didn't fail, I don't see the correlation.

Second of all, as we know, Mr. Speaker, the regulators have the power to regulate the liquidity and capital standards of these financial firms to make it commensurate with the risk. That is the remedy. That is the remedy, not to take Christmas bonuses away from employees.

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

There is, of course, a contradiction here. When we are talking about a power, namely, to reduce excessive risk incentivizing bonuses that the Republicans want to defend, they talk about the unelected bureaucrats. The unelected bureaucrats can't be trusted. Except the gentleman from Texas, of course, just closed by saying don't worry, the unelected bureaucrats are out there to protect us.

The unelected bureaucrats in the Republican cosmology are like the Obama administration: they are either convenient whipping boys or great sources of wisdom, depending on where Republican ideology turns to them. But the gentleman from Texas just said we don't have to worry. We have those, as his colleagues called them, unelected bureaucrats to do it.

But I am interested, I have noticed a number of Members have said they don't like the bonuses. Is there a Republican proposal to deal with the bonuses that are being given?

Our proposal does not empower anybody to limit the amounts. The question is, is there a Republican proposal that would deal with what Paul Volcker and Ben Bernanke and the financial regulators in England and Warren Buffett and many others believe is a destabilizing tendency to give out bonuses that give you an incentive to take excessive risks, excessive in the sense that you benefit if the risk pays off and you don't lose.

We want people to take risks, but we want them to take risks which balance the upside and the downside, not which just look only at the upside. And I continue to point out not in that committee, not in that 12 years they controlled this place, not during this debate today, not in the Rules Committee, we have not seen a single Republican proposal to deal with bonuses.

Their position apparently is however the financial industry wants to structure bonuses, no matter what they say, that you get a bonus if it pays off in the short term and it turns sour in the long term. You get a bonus if it pays off, but you don't lose a thing if it doesn't pay off. They would leave that entirely unchanged. I think that is very dangerous to the economy, and, yes, there is a consensus among financial regulators and others that this has contributed to risk-taking.

We all believe in the free-market system and the incentives. How can it be that you acknowledge that there is a system which says to people, take a risk, because it is risk-free for you?

□ 1030

It's risk-free for the individual. It's risky for the company; and when you accumulate all those risks for the company, it's risky for the economy. We're saying, if it's risky for the company and risky for the economy, it ought to be risky for the individual. We want an alignment of risks. We don't want risk-free individuals taking big risks on behalf of those who are going to have to suffer. We have a proposal to restrain that. The Republican position on that is, do nothing. Let them keep going exactly as they have been going.

Let us return, as I said the other day, to the thrilling days of yesteryear when the lone rangers will ride again, untrammeled by any set of rules. They will be able to continue to give themselves bonuses that allow them to be free of risk. That's the deal. The company will face risk. The economy will accumulate and face risk. But the decision-makers will be free of the risks' negative side; they will gain from the risks' positive side; and like rational people, they will take more risks.

I reserve the balance of my time.

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. I thank the gentleman for yielding, and I hear the chairman's comments and remarks. There is no argument with anyone, I think, on this floor that executive pay has been an issue, that there have been excesses and that there have been problems that have been created in companies and the economy with executive compensation. I think I would argue that rather than excessive risk taking, that it's more about short-term thinking instead of long-term thinking, which, by the way, is way bigger than just executive pay and is way bigger than the scope of this bill, and which this bill will not solve. But that's another issue.

The question for me is whether this is the right way to deal with it. I would argue no, because is the only problem out there in corporate governance? Is the only thing that has created problems for companies related to executive pay? No. Let's look at General Motors and Chrysler and their recent problems. Were their problems created because of executive pay? I'm not sure I've heard anybody argue that. But were their problems caused, in part at least, because of excessive union contracts? Yes. How about with retirement programs that were unfundable over time? Yes. What about other companies where perhaps there have been legal settlements that have created problems that have been fatal or resulted in companies going bankrupt? Those have occurred. How about mergers and acquisitions?

So what are we going to do? Are we going to have shareholders vote on pay, on mergers, on acquisitions, on union contracts, on retirement pay, on legal settlements, on fees to attorneys? Any of those arguably can bring a company down. Should the shareholders have a say on that? You know, obviously the shareholders are the ultimate owners of the company. If you want to give them a say on pay, fine. Then you'd better give them a say on the rest of that. But I'm not sure anybody on this floor thinks that that's the right thing to do. The best way for shareholders to express their displeasure with the management or operation of a company is

through the board of directors. That's the way it has been done, and that's the way it should be done.

Mr. SCOTT of Georgia. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. MILLER).

Mr. MILLER of North Carolina. I look forward to working with Mr. CAMPBELL on giving shareholders much more power over their own corporations. There is much more we need to do to reform corporate governance in this country. It has been one of many failings of our economy in the last year or so.

Mr. Speaker, I don't want to run corporations, but someone needs to set some rules. We need the law to set some rules. We need someone to provide some oversight. We need someone to be a watchdog of what they are doing because we have found out what happens when there are no rules, when there is no oversight, when there is no watchdog. We are now in the worst economic downturn since the Great Depression, and we have been perilously close to a financial collapse that would have left the Great Depression in the shade. And we know what caused it. It's essentially the same things that went wrong in the 1920s. Corporate executives were looting the country with predatory lending practices to make as much money as they possibly could without any regard for the consequences; and then corporate executives, in turn, were looting their companies to make as much money for themselves as they could. They weren't doing right by the American consumers. They weren't doing right by their own shareholders. They were only looking after themselves. The idea that the corporate executives were acting in the best interests of their own shareholders is simply a farce. We saw compensation for executives and other top officials who were doing very little of any value to society. In fact, their predatory lending practices were doing much more harm than good, and it wasn't even to the benefit of their shareholders because of the risks that they were creating for the corporation, that the short-term profits would lead to great risk in a very short while.

This bill is part of what we need to do. It is only part of what we need to do. This just scratches the surface. We need to make sure the financial collapse that we have seen in the last year never happens again. This bill is only part of it.

Mr. BACHUS. Mr. Speaker, I yield 3 minutes to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong opposition to H.R. 3269, the Corporate and Financial Institution Compensation Fairness Act. This overreaching bill, which is being sold as a response to the financial crisis, would, in effect, take away the rights of individual companies to conduct business as they see fit. It places government bureaucrats in charge of making key decisions about how businesses should be run. We can agree that some executives in this country are grossly overpaid; but allowing government to make such determinations is counter to everything that has made our country great. America has always been an economic powerhouse in the world, but this bill restricts competition through government intervention in a way that infringes on the entrepreneurial spirit of this Nation.

Section 4 of H.R. 3269 would actually allow the government to involve itself in the running of private businesses by empowering Federal regulators to prohibit compensation arrangements for all employees of all financial institutions, including banks, bank holding companies, broker dealers, credit unions and investment advisers. Even regulators under the current administration have testified that they do not intend to cap pay or set forth ''precise prescriptions for how companies should set compensation, which can often be counterproductive.'' However, the majority has ignored the administration's wishes by adding section 4 to H.R. 3269.

This bill is a vast overreach and an overreaction to the current financial crisis. Like many, I am concerned that executives at a handful of large companies, like AIG, have been awarded extravagant pay packages and bonuses even after the companies have faced failure and received assistance from the Federal Government to the tune of billions of taxpayer dollars. In these cases, when Federal assistance has been granted, I believe the Federal Government does have a right to mandate the pay structure of these firms, which is why I voted for an amendment during committee consideration of H.R. 3269 to only apply the provisions in the underlying bill to TARP recipients for the amount of time that the TARP money is outstanding. Unfortunately this amendment was rejected, leaving many financial institutions who did not contribute to the current crisis to pay for the mistakes of others.

Finally, this bill undermines the primacy of State corporate governance laws. Corporate law has typically been left up to the States, allowing this diversity to foster competition. Passing this bill would eliminate these traditions, which run against the American free market ideals we have always stood for. For this reason I support Mr. GARRETT's amendment to allow State law to preempt the underlying bill.

H.R. 3269 was introduced without a single legislative hearing to examine its far-reaching implications, despite numerous requests from myself and other Members of the Financial Services Committee. I believe this legislation may have unintended consequences on our Nation's businesses, and I urge my colleagues to vote ''no'' on the underlying bill.

Mr. FRANK of Massachusetts. Mr. Speaker, there is a little bit of an imbalance. I would ask if I could reserve for one more speaker while I work something out.

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. I thank my friend from Alabama for yielding me time and for leading on this issue. What we hear from the other side of the aisle is this famous old phrase ''trust us,'' right? Now we know that folks on the other side don't have any real reluctance to have the government run things. We've seen it over and over and over again. In fact, we've just heard it from one of the speakers who said, We don't want to run private companies, and then he followed that up and said, But this is only part of what we need to do.

Mr. Speaker, the bill has language in it that would, in effect, allow the Federal Government to determine pay, compensation for employees; and that might be all right if it was just companies that were receiving tax money. That might be okay. But in fact, it's not. It is so many other companies. Covered financial institutions, the definition in the bill would expose companies like CVS Caremark—that's right, drugstores—WellCare Health Plans, Value Line, Textron, McGraw-Hill Companies, Medco Health Solutions, Lowe's Corporation.

Mr. Speaker, this is another far reach by the Democrats in charge who believe that the government knows best, not just about automobile companies, not just about energy companies, not just about how to spend your money, not just about your health care—they're working on that government-run health care plan—but also private companies across this land. They believe that they ought to be able to come in and say, Okay, this is what you can make, and this is what you can't make.

If you don't believe it, just read the bill. Nobody is concerned about having shareholders give their opinions, have a say about what executives make when shareholders own part of that company. That makes a whole lot of sense. But what we do have concerns about, grave concerns, is the intervention of the Federal Government into one business after another after another. This is just another example of that. It's a terrible idea. It strikes at the very core of the free market principles that have made us the greatest Nation in the history of the world. Bad idea, Mr. Speaker. Vote ''no''.

Mr. FRANK of Massachusetts. Well, Mr. Speaker, I yield myself 15 seconds to say I welcome the gentleman from Georgia to the cause of say-on-pay. When we debated this on March 22, 2007, he was quite critical of it. So maybe 2 years from now, he will think we should do something about excessive, incentivizing bonuses.

I now yield for a question to the gentlewoman from California.

Ms. SPEIER. I thank the gentleman from Massachusetts.

In section 4 of the bill, it defines the term ''covered financial institutions'' to include depository institutions, broker dealers, credit unions and investment advisers but also authorizes the appropriate Federal regulators to designate jointly, by rule, other financial institutions that are covered. Because this authority is granted to appropriate Federal regulators, can we assume that entities not regulated by a Federal financial regulator are not intended to be ''covered financial institutions''?

Mr. FRANK of Massachusetts. Yes. As to section 4, if they are public companies, they are covered by say-on-pay. And there may be companies not now federally regulated that may become so by decision. But as of now, if they're not federally regulated, they're not covered. Of course AIG was federally regulated by the OTS, so they would have been covered. The gentlewoman is correct.

Mr. Speaker, I have no further requests for time, and I have only one more speaker. So I am going to reserve the balance of my time.

Mr. BACHUS. Mr. Speaker, let me tie up a few—what I consider loose ends about this legislation. One is the motivation. Of course we've heard that one of the motivations is that these pay schemes and arrangements could heighten risk; and then if one endorses the Obama administration approach, that would precipitate a bailout because the government would continually have to assure against some outsized risk. As I have said, the Republican approach is, simply don't bail these companies out, and then you don't have to be micromanaging every compensation decision by a company. I think there's another motivation, and I think it is a slippery slope. Chairman FRANK was on CNBC this past Tuesday, and he asked this question: is there some character defect with some people where they get hired, they give them a prestige job, but they really won't do it right unless you give them an extra bonus? Most of us don't need that.

So I'm wondering if one motivation for this legislation is so that the government can decide whether people need a bonus or don't need a bonus, whether they're deserving of a bonus. In fact, several pages of the bill does just that. Some people may not need that bonus. Other people may. That decision will be made by the list of government entities on page 15, not by the shareholders even though this bill is trotted out as a shareholder bill, not by the board of directors, not by the management who an important tool of management is to offer incentives and to incentivize performance and achievement. But apparently now it's the government who will decide whether you need a bonus or not. That, Mr. Speaker, is scary in my mind.

I reserve the balance of my time.

Mr. WATT. Mr. Speaker, I yield 1½ minutes to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. I thank my colleague from North Carolina for his leadership on this issue.

Mr. Speaker, in this country, we believe that hard work should be rewarded, and I think most people in this country believe in the concept of pay for performance. But what we've seen on Wall Street over the last many years is turning that concept of pay for performance on its head. We saw CEOs and the folks in the Wall Street boardrooms getting huge bonuses based on short-term gains for their companies, even while that excessive risk-taking put those institutions at risk.

□ 1045

Now, if it was just those institutions, I think we'd say, okay, let them take that risk. If they want to overpay their CEOs in the sense that the company's going to be put in jeopardy, and it was just that company at risk, okay. But what happened is this kind of excessive risk-taking went on at the biggest financial institutions of this country and put the entire economy at risk, put the financial system at risk, and at the end of the day, put all of the taxpayers in this country on the line.

So we all have a stake in changing the system. We all have a stake in making sure people get paid for performance, and not paid by putting taxpayers in the financial system at risk because, at the end of the day, we're all holding the line, not just the CEO and not just the shareholders.

So, Mr. Speaker, it's time to say, enough is enough. Let's pass this legislation to protect consumers, shareholders and the taxpayer.

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. Mr. Speaker, I was minding my own business in my office, and I've been listening to this debate and felt like I needed to come and just point a couple of things out, some real weaknesses of this bill.

First of all, I'm hearing from manufacturers, Mr. Speaker, in my district who are particularly concerned about section 4 of the bill. They're making their concerns known through the National Association of Manufacturers, and they've said that they are concerned that this bill would give authority to government regulatory agencies to review and prohibit pay arrangements for a wide range of employees and, as a result, they strongly oppose the government intervention in the internal dynamics of companies.

Look, I'm the first to say that if you took bailout money, if you took TARP money, fine, be in this category, and those are entities that the taxpayers have a right and an expectation to regulate. But when we start to use ambiguous terms, terms that are not well-defined, with all due respect to the majority, ultimately, we're creating an environment where there's going to be more government intervention.

Why is it that the National Association of Manufacturers says, Don't do this to us? They're working hard to create jobs in this country and they haven't been able to do it, in part, because of bad policies that they've seen come out of Washington, D.C., Mr. Speaker. And we can do much, much more.

Look, in a nutshell, this bill is an invitation for political meddling at its worst in the private confines of companies that are trying to work hard to create jobs and to create opportunities. You can imagine a politician getting on the phone with the regulator and saying, You know what, I'm interested in you checking into that company because I don't like them and I don't like the way that they're doing business.

We can do better. Let's send this bill back to committee. Let's vote ''no.''

Mr. WATT. Mr. Speaker, we have only one final speaker, so we'll reserve the balance of our time.

Mr. BACHUS. Mr. Speaker, at this time I would like to recognize the gentleman from New Jersey (Mr. GARRETT) for 1½ minutes.

Mr. GARRETT of New Jersey. In a few moments I'll be submitting an amendment to this bill, but before I do that, I just want to talk about someone else's comment on this bill. This is Nell Minow of the Corporate Library, someone who has been influential and involved in this issue for some period of time, as you may know, someone who no one would consider a conservative on this issue. And she just did a blog on this recently where she says, The House Financial Services Committee has recently approved this legislation. She recognizes why this is coming up, and she says, The impulse is understandable, but the standard is unworkable. What does inappropriate mean? What, while we're at it, does risk-taking mean? And the most terrifying question is, who gets to decide what they mean?

Chairman BARNEY FRANK warned earlier this month, she reminds us, and he did so again just recently, that recent news of compensation of Wall Street shows that some financial leaders yearn for the stirring years of yesteryear, and demonstrates a need to adopt legislation on executive pay. But it's a question of empowering the shareholder to decide the question of appropriate level of pay and not by the regulators.

She concludes by saying, Who is in the best position to evaluate and respond to badly designed pay packages? As someone who is very proud of 8 years of serving in government, she says she has the most utmost respect for politicians and bureaucrats, but she also recognizes their limits. The government, therefore, should not be micromanaging pay. Instead, and this is what Republicans suggest, remove the obstacles that currently prevent oversight from those who are best qualified and motivated to manage the risk, the shareholders.

Mr. WATT. Mr. Speaker, we reserve the balance of our time.

Mr. BACHUS. Mr. Speaker, it appears as if this bill is so much more than a shareholders' right to say-on-pay bill. We already have a czar, a pay czar. Are we going to have a consultant czar? You know, we're going to enable these compensation consultants, they have to go to the agencies, they meet certain criteria. Are we going to have a consultant czar? Are we going to need management czars? Are we going to need risk czars? Because these 20 pages—and 15 of it deals with risks. It deals with inappropriate behavior.

Are we going to, on the bonuses, are we going to have every bonus submitted to some government agency to review? How are you going to report those bonuses? How are you going to approve those bonuses? How long is it going to take to approve those bonuses? The administration, itself, has warned that this bill goes too far. Independent witnesses have warned that this bill goes too far.

Mr. WATT. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, the fact that we are here today debating this bill with such vociferous opposition, to me, is a commentary on how out of whack our whole system has become.

First of all, this bill is a modest bill which gives shareholders the right to make advisory votes, take advisory votes on compensation. Who are these shareholders? They're the owners of the company. They're the owners of the company, and somehow, the opponents of this bill are trying to convince the public that the owners of a company shouldn't have the right to express their opinion to the board about compensation of the officers of that company.

And the bill specifically says, and I'm reading from the bill, The shareholder vote shall not be binding on the board of directors and shall not be construed as overruling a decision of the board. We're just giving them the explicit right to advise the board about compensation.

One gentleman has said that this applies to manufacturers. It doesn't apply to manufacturers. Section 4 doesn't apply to manufacturers. And even if it did, it would apply only to the extent that they could threaten the safety and soundness of a financial institution—manufacturers are not financial institutions—and only to the extent that they could cause serious adverse effects on economic conditions or financial stability. And that, I would submit, is an appropriate Federal Government role to play, to make sure that we don't get back into the kind of meltdown that we are experiencing and have been experiencing as a result of greed and irresponsibility in the private sector.

This is not the government taking over the corporate sector, either in the financial sector or any other sector of our economy. It is a statement by the American people that it's time for us to straighten up the ship. We should pass this bill today and move on.

Mr. GRAYSON. Mr. Speaker, I would like to clarify a point regarding H.R. 3269, the Corporate and Financial Institution Compensation Fairness Act of 2009. On page 17, the bill states "No regulation promulgated pursuant to this section shall require the recovery of incentive based compensation under compensation arrangements in effect on the date of enactment of this Act provided such compensation agreements are for a period of no more than 24 months."

The words "this section" are intended to mean the fourth section of H.R. 3269, not the section of the U.S. Code in which this provision may be found.

In addition, I would like to add into the RECORD this important statement by Leo Hindery published in the Washington Note, because it pertains to this bill.

President Obama was absolutely right a couple of weeks ago when he demanded that the compensation of the executives, managers and traders at the failed financial institutions that received bail-out cash be scrutinized by a new ''oversight council''. He was right because these are the people who saddled the rest of us with a staggering $2.8 billion or more of trading and credit losses, and yet wanted to be paid as if everything was just swell.

But he and especially his advisers were wrong not to impose specific limits on executive compensation, rather than (mostly) just guidelines. They were especially wrong not to enact permanent limits that apply to all regulated financial institutions and all public companies.

The evidence is clear that excessive executive and management compensation lies at the root of all corporate crimes and misbehavior, of most of corporate America's inattention to creating and preserving high-quality domestic jobs and fair overall employee compensation, and of almost all of the recent massive trading and credit losses.

In his speech, Obama also said that government's ''role is not to disparage wealth, but to expand its reach''. He absolutely should have added that its role is also to ''ensure wealth's fair and equitable distribution''.

For the 35 years following the end of the second world war, CEOs generally viewed responsible and fair business behavior as a critical component of the American dream. And during all those years, and in fact during most of the past century, corporate leaders in the US earned 20 to 30 times as much as their average employees. Even today, the ratio of chief executive pay to average employee earnings in all other main developed countries has remained near this level. The ratio is still only about 22 times in Britain, 20 times in Canada and 11 times in Japan.

Beginning in the 1990s, however, many US executives, with the complicity of their boards, began to treat management as a separate constituency, often the primary one. Suddenly, fair executive compensation was abandoned in hundreds of corporations and financial institutions.

In America now, the average public company chief executive earns an almost unbelievable 400 times what his average employee makes, and his officers and senior managers aren't far behind in their own compensation. And now we know that executives and senior managers in the financial services industry drink just as heartily from the same frothy trough.

Obama and Congress need to enact three changes in executive and management compensation practices, not just hope, as one of his senior advisors recently said, that some (not even all) corporations will voluntarily ''assess risk induced by [their] compensation practices''.

First, Congress needs immediately to grant public shareholders the right to call shareholders' meetings, to vote out the current board and to pass binding (not simply advisory) votes on executive compensation.

Second, Congress should establish, for all public companies, a ceiling on individual executive compensation as a reasonable multiple of average employee compensation—say, 35 times—and then penalize through tax policies those companies that elect to pay anyone in excess of this multiple.

Third, Congress should empower the Treasury to oversee the compensation practices of any entity that is regulated, whether or not it currently relies on government guarantees. This should apply to employees at the individual trader level, too.

Mr. POSEY. Mr. Speaker, I rise to express my concerns about H.R. 3269, the Corporate and Financial Institution Compensation Fairness Act of 2009, as drafted.

It should not come as a surprise that the American public is outraged at those executives who would benefit from lavish compensation packages while failing to produce results. Worse still are those executives who would deliberately place their own interests above those for whom they are accountable. As the land of opportunity, America is a very forgiving place for risk and failure, but Americans also believe that those who fail should take responsibility for their failures.

Executives of public companies should have the fiduciary responsibility to put the long-term best interests of shareholders foremost in all their dealings, and executive compensation committees should have the same responsibility.

The bill before the House, however, goes too far. Section 4 of the bill is most troubling. As written and amended, this bill is a significant expansion of the power of the federal government to micromanage the compensation practices for executives and employees in all financial institutions over $1 billion. The bill also has a loosely defined definition of financial institutions, potentially opening the door to controlling even more companies.

Despite two requests from me and many of my colleagues on the House Financial Services Committee, the Chairman did not even hold a hearing on this legislation to address some of these questions. We were unable to inquire with federal regulators on how they would interpret their newfound duties to judge if compensation is commensurate with the vague criteria of "sound risk management." It is thus left to the imagination how the federal government would approve or disapprove the compensation packages and what other "unreasonable incentives" would be banned by unelected bureaucrats. It is bewildering, but the United States Congress is punting enormous, arbitrary power to the unelected bureaucrats to decide how much money people can earn and whether any risk they take is "unreasonable."

As we debate financial regulatory reform, it is important that we refrain from condemning the free enterprise system which has given us the greatest prosperity in the history of the world. The rise of the corporation is integral to free markets and the prosperity we enjoy. Congress should not pass legislation so sweeping as to micromanage the thousands of enterprises which create jobs in our communities and produce goods and services we want.

Unfortunately, the House has rushed a bill to the House floor that has not been fully vetted and is filled with vague language that no one fully understands. It is no wonder that so much that has passed the House has been found unacceptable by the Senate.

Mr. FRANK of Massachusetts. Mr. Speaker, Aflac was the first publicly traded company to give shareholders an opportunity to vote on executive compensation, commonly referred to as say-on-pay. Aflac CEO Daniel P. Amos explained the company's decision to voluntarily adopt the measure by saying, ''Our shareholders, as owners of the company, have the right to know how executive compensation works. An advisory vote on our compensation report is a helpful avenue for our shareholders to provide feedback on our pay-for-performance compensation philosophy and pay package.''

The first year of the vote, 2008, 93% of the shareholders voting approved the company's pay-for-performance compensation policies and procedures. In May of this year, 97% of the shareholders voting cast ballots in favor of the compensation policies, even though the stock price of virtually all financial companies had declined—including Aflac's. The results of both shareholder votes clearly demonstrate that shareholders appreciate Aflac's philosophy of paying for performance and the company's long history of transparency.

I submit the following for the RECORD.

[From USA TODAY, July 15, 2009]

CEOs OPENLY OPPOSE PUSH FOR SAY-ON-PAY BY SHAREHOLDERS

(By Del Jones)

Top executives have taken a relentless public thrashing as they lay off workers and fight to keep stock prices above the floor. In a suffering economy, no one seems happy with leadership, and the image of CEOs has sunk so low that their approval scores are now south of those serving in Congress. But no matter how low their image sinks, nor how shrill the outrage, executives have remained steadfast in their opposition to one thing: They are roundly against legislation that would force companies to let shareholders vote on CEO compensation packages.

''I wonder if the congressmen backing this legislation would propose similar laws governing their own compensation,'' says Steve Hafner, CEO of travel search engine Kayak. ''I'd love to vote on congressional pay and perks,''

EXEC PAY: PROPOSAL GIVES SHAREHOLDERS NON-BINDING SAY

That executives oppose congressional noodling with their pay is unsurprising. What is surprising is that they are willing to go so public in their opposition, even though passage of a so-called ''say-on-pay'' law is likely, says Dawn Wolfe, associate director of social research for Boston Common Asset Management.

President Obama, who co-sponsored say-on-pay legislation while in the Senate, remains in support, as is the Democrat-controlled Congress. Likewise the public at large. Focus groups have been describing CEO pay with words such as ''obscene'' and ''immoral'' rather than words like ''excessive'' or ''overly generous'' as in the past, says Leslie Gaines-Ross, chief reputation strategist at Weber Shandwick.

''Everyone I talk to understands say-on-pay legislation to be a question of when, not if,'' Wolfe says. ''There is a sense in the investment community that it is inevitable.''

CEOs have opinions like everyone else, but the public rarely sees that side because positions on anything controversial risk upsetting customers. When they feel compelled to take a stand at odds with the public, it is usually articulated by trade associations and lobbyists, so as to put CEOs and the companies they run at arm's length from controversy. Not this time, Even though say-on-pay legislation is almost a sure thing, CEOs and former CEOs contacted by USA TODAY spoke out against it, both forcefully and individually.

''Say-on-pay is just another government regulation and intrusion into free enterprise,'' says Howard Putnam, former CEO of Southwest and Braniff airlines.

No one likes downward pressure applied to their pay, and in this respect CEOs are no different than professional athletes, rock stars, union members, Social Security recipients—and elected officials. Howard Behar, former president of Starbucks, asks: Why not let people vote on the salaries of government workers? He says government employee unions influence politicians, who commit huge resources to pensions and raises to get re-elected.

HOW SAY-ON-PAY WOULD WORK

Say-on-pay legislation would require companies to give shareholders an up-or-down vote each year on the compensation of the top five executives of publicly traded companies. The vote would not be binding, leaving the final decision in the hands of boards of directors. However, directors are elected by shareholders and a shareholder vote against a pay package would likely pressure directors to rethink the package and make changes.

The Netherlands requires binding shareholder votes on executive pay. The U.S. law would model those in Britain, Australia, Norway, Spain and France, where the vote is non-binding. Boston Common Asset Management has been pushing shareholder say-on-pay resolutions for three years, and Wolfe says she doesn't understand the CEO opposition, as there are only two examples in Britain when shareholders voted a majority against a CEO's pay: at GlaxoSmithKline in 2003 and at home builder Bellway in 2009. It may be true that most CEOs are fairly paid, she said, which means they have nothing to fear.

Only 24 U.S. companies have implemented say-on-pay without legislation, Wolfe says. Of those, only Aflac and RiskMetrics did so without it first coming to a shareholder vote. The Securities and Exchange Commission continues to get feedback regarding say-on-pay at companies that have accepted government money under the Troubled Asset Relief Program (TARP).

At Aflac, shareholders approved the pay of CEO Dan Amos by 93% in 2008, and that approval rose to 97% this year when Amos did not accept a $2.8 million bonus even though he had met the conditions of the bonus as set by the Aflac board.

''That tells me that (shareholders) had the ability to look beyond the price of stocks and understand,'' says Amos, who supports say-on-pay at Aflac but declines to weigh in on what is best at other companies. Giving shareholders a voice ''takes away the frustration that is out there,'' he says. ''People just want to be heard.''

Sarah Anderson, director of the global economy program for the liberal think tank Institute for Policy Studies, says say-on-pay is a first step but does not go far enough to rein in abuses. She cites oil executives who had big paydays that had nothing to do with personal performance and everything to do with spikes in oil prices. But shareholders didn't ''bat an eye'' because they were happy with rising stock prices.

''Everyone, not just shareholders, has a stake in fixing the executive compensation system,'' Anderson says.

Ralph Ward, publisher of Boardroom Insider, an online newsletter about boards of directors, agrees that say-on-pay does not go far enough, because it offers shareholders ''so little substance.''

Substance or not, CEOs complain that say-on-pay is government intrusion into the private sector. Such consensus among CEOs is rare because they run very different companies that can be made winners and losers on a range of sensitive issues, from energy to health care. They lean Republican, but there are signs that they are increasingly blue, and 40% supported Democrats during the last presidential primary season, according to an unscientific USA TODAY survey. But when USA TODAY last month contacted 31 CEOs and former CEOs of large companies, 77% were against say-on-pay.

Are CEOs fairly compensated? Two of the 31 CEOs declined to answer, but 24 of the other 29 (83%) said yes. Five (17%) said that, in general, CEOs are overcompensated. When asked if say-on-pay would influence CEO compensation, 76% said yes.

CEO median compensation at S&P 500 companies rose 23% from 2003–2008 despite going down 7.5% to $8 million from 2007 to 2008, according to Equilar, which tracks executive compensation. John Castellani, president of the Business Roundtable, an association representing CEOs of companies with more than $5 trillion in annual revenue, says shareholders have always had the ability to enforce say-on-pay by using the shareholder resolution process. That makes legislation unnecessary, he says.

The pro-business U.S. Chamber of Commerce is also against legislation. ''The decision to allow say-on-pay votes should come, as it has, through a dialogue between shareholders, directors and management, not via a Washington mandate,'' says Tom Quaadman, the chamber's executive director for capital markets.

CEOS' ARGUMENTS AGAINST IT

CEOs say the legislation would open the door to micromanagement by largely uninformed shareholders, who understand neither the competitive market forces that drive executive pay nor the complex incentives designed by experts to get the best results. The law could drive top talent to private companies and injure the ability of U.S. companies to compete in a global market, they say.

''You cannot run companies effectively through the democratic process of voting on all things,'' says Judy Odom, former CEO of Software Spectrum. ''Independent boards should be elected, and they should do their jobs.''

While most shareholders are uninformed, some are so informed that they could use a say-on-pay law to an unfair advantage, says Andrew Puzder, CEO of CKE Restaurants, which operates Carl's Jr. and Hardee's. For example, certain investors could threaten to vote ''no'' on the CEO's pay to coerce the CEO into making decisions for short-term gain, such as delaying capital investment or taking on unnecessary debt. Such tactics could temporarily boost the stock price to the detriment of the company's long-term health, he says.

An argument could be made that CEO pay is excessive and does not drive performance, says Anders Gustafsson, CEO of publicly traded Zebra Technologies, which sells printing services to 90% of Fortune 500 companies. But he says CEOs have a significant impact on company performance and are being unfairly targeted in a bad economy because their pay is publicly disclosed.

CEOs are not unanimous in their opinions, even where it comes to pay. Patrick Byrne, CEO of Internet retailer Overstock, says he is more concerned about CEOs influencing boards than shareholders influencing CEOs.

''The CEO is hired by shareholders. He works for them, just like a farmhand works for the folks who own the ranch,'' says Byrne, among the CEOs who support say-on-pay legislation. He says CEOs ''capture'' their boards, leaving shareholders unrepresented.

Real estate developer Don Peebles, recently named by Forbes as one of the 20 wealthiest African-Americans, also supports say-on-pay. He says CEOs who have no significant ownership often have compensation packages designed to reward them on the upside, but they suffer few consequences on the downside.

''There is no real alignment of interests,'' Peebles says.

But Behar says he has served on eight boards and says directors are not stupid, and they are in control of CEOs.

''How will our country be better off if CEOs earn less than $2 million a year?'' says Behar. ''Are we trying to create a country without the opportunity to get rich? We had better be careful about the buttons we push down. We may not like the ones that pop up.''

Mrs. BACHMANN. Mr. Speaker, I rise in opposition to H.R. 3269.

This misguided legislation will do nothing to restore confidence in our financial markets and could, in fact, undermine our nation's economic recovery.

The bill directs federal financial regulators to literally prohibit compensation arrangements it deems ''inappropriate.'' But when did it become appropriate for the federal government to take on this role?

How can we not expect this to stifle the global competitiveness so vital to American companies? When American companies are subjected to rigid pay structures as set by government bureaucrats and companies in other nations are free to follow the market, common sense tells us that America's top talent will go elsewhere.

Furthermore, the bill requires an annual shareholder vote—a non-binding vote—on executive compensation, which seems terribly impractical and complex and may only exacerbate problems, not fix them. We're heading down the same road the trial lawyers have led us in the courts, and experience tells us that that road leads to a distorted market.

We've heard from groups across the nation on this—from the U.S. Chamber of Commerce, which represents more than three million American businesses and organizations, to the United Brotherhood of Carpenters union. They all say that requiring them to hold an annual shareholder vote on compensation is overly burdensome and could actually diminish proper due diligence by investors.

On average, most companies already approve these packages once every three years. The Republican alternative, which I support, would honor this real-world practice. Our substitute would also allow shareholders to opt out of the shareholder triennial advisory vote if two-thirds vote to do so. This gives the shareholders more flexibility to decide whether they actually want this ''say on pay.'' This is real empowerment of the shareholders—not just lip service.

Finally, our substitute strikes the section of the bill which directs government bureaucrats to determine the compensation arrangements of private companies rather than its board and shareholders.

No one on our side of the aisle is for free-wheeling pay practices or lack of oversight. But, we are calling for balance. We support an alternative that would preserve American competitiveness while ensuring real transparency and disclosure over compensation packages. The majority's legislation is sound-bite governance at best, extending onerous regulatory burdens that have little more than the appearance of actual empowerment of American shareholders.

Mr. PAUL. Mr. Speaker, many Americans are justly outraged that Wall Street firms that came hat in hand to receive bailouts from the federal government rewarded their executives with lavish bonuses. But while holding those financial firms accountable to the taxpayers is a laudable aim, the legislation before us, H.R. 3269, goes far beyond this.

This is not the first time that Congress has meddled in matters of executive compensation, and unfortunately it will not be the last. Just like Congress' meddling with the economy, each intervention creates unseen problems which, when they crop up, are again addressed by legislation that creates further unseen problems, thus continuing the cycle ad infinitum. Problems with executive compensation cannot be addressed by further burdensome legislation.

The Wall Street bailouts have already given the federal government too much power in corporate boardrooms, and H.R. 3269 is yet another step in the wrong direction. While shareholder votes on compensation may be non-binding now, once the precedent of government intervention on behalf of shareholders is set, there is no reason to believe that these votes will not become binding in the future.

Perhaps even more frustrating is that enforcement of the provisions of this bill will be undertaken by overpaid bureaucrats who lack the skills to earn comparable salaries in the marketplace by providing useful products or services desired by consumers. People who shuttle between federal regulator and federally regulated firms, trading on their political connections and epitomizing the corruption endemic to the government-managed financial system, will be making decisions that affect every single public company in this country.

In order to understand the reasons behind excessive executive compensation, we need to take a look at the root causes. The salaries and bonuses raising the most ire are those from the financial sector, the sector which directly benefits from the Federal Reserve's loose monetary policy. Loose monetary policy leads to speculative bubbles which drive up stock prices and enrich executives who cash in their stock options. It makes debt cheaper, which encourages reckless business expansion. And it shuttles money from industries that produce valuable products and services to industries that are favored by the federal government. H.R. 3269 is a well-intended but misguided piece of legislation. Until we strike at the root of the problem, we will never get our financial system back on a firm footing.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 3269, the ''Corporate and Financial Institution Compensation Fairness Act of 2009''. I would like to thank my colleague Representative BARNEY FRANK for introducing this resolution, as well as the cosponsors.

I stand in support of this important resolution, because it is designed to address the perverse incentives in compensation plans that encourage executives in large financial firms to take excessive risk at the expense of their companies, shareholders, employees, and ultimately the American taxpayer—risks that contributed to the recent financial collapse.

One of the solutions it offers is practically the manifestation of common sense itself—let the stockholders of the company, the people the corporate executives are supposed to be working for, have a say in how those executives should be compensated. For example, the bill requires shareholder non-binding votes on so-called ''golden parachutes.'' It requires publicly-traded corporations to allow shareholders to take non-binding votes during annual meetings on the top five executive compensation packages. And it allows SEC to exempt small companies from the nonbinding vote requirement if it finds such an exemption necessary.

The bill also seeks to change the incentives for the sort of financial firms that brought our economy to the brink of collapse, so that those who manage the money of our countrymen are not even tempted to take us back to that precipice. The bill authorizes the SEC, along with the federal financial regulatory agencies, to develop regulations for financial firms with at least $1 billion in assets that proscribe the use of employee compensation structures that pose a risk to financial institutions and the broader economy. It also specifically, authorizes the regulations to restrict or prohibit ''inappropriate or imprudently risky compensation practices'' at these large financial firms, and further requires financial firms with at least $1 billion in assets to disclose to the federal regulators any compensation structures that include incentive-based elements.

The bill does not require disclosure of any individuals' compensation information; nor does it allow government pre-approval of anyone's compensation. Rather, the bill is the first step towards enacting comprehensive financial regulatory reform to make sure we never face another historic financial crisis that depletes the retirement savings of millions, locks businesses out of much-needed credit, and threatens the entire economy.

Finally, the bill requires the compensation committees of the Boards of Directors of public companies to be made up of independent directors. It further requires that these compensation consultants satisfy independence criteria established by the SEC. I would also point out that this bill will, in practice, only apply to companies already sufficiently large enough—it specifically allows the SEC to exempt small companies from the non binding vote requirement if it finds such an exemption necessary.

Not only is this bill common sense personified, it is also long overdue. Corporate culture has, in the past three decades, undergone a transformation for the worse, where the most economically powerful have come to see, not just stockholder profit, but short term profit, as the greatest good. Today, the people with most economic influence see little or no incentive in seeking anything but the next bonus.

It was not always so—from the end of World War II until the mid 1990s, prominent public and private company CEOs almost universally viewed their responsibilities as being equally split among shareholders, employees, customers, and the Nation. This broad sense of corporate responsibility was actually so widely

and comfortably held that in 1981, the Business Roundtable, which is the key public policy arm of the Nation's largest public companies and their CEOs, officially endorsed a policy that said that shareholder returns had to be balanced against other considerations.

However, just as the Business Roundtable was making its policy statement, the deregulation and laissez-faire era that was born in the Reagan administration was starting to chip away at the statement's core contention. And by 2004—even after many of the myriad scandals and outright thefts that have hallmarked the last decade of American business had already come to light—the Roundtable amended its position. It said that the job of business is only to maximize the wealth of shareholders.

But even that statement did not, in any meaningful way, restrict or amend their pursuit of personal wealth, as board members effectively wrote their own paycheck. So not only were our corporate leaders explicitly no longer concerned with stakeholders other than those with the bottom line, they saw little concern for the long term well being of their company. A well-connected man could just as easily make sure the short term profits were inflated as much as possible, so it would look like he was doing a good job, and jump off when the bonuses get handed out.

We see this behavior, for example, among the companies Americans entrust their health care with. In 2001, Aetna's CEO made $3.5 million; 7 years later, it increased nearly seven-fold, to $24.3 million, making over $100 million in the past 9 years. In 2000, Coventry paid its Chief Executive $2.2 million; apparently that wasn't enough; because in 2007 they gave him nearly $15 million. In the past 9 years, ten individuals—people who are in charge of companies, whose source of profit is the denial of care to the people who take large cuts in their paychecks to give them money—made over $690 million.

In 2007, several high profile corporate executives resigned and received multimillion dollar financial packages. That year, Home Depot CEO Robert Nardelli resigned and received a severance package worth $210 million, which followed several other ''golden parachutes,'' including the $122 million retirement package for Pfizer's former CEO, the $175 million package for KB Homes' former CEO, who retired after he was found to have manipulated the company's stock, and the $85 million severance package for Viacom's CEO who was on the job for less than a year.

That was the year our noble body tried to act. The House passed a bill that would have required publicly traded corporations, beginning this year, to allow shareholders to take a non binding vote on executive compensation and golden parachutes. Our colleagues in the Senate, however, never acted on the measure.

And, as everybody sitting in this noble body knows, the outrage has only grown. In 2008, one man—the head of a financial firm—made over $700 million. Another CEO, of the Oracle Company, made over half a billion dollars that same year. Six energy companies paid their CEOs nearly $800 billion. All told, in 2008, less than 10 individuals made over $2 billion, over 1 percent of the Gross Domestic Product of my home city of Houston.

During the worst days of the financial crisis, a raw nerve was struck when workers generally became aware, many for the first time, of the huge salaries being earned on Wall Street and on other streets far removed from Main Street. Wherever earned, excessive executive and CEO compensation, simply by being ''excessive,'' belies the principles of a meritocracy, which is what corporations should be. Managers rise to something akin to royalty when their compensation is at unjustified levels and when the rewards of employment are not more commonly and fairly shared with the general employee base.

To conclude: This regulatory overhaul is urgently needed to avoid the possibility of a repeat of the recent financial disaster which nearly crippled our economy. It does so through common sense measures to curb executive power to write their own checks, and dis-incentivizes them from taking the mad risks that nearly brought us to ruin. It is long overdue, and becomes only more necessary as time passes. And so I support the bill.

Ms. CLARKE. Mr. Speaker, I rise in support of H.R. 3269, the Corporate and Financial Institution Compensation Fairness Act of 2009.

This legislation is important because it encourages the corporate community to address the issue of excessive compensation to high level executives by creating greater transparency and giving investors a ''say on pay.'' Some studies have found that as recently as 2003, CEO compensation was 500 times that of an average worker. Even in 2008, a year of significant economic decline, the median CEO salary actually increased by almost 5% with the average worker's wages went up only 2.8%.

This legislation protects the interests of investors, including pension and mutual fund participants, giving them an advisory vote on executive compensation. Today's legislation comes in response to growing concerns in the economic community that excessive executive compensation is helping to fuel systemic risk in corporate America. These luminaries, including former Fed Chairman Paul Volcker and the Group of 30 believe that compensation structures were a factor in the current financial crisis. The legislation will not affect smaller institutions such as credit unions and companies that hold less than $1 billion in assets.

I believe this legislation strikes the right balance in addressing executive compensation while protecting the rights of the companies that provide so many jobs and are so critical to New York's economy.

I urge the rest of my colleagues to support this important legislation.

The SPEAKER pro tempore. All time for debate has expired.

AMENDMENT NO. 1 OFFERED BY MR. FRANK OF MASSACHUSETTS

Mr. FRANK of Massachusetts. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore (Mr. HOLDEN). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 printed in House Report 111–237 offered by Mr. FRANK of Massachusetts:

Page 3, line 8, strike ''(a) AMENDMENT.—''.

Page 7, strike lines 1 through 14.

Page 17, after line 4, insert the following:

(f) LIMITATION.—No regulation promulgated pursuant to this section shall require the recovery of incentive-based compensation under compensation arrangements in effect on the date of enactment of this Act, provided such compensation agreements are for a period of no more than 24 months. Nothing in this Act shall prevent or limit the recovery of incentive-based compensation under any other applicable law.

Page 17, line 5, strike ''(f)'' and insert ''(g)''.

The SPEAKER pro tempore. Pursuant to House Resolution 697, the gentleman from Massachusetts (Mr. FRANK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I yield myself 1 minute.

At the markup, the gentleman from Georgia (Mr. PRICE) offered an amendment, which I said we would be willing to accept subject to some further change. We've talked. We have not yet reached agreement, and this is going to be an entirely legitimate debate.

What the gentleman was concerned about, and I think legitimately, was the possibility of a callback; that is, a requirement that people give back bonuses they'd already received. That would be arbitrary. Now, we hope that there will be rules adopted that will set those rules in place, and I agree that there should not be people's pay subjected unreasonably to arbitrary retroactive decisions.

But there was—and I was not aware of it at the time—an SEC decision that said that where someone had received the compensation and it subsequently turned out that the transaction was not profitable, although it appeared to be, that a return of the money that was given because of the profitability might be appropriate. So our language reflects that. It does not overturn that SEC decision. It does give some protection against arbitrary return.

I reserve the balance of my time.

Mr. PRICE of Georgia. Mr. Speaker, I claim the time in opposition.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 5 minutes.

Mr. PRICE of Georgia. Mr. Speaker, the debate on this amendment is very appropriate and germane to the actions of this entire Congress. The amendment that was offered in committee in good faith, to try to make certain that there weren't any changes that could be made retroactively to compensation packages and incentive pay, was very specific.

It said that no compensation of any executive having been approved by a majority of the shareholders may be subject to any callback, which is the retroactivity, unless it was part of the contract or unless there had been fraud committed. And that's what was accepted by committee, Mr. Speaker, accepted by committee.

The amendment was put into the bill with the caveat that the chairman wanted, potentially, a few changes. And I would quote from the chairman, who said, The impulse to retroactivity is not one of our finest and ought to be constrained. And he said, We could

work together to make sure this does not derogate from the SEC prospectively to say that you can't do this kind of thing.

Well, Mr. Speaker, I'm here to tell you that there weren't any discussions before the Rules Committee met. There weren't any discussions before the amendment that we now have before us was offered as the apparently good-faith effort to the amendment that was offered and adopted in a bipartisan manner majority in the committee. And what does the new amendment say? It says, No regulation promulgated pursuant to this section shall require the recovery of incentive-based compensation under compensation arrangements in effect as of the date of the enactment of this act.

Now, what does that mean? Well, it means that the SEC, that is the Federal Government, Mr. Speaker, will be able to dictate pay, dictate pay because of the language of this amendment, to publicly held companies. Now, that may be okay if they take tax money, Federal tax money, but this would be publicly traded companies that don't take a dime of tax money.

Mr. Speaker, this is a huge step in the wrong direction. Section 4 is the area of this bill that we have great concerns about. It puts the Federal Government, it puts the SEC into the agreements for compensation for executives in publicly traded companies. It cuts at the very core of our free market system.

I would urge a ''no'' vote on the amendment.

I reserve the balance of my time.

□ 1100

Mr. FRANK of Massachusetts. How much time remains?

The SPEAKER pro tempore. The gentleman from Massachusetts has 4 minutes remaining, and the gentleman from Georgia has 2½ minutes remaining.

Mr. FRANK of Massachusetts. Who has the right to close, Mr. Speaker?

The SPEAKER pro tempore. The gentleman from Georgia has the right to close.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 30 seconds to acknowledge one thing that should have been drafted better. The word ''require'' is ambiguous here. The word should have been ''permit'' rather than ''require.'' That is, we did mean to say that you could not require the individual to give it back. We do want to restrain the SEC or anybody else from an inappropriate one. We will try to change that one word, and it will make a difference to the gentleman of Georgia, but I believe that ''permit'' would have been more appropriate. When we say ''require,'' we mean that you could not require the individual to give it back. That was it.

I now yield 2 minutes to the gentleman from North Carolina (Mr. MILLER).

Mr. MILLER of North Carolina. Mr. Speaker, it may be that the amendment was offered in good faith, but the explanation for the amendment had very little to do with what the amendment actually says. This amendment, Mr. FRANK's amendment, does accomplish the reason or the argument in favor of the amendment.

We don't think that a regulator or regulation should require the recovery of incentive-based pay where the existing contract doesn't require it. We shouldn't change contracts retroactively, existing contracts retroactively, but we also don't need to undermine the existing law that may provide for that.

Mr. FRANK mentioned the SEC. The SEC is now trying to recover money that was paid supposedly because transactions were profitable when, in fact, they weren't because of the accounting. So we don't want to reward accounting irregularities. Going forward, the regulators may well decide that an effective constraint on imprudent risk-taking is to require longer horizons for incentive-based pay.

That is the purpose of this amendment. It is what this amendment actually accomplishes. It is consistent with the reasons given in committee for the original amendment.

Mr. PRICE of Georgia. Mr. Speaker, I continue to reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, if the gentleman is going to close with his remaining time, I will just take, I think, 15 seconds to say that I've talked to the gentleman from Georgia. Again, we will still have a disagreement, but instead of ''require,'' it should say—and he and I have agreed within the limited version here—''allow'' them to require it. In other words, we don't want the SEC to be able to make an inappropriate requirement. So that will be clarified.

I will take our remaining time to say, yes, we did tentatively agree to it. There had been an SEC decision that day, which I wasn't aware of, and I did believe that the amendment as we originally agreed—and I did say to the gentleman that I thought we would want to make some further changes.

Mr. PRICE of Georgia. Will the gentleman yield?

Mr. FRANK of Massachusetts. Yes.

Mr. PRICE of Georgia. Given the agreement that you and I have reached on language, what is the posture about changing the language on this amendment? Is that a unanimous consent?

Mr. FRANK of Massachusetts. Yes.

I would ask unanimous consent, if that is permissible—we are in the whole House—to change line 2. Instead of ''require,'' it will read ''shall allow to require,'' ''shall allow the SEC to require.'' No. I take it back. Here is how I will say it: ''Shall be allowed to require.''

The SPEAKER pro tempore. Will the gentleman submit that language to the desk?

Mr. FRANK of Massachusetts. Yes.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. FRANK of Massachusetts. That's easy for you to say, Mr. Speaker.

Mr. PRICE of Georgia. Mr. Speaker, until that language has been introduced, I will reserve the balance of my time.

PARLIAMENTARY INQUIRY

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

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. PRICE of Georgia. Has the language that has been offered at the desk been introduced as business allows?

Mr. FRANK of Massachusetts. Mr. Speaker, if the gentleman would yield to me, I would ask unanimous consent to amend the bill according to that language which the gentleman has seen.

The SPEAKER pro tempore. The Clerk will report the modification.

The Clerk read as follows:

MODIFICATION TO AMENDMENT NO. 1 OFFERED BY MR. FRANK OF MASSACHUSETTS:

On line 2 of the matter proposed to be inserted, after ''shall'' insert ''be allowed to''.

The SPEAKER pro tempore. Without objection, the amendment is modified.

There was no objection.

The text of the amendment, as modified, is as follows:

Page 3, line 8, strike ''(a) AMENDMENT.—''.

Page 7, strike lines 1 through 14.

Page 17, after line 4, insert the following:

(f) LIMITATION.—No regulation promulgated pursuant to this section shall be allowed to require the recovery of incentive-based compensation under compensation arrangements in effect on the date of enactment of this Act, provided such compensation agreements are for a period of no more than 24 months. Nothing in this Act shall prevent or limit the recovery of incentive-based compensation under any other applicable law.

Page 17, line 5, strike ''(f)'' and insert ''(g)''.

Mr. PRICE of Georgia. Mr. Speaker, I thank the gentleman, the chairman, for his desire and willingness to work together on this.

That being said, the challenges with section 4 are huge. The far reach of the SEC and the ability of the Federal Government now to get into the executive compensation packages for businesses for which there is no Federal money involved is remarkable in its extent. As we know, the Democrat majority has a great desire to have the government everywhere in our lives, whether it's in financial institutions, whether it's in energy companies or whether it's that the American people have to pay to turn on and off their light switches.

I just picked up the paper this morning, Mr. Speaker, and saw that there is an op-ed in The Wall Street Journal which talks about health reform and cancer and about how, if the Federal Government is allowed to control health care, it may result in decreasing innovation in the area of cancer.

I would suggest, Mr. Speaker, that if the Federal Government is allowed in this arena that what we will see is a huge, depressing effect on the ability of businesses all across this land to be

able to create the most vibrant, entrepreneurial and active businesses that inure to the benefit of the American people, that create jobs and that allow us to remain the greatest Nation in the history of the world. It's just little bits that chip away at the fabric of our Nation that make it so that it is impossible to continue to compete on an international basis.

So, Mr. Speaker, I am pleased that the chairman was willing to clarify the amendment. However, it still gets to the heart of whether or not we are going to allow the Federal Government into decisions that ought to be left in a free market and in a private-sector arrangement, so I urge the defeat of the amendment.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Massachusetts (Mr. FRANK), as modified.

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

RECORDED VOTE

Mr. PRICE of Georgia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to House Resolution 697, further proceedings on this question will be postponed.

AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 2 OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment in the nature of a substitute No. 2 printed in House Report 111–237 offered by Mr. GARRETT of New Jersey:

Strike all after the enacting clause and insert the following:

SEC. 1. SHORT TITLE.

This Act may be cited as the ''Corporate and Financial Institution Compensation Fairness Act of 2009''.

SEC. 2. SHAREHOLDER VOTE ON EXECUTIVE COMPENSATION.

(a) AMENDMENT TO THE SECURITIES EXCHANGE ACT OF 1934.—Section 14 of the Securities Exchange Act of 1934 (15 U.S.C. 78n) is amended by adding at the end the following new subsection:

''(i) TRIENNIAL ADVISORY SHAREHOLDER VOTE ON EXECUTIVE COMPENSATION.—

''(1) IN GENERAL.—A proxy or consent or authorization for an annual meeting of the shareholders to elect directors (or a special meeting in lieu of such meeting) occurring on or after the date that is 6 months after the date on which final rules are issued under paragraph (4), shall provide for a separate shareholder advisory vote, at least once every 3 years, to approve the issuer's executive compensation policies and practices as set forth pursuant to the Commission's disclosure rules. The shareholder vote shall be advisory in nature and shall not be binding on the issuer or its board of directors and shall not be construed as overruling a decision by such board, nor to create or imply any additional fiduciary duty by such board, nor shall such vote be construed to restrict or limit the ability of shareholders to make proposals for inclusion in proxy materials related to executive compensation for meetings of shareholders at which such an advisory vote on executive compensation is not to be conducted.

''(2) OPT OUT.—If not less than ⅔ of votes cast at a meeting of shareholders on a proposal to opt out of the triennial shareholder advisory vote on executive compensation required under paragraph (1) are cast in favor of such a proposal, then such shareholder advisory vote required under such paragraph shall not be required to take place for a period of 5 years following the vote approving such proposal.

''(3) SHAREHOLDER APPROVAL OF GOLDEN PARACHUTE COMPENSATION.—

''(A) DISCLOSURE.—In any proxy or consent solicitation material for a meeting of the shareholders occurring on or after the date that is 6 months after the date on which final rules are issued under paragraph (4), at which shareholders are asked to approve an acquisition, merger, consolidation, or proposed sale or other disposition of all or substantially all the assets of an issuer, the person making such solicitation shall disclose in the proxy or consent solicitation material, in a clear and simple tabular form in accordance with regulations to be promulgated by the Commission, any agreements or understandings that such person has with the named executive officers (as such term is defined in the rules promulgated by the Commission) of such issuer (or of the acquiring issuer, if such issuer is not the acquiring issuer) concerning any type of compensation (whether present, deferred, or contingent) that is based on or otherwise relates to the acquisition, merger, consolidation, sale, or other dispositions of all or substantially all of the assets of the issuer, and the aggregate total of all such compensation that may (and the conditions upon which it may) be paid or become payable to or on behalf of such named executive officer.

''(B) SHAREHOLDER APPROVAL.—Any proxy or consent or authorization relating to the proxy or consent solicitation material containing the disclosure required by subparagraph (A) shall provide for a separate shareholder vote to approve such agreements or understandings and compensation as disclosed. A vote by the shareholders shall not be binding on the corporation or the board of directors of the issuer or the person making the solicitation and shall not be construed as overruling a decision by such board, nor to create or imply any additional fiduciary duty by such board.''

''(4) RULEMAKING.—Not later than 1 year after the date of the enactment of the Corporate and Financial Institution Compensation Fairness Act of 2009, the Commission shall issue rules and regulations to implement this subsection.''.

(b) STUDY AND REPORT.—The Securities and Exchange Commission shall conduct a study and review of the results of shareholder advisory votes on executive compensation held pursuant to this section and the effects of such votes. Not later than 5 years after the date of enactment of this Act, the Securities and Exchange Commission shall submit a report to the Congress on the results of the study and review required by this subsection.

SEC. 3. COMPENSATION COMMITTEE INDEPENDENCE.

(a) STANDARDS RELATING TO COMPENSATION COMMITTEES.—The Securities Exchange Act of 1934 (15 U.S.C. 78f) is amended by inserting after section 10A the following new section:

''SEC. 10B. STANDARDS RELATING TO COMPENSATION COMMITTEES.

''(a) COMMISSION RULES.—

''(1) IN GENERAL.—Effective not later than 270 days after the date of enactment of the Corporate and Financial Institution Compensation Fairness Act of 2009, the Commission shall, by rule, direct the national securities exchanges and national securities associations to prohibit the listing of any security of an issuer that is not in compliance with the requirements of any portion of subsections (b) through (f).

''(2) OPPORTUNITY TO CURE DEFECTS.—The rules of the Commission under paragraph (1) shall provide for appropriate procedures for an issuer to have an opportunity to cure any defects that would be the basis for a prohibition under paragraph (1) before the imposition of such prohibition.

''(3) EXEMPTION AUTHORITY.—The Commission may exempt certain categories of issuers from the requirements of subsections (b) through (f), where appropriate in view of the purpose of this section. In determining appropriate exemptions, the Commission shall take into account, among other considerations, the potential impact on smaller reporting issuers.

''(4) NO FEDERAL PREEMPTION.—If the law of the State under which an issuer is incorporated provides for a procedure for the board of directors to establish an independent compensation committee, then such State law shall be controlling and nothing in this section shall preempt such State law.

''(b) INDEPENDENCE OF COMPENSATION COMMITTEES.—

''(1) IN GENERAL.—Each member of the compensation committee of the board of directors of the issuer shall be a member of the board of directors of the issuer, and shall otherwise be independent.

''(2) CRITERIA.—The Commission shall, by rule, establish the criteria for determining whether a director is independent for purposes of this subsection. Such rules shall require that a member of a compensation committee of an issuer may not, other than in his or her capacity as a member of the compensation committee, the board of directors, or any other board committee—

''(A) accept any consulting, advisory, or other compensatory fee from the issuer; or

''(B) be an affiliated person of the issuer or any subsidiary thereof.

''(3) EXEMPTION AUTHORITY.—The Commission may exempt from the requirements of paragraph (2) a particular relationship with respect to compensation committee members, where appropriate in view of the purpose of this section.

''(4) DEFINITION.—As used in this section, the term 'compensation committee' means—

''(A) a committee (or equivalent body) established by and amongst the board of directors of an issuer for the purpose of determining and approving the compensation arrangements for the executive officers of the issuer; and

''(B) if no such committee exists with respect to an issuer, the independent members of the entire board of directors.

''(c) INDEPENDENCE STANDARDS FOR COMPENSATION CONSULTANTS AND OTHER COMMITTEE ADVISORS.—The charter of the compensation committee of the board of directors of an issuer shall set forth that any outside compensation consultant formally engaged or retained by the compensation committee shall meet standards for independence to be promulgated by the Commission.

''(d) COMPENSATION COMMITTEE AUTHORITY RELATING TO COMPENSATION CONSULTANTS.—

''(1) IN GENERAL.—The compensation committee of each issuer, in its capacity as a committee of the board of directors, shall have the authority, in its sole discretion, to retain and obtain the advice of a compensation consultant meeting the standards for independence promulgated pursuant to subsection (c), and the compensation committee

shall be directly responsible for the appointment, compensation, and oversight of the work of such independent compensation consultant. This provision shall not be construed to require the compensation committee to implement or act consistently with the advice or recommendations of the compensation consultant, and shall not otherwise affect the compensation committee's ability or obligation to exercise its own judgment in fulfillment of its duties.

''(2) DISCLOSURE.—In any proxy or consent solicitation material for an annual meeting of the shareholders (or a special meeting in lieu of the annual meeting) occurring on or after the date that is 1 year after the date of enactment of the Corporate and Financial Institution Compensation Fairness Act of 2009, each issuer shall disclose in the proxy or consent material, in accordance with regulations to be promulgated by the Commission whether the compensation committee of the issuer retained and obtained the advice of a compensation consultant meeting the standards for independence promulgated pursuant to subsection (c).

''(e) AUTHORITY TO ENGAGE INDEPENDENT COUNSEL AND OTHER ADVISORS.—The compensation committee of each issuer, in its capacity as a committee of the board of directors, shall have the authority, in its sole discretion, to retain and obtain the advice of independent counsel and other advisers meeting the standards for independence promulgated pursuant to subsection (c), and the compensation committee shall be directly responsible for the appointment, compensation, and oversight of the work of such independent counsel and other advisers. This provision shall not be construed to require the compensation committee to implement or act consistently with the advice or recommendations of such independent counsel and other advisers, and shall not otherwise affect the compensation committee's ability or obligation to exercise its own judgment in fulfillment of its duties.

''(f) FUNDING.—Each issuer shall provide for appropriate funding, as determined by the compensation committee, in its capacity as a committee of the board of directors, for payment of compensation—

''(1) to any compensation consultant to the compensation committee that meets the standards for independence promulgated pursuant to subsection (c); and

''(2) to any independent counsel or other adviser to the compensation committee.''.

(b) STUDY AND REVIEW REQUIRED.—

(1) IN GENERAL.—The Securities Exchange Commission shall conduct a study and review of the use of compensation consultants meeting the standards for independence promulgated pursuant to section 10B(c) of the Security Exchange Act of 1934 (as added by subsection (a)), and the effects of such use.

(2) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Commission shall submit a report to the Congress on the results of the study and review required by this paragraph.

The SPEAKER pro tempore. Pursuant to House Resolution 697, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT of New Jersey. I yield myself 4 minutes at this time.

Mr. Speaker, the American public truly should be outraged when they read the front page headlines nowadays with regard to bonuses and pay.

In The Wall Street Journal today, it's a bank bonus tab of $33 billion. You have to read the second headline, though, to realize that the $33 billion is going to the banks that received, basically, the taxpayer bailouts. The bottom line on all of this is that there is nothing in this legislation that would have prohibited this from going forward.

Now, the other side of the aisle on the floor today repeatedly says, Well, the Republican side simply has no alternative; it is just the party of ''no.'' Well, we know that that's not true. On the legislation before us today, with regard to executive compensation, both in committees and through Rules, the Republicans have proposed a number of substantive proposals, which I'll go through right now, which would address the underlying problems that we're trying to address here.

So, if you will permit me, I will now address the three or four main points in this substitute which would get at these points that, I think, outrage America with regard to compensation but which do so in a fair and just manner.

Firstly, in the underlying bill, it allows for a non-binding shareholder vote on executive compensation every year.

We propose instead that such vote should occur every 3 years. Why is that? All the expert testimony we've heard so far says that Wall Street focuses too much on the short term—on the year, on the 6 months, on the three-quarters or on the end of the quarter. Why then when compensation packages usually go longer than 1 year, usually go for 3 years, would we be requiring a vote that would once again refocus the attention on 1 year, a short period of time, as opposed to being in line with the 3-year longer time frame? So we suggest that a 3-year vote would be much more appropriate than a 1-year.

Secondly, as to the shareholders and whom we trust with these decisions, we suggest, if we are going to trust the shareholders to be making these decisions, should we not also trust them to make the decision as to whether or not to have such votes on executive compensation in the future?

So our amendment would suggest that a substitute would allow for a two-thirds vote of shareholders to opt out of the shareholder triennial advisory vote if they are so inclined. We know that this has been a position taken by a number of institutions and companies in the past because they've said that we do not want to have such power, that we do not want to involve ourselves in such decision-making.

We know that it is right now as well because we have a letter from the United Brotherhood of Carpenters which points out the very real reason of why this is. You know, they hold something like 3,603 different companies in their portfolio. They said if they were going to have to make this decision either every 1 year or every 3 years—and considering the due diligence that they would have to engage in—this commitment would be a severe challenge to their fiduciary responsibilities. So, if they want to opt out of this, shouldn't we give them that ability if two-thirds of the voters decide to do so?

Thirdly, State law. The other side of the aisle speaks about State law and about hypocrisy on this issue. Should we be preempting State law in this situation or, as to those States that have already engaged in this area, should they not be able to speak up and have their voices heard and not be preempted by the Federal Government?

Fourthly, and most importantly, is section 4. This section goes well beyond what the administration has already talked about. The administration says they do not really like what this section is in the bill and that they did not propose this section.

So our substitute says that we should be deleting section 4 of the bill, which would allow government bureaucrats rather than shareholders. The bottom line on this one is: Who is it that the other side really trusts to make these decisions? Is it the shareholders, as we saw in the first three sections of this bill, who would make the decisions, and that we would suggest they should be in the position to make the decisions, or is it the bureaucrats whom they think should be able to make these decisions? Is it the same bureaucrats, in the past, over at the SEC, who totally missed the whole Madoff situation, who should be making decisions as opposed to the stockholders? Is it the same bureaucrats who were the regulators for AIG and who totally missed that situation? Is that who they trust instead?

So we would suggest all four points are substantive amendments to this, and we would appreciate their consideration.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, I support the bill. I wish it went a bit further, and I, of course, oppose Mr. GARRETT's amendment.

First, his amendment significantly weakens the say-on-pay provisions. That's right. It weakens a provision, which, itself, simply provides for nonbinding resolutions; but the core of the Garrett amendment is that it eliminates the provision in the bill which is designed to provide very modest restrictions on some very peculiar and pernicious compensation formulas that have been used on Wall Street. Now let us look at how narrow this provision is.

It applies only to financial institutions and then only to those with over $1 billion. It does not prohibit $1 million-dollar-a-month salaries. It does not prohibit $10 million-dollar-a-month salaries. It allows an executive to get a kajillion stock options and another kajillion shares of restricted stock. This bill is not an overall limit on compensation on Wall Street.

What it does is it prohibits those compensation formulas that provide an incentive for taking extreme risks, risks that are bad for our economy, risks that are bad for the company.

Now, the Group of 30, led by Paul Volcker, found and reported that there are numerous examples of misaligned incentives, of incentives that contribute to instability and to cyclicality in financial markets. The crisis has driven home the importance of aligning compensation practices with the incentives and controls in a firm's risk-management program, aligning pay with long-term shareholder interests rather than with short-term returns that cannot be sustained and which entail greater risk.

□ 1115

So this is a provision not designed, not intended to limit the overall financial compensation in financial institutions, not designed to prevent enormous bonuses. But the bonuses must not, by themselves, be designed to undermine the economy or the company.

Now, this is a small step that we can take to make sure we don't have another financial meltdown.

Let me respond to Mr. HENSARLING and others who came to this floor and basically said all we have to do is make sure there are no further bailouts. Well, I opposed the Wall Street bailout, but I'm not going to join with those who say the only problem we had in September of 2008 is that we voted for the bill.

We've got to act to prevent the next financial meltdown, and it is not enough to come to this floor and say, Well, it's okay to have another September 2008 as long as we vote against some future bailout bill twice instead of once.

The goal is not to defeat the TARP bill. The goal is to prevent the conditions which caused so many to think that it was necessary and for all of us to recognize that we faced a great financial crisis.

The way to do that is to vote down this amendment and make sure that some very peculiar, very pernicious incentive formulas are not used to cause those on Wall Street to feel that if they could only take the most enormous risk, they can maximize their compensation.

Mr. GARRETT of New Jersey. I yield 3 minutes to the gentleman from Texas (Mr. NEUGEBAUER).

Mr. NEUGEBAUER. Mr. Speaker, I rise in support of the Garrett substitute. This is a reasonable and thoughtful substitute. Republicans on the Financial Services Committee are here to bring good ideas to the table to try to work with the majority to ensure that our markets operate with transparency and integrity.

Our substitute includes a non-binding shareholder vote on executive legislation. Rather than vote every year, though, our substitute aligns the vote with standard time frames of compensation packages and ensures that institutional investors who represent the shareholders in casting their votes will be able to have proper time to do the due diligence necessary to make meaningful votes.

The substitute allows shareholders who don't want to be involved in these votes to opt out. Makes sense to me. If I don't want to particularly be involved in that, give me the opportunity.

Finally, the substitute ensures that the Federal Government cannot decide to pay for employees or financial institutions. Determining pay practices is not the role of government. As we work together to reform the financial regulatory structure, debating compensation practices may make some feel better, but it doesn't fix the cause of our financial crises. While we and the public may not like to hear about some of the large salaries and bonuses others have earned, we have to ask ourselves how much did these compensation practices really contribute to the problem.

The most important tool available to regulators is the ability to set capital standards for financial institutions, not the ability to tell financial institutions how they can pay or how much they should pay their employees. We need regulators to ensure capital and leverage ratios at financial institutions match the risk that those entities are taking on. That's what regulators should focus on, not deciding whether or not a certain incentive practice is appropriate or not.

Ohio State University finance professor Rene Stulz recently released a finished study comparing bank performance last year and CEO incentives leading up to the crisis. Professor Stulz is quoted in today's New York Times: ''It's hard to believe that regulators will be better at devising compensation plans with proper incentives,'' he says. ''Properly designed capital requirements are a much more efficient approach to regulate the risk of financial institutions than fiddling with compensation.''

When we allow Federal regulators to decide how much employees of financial institutions get paid, the government is overreaching. Congress should be working to encourage well-managed, well-run, and well-capitalized financial institutions. This bill does the opposite.

Support the commonsense Garrett substitute.

Mr. FRANK of Massachusetts. I yield myself 3 minutes.

First, I had been taking as given that the President's press secretary said he had some problems with the bill. I know Mr. Sperling did, and as I said, we have the Republicans in a temporary mode of obedience to the President. A little bit of a culture gap there. They thought it was still George Bush. They are used to snapping to attention for President Bush. Apparently, a little of that left over for President Obama. I think we should have been independent in both cases.

I read the transcript of the press conference. Mr. Gibbs said nothing negative about this. He was asked if he would sign this bill. He said, Well, there are some pieces of it we are moving and it will go through the Senate. And when he didn't fully answer it, he got a tough follow-up question about whether or not they were trying to avoid spilling beer on the President's children's table.

I do also want to talk about say-on-pay, which the Republicans are now embracing.

Here's what the gentleman from Alabama, the ranking member of the committee, had to say as a prediction when we debated this in March of 2007:

Evidence that free-market forces are already at work to correct any excesses in the system should give this committee real pause before it seeks to impose a legislative fix that could, like past efforts in this area, have unintended and negative consequences.

In March, well over 2 years ago, the gentleman from Alabama confidently predicted that free-market forces are already at work to correct pay excesses. So apparently the gentleman from Alabama was correct, there have been no pay excesses in 2½ years. We've all been hallucinating. He was wrong then, and he's wrong now. Now they're wrong on different levels. They've now had to acknowledge the importance of say-on-pay.

I also would repeat when I say the Republicans have no version. They want to weaken say-on-pay, but with regard to the bonus structure that gives people an incentive to take risks because the decision-maker is risk free, even though the company is at risk, the Republican position is zero. There has not been in any of our deliberations any Republican approach to how you deal with the incentive to take excessive risk. No way, no how.

They have reluctantly agreed to say-on-pay, although they want to water it down, and that's to the argument that an annual vote focuses you short term. Of course not. There is an annual proxy vote. It goes on the proxy. It doesn't require you—if you've got a 3-year contract, then every year it would still be approved.

So this notion that it focuses on the shorter term is, of course, wholly inaccurate because it simply says you put it on the proxy every year. Some companies will have annual contracts, some biennial, and they are voted on. And if they are triennial, there is nothing at issue.

But again, the central point is this. The purpose of this amendment—there are two. We can say on paper but more importantly have the Federal Government say nothing whatsoever about the bonus structure. Those financial institutions that received TARP money and paid it back and now want to do these bonuses in ways that will recreate the risk will be entirely free to do so under this amendment.

Mr. GARRETT of New Jersey. I am pleased to yield 3 minutes to a leader

in advocating for those free-market principles that made this country as great as it is, the gentleman from Texas (Mr. HENSARLING.)

Mr. HENSARLING. Mr. Speaker, to quote the distinguished chairman of the Financial Services Committee, he was wrong then, he is wrong now to say that Republicans have no program to deal with excessive risk and compensation packages. Yes, we do have a program: end the bailouts. End the TARP program. If you quit bailing out risky behavior, Mr. Speaker, you receive less risky behavior.

Second of all, the gentleman is also wrong as far as the Republicans having no program otherwise we wouldn't have this substitute that we are debating at the moment. I also heard the gentleman from North Carolina earlier say, Well, we need to have the underlying legislation because shareholders have no right to have a say-on-pay. Wrong again, Mr. Speaker. Shareholders have the right. They can have a say-on-pay by electing directors who will fire the management. They have a say to invest elsewhere.

Their bill says we have to have mandatory say-on-pay. Now, we can debate the merits of it, but the gentleman from North Carolina was simply, clearly wrong.

I also want to say to my friends on the other side of the aisle, when I listen to, again, the logic that we have to have a new Federal regulation that somehow will regulate risky incentive pay structures, again, all of the rhetoric has to do with Wall Street. But guess what? Read the bill. Look at the interpretation.

Financial institutions. Chrysler and GM have been found to be financial institutions. We have had testimony when they came looking for the taxpayer bailout that the UAW, the United Auto Workers, had a pay structure that was 40 percent higher than their competitors.

So now we have a law here that will allow Federal regulators, I assume, to come in and say, Folks at the UAW, your incentive structure is contributing to the demise of Chrysler and GM. So we're going to have to come down and take down your wage rates.

Read the bill, Mr. Speaker. This isn't restricted to the top executives. And if anybody believes this is restricted to Wall Street, then why did Chrysler and why did GM get coverage under a statute that described institutions?

So, Mr. Speaker, what we have is a Federal Government that is now taking over our auto companies, telling us what kind of automobiles we can drive. They're taking over our mortgage companies, telling us whether or not we can even enjoy a mortgage. They now want to control access to our family doctor, and now they want to decide for millions and millions of Americans whether or not they can ever receive a sales commission or a Christmas bonus that they may view as too risky.

What is risky is too much politization of our economy. What is risky is too much government control of our economy. We have had enough.

Mr. FRANK of Massachusetts. Mr. Speaker, just briefly, the gentleman talked about the bailout of General Motors and Chrysler which, of course, was under the Bush administration. The fact that the Bush administration decided to initiate a bailout of General Motors and Chrysler is not binding on this legislation. They are not under financial regulators and wouldn't be covered under this bill.

I now yield 3 minutes to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Let me say this: Mr. GARRETT's amendment is sort of like not having a say-on-pay but maybe just a little whisper. Mr. GARRETT's amendment goes at the heart and the soul of this bill and that is this: that we must have a very strong, definitive say-so from the shareholders.

Now, Mr. HENSARLING, the gentleman from Texas, pointed out about the bailouts and how we're to prevent this. This measure that we have is designed to prevent this same situation from happening again. In section 4, as he pointed out, the reason we need section 4—and let us remember what section 4 is: section 4, again, is the heart and soul of this because it spells out how we're going to go about preventing bonuses tied to incentives that have dragged down this economy and brought us into the financial situation we have.

He questions the regulators. Maybe the American people might need to know who we're talking about. We're not talking about somebody over here inexperienced we're just going to set up. Who are these regulators? These regulators are the Federal Reserve Bank whose duty it is to regulate our economy. It is the Office of the Comptroller of the Currency, the Federal Deposit Insurance Corporation that has to go in afterwards and fix banks and declare bankruptcy of banks. The Office of Thrift Supervision, the National Credit Union Administration Board and the Security and Exchange Commission and the Federal housing agencies.

What is this awesome power we're giving to them? It's spelled out very simply. What we want them to do is simply we will require these regulators to prohibit certain compensation structures at large financial institutions if they could have a serious adverse effect on financial instability. That's what we are trying to do. We're trying to prevent the same thing from happening again.

And then, secondly, we will require Federal regulations to write rules requiring Federal institutions to simply disclose their incentive-based pay plans, incentives that are tied to risk behavior.

□ 1130

Mr. Speaker, what has happened that brought this on here is a simple case, AIG. They went and they set up a little department with 430 employees out of Connecticut and over into Europe and assigned them risky behavior and signed their rewards to that risky behavior for their bonuses. The company came down. We had to bail them out. And you know who had to pay for those bonuses? The taxpayers. This bill is designed to prevent that. This amendment is designed to gut it.

Vote down the amendment.

Mr. GARRETT of New Jersey. I yield 2½ minutes to the ranking member, the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Speaker, we continue to hear this mantra that this is all about shareholders and empowering them with rights, but then you sort of give them a crumb, you give them a non-binding right to have a vote on pay and then you follow that up with 12 or 14 pages where you give the government all sorts of powers, powers to regulate pay bonuses. And you do that, you give the shareholders the right to have a non-binding say on the top executives, but then you give the government, in the back door, the last 15 pages of the bill, 14 pages, you give them the right to set the pay for every rank-and-file employee. And you also do it under the guise that these companies are so big and so systemically important that they may fail. And that's right, they may. But then you do all the other 99 percent of the companies that aren't going to fail.

Now, Chairman FRANK, last month, invited, I think, one of his favorite witnesses, Nell Minow, who is a leading shareholder rights advocate, to testify on his say-for-pay bill. And she came and she testified favorably. And then he added this government say-on-pay, where the government will make the decisions. Well, just yesterday, we had what we call a ''man bites dog'' moment. She came out and she posted this on her Web site. She now opposes, vehemently opposes, section 4 of the bill, the government say-on-pay.

She states, The standard is unworkable. What does inappropriate mean? Boy, I agree. Deciding whatever bonus or whatever incentive pay or whatever commission is inappropriate. She asked the same question that we asked, Who is in the best position to evaluate and respond to badly designed pay packages? Here's her answer, the entire answer: ''I have the utmost respect for politicians and bureaucrats, but I also recognize their limits. The government should not micromanage pay.''

And that is what this debate is about: Are you going to let the government do it, the board of directors do it, or are you going to let the shareholders do it? Obviously, you go to the default position that you went to on health care, cap-and-trade, and now financial services: Let the government decide.

Mr. FRANK of Massachusetts. Mr. Speaker, I will take 30 seconds to say, apparently the gentleman from Alabama only has witnesses if he's sure he will agree with everything they've ever

said. He says it's ''man bites dog'' because we had an honest witness with whom we agreed in some parts and disagreed on others. Apparently, the notion of having a witness that you haven't totally vetted for everything she's ever said is new to the gentleman from Alabama.

I will continue to invite witnesses that I think are useful, even if I don't always agree with them. And I would repeat that the gentleman from Alabama's say on this—he was against say-on-pay. He says it's just not much, but it was enough for him to say it was going to cause real problems 2½ years ago. And I repeat his view on pay, in March of 2007, Evidence that free market forces are already at work to create any excesses should give this committee pause, but seeks to oppose a legislative fix that could have unintended and negative consequences. He was talking about that insignificant say-on-pay.

I yield 1 minute to the gentleman from Indiana (Mr. CARSON).

Mr. CARSON of Indiana. Mr. Speaker, today I've heard a number of interesting accusations about what this legislation would do if passed. I have heard that the government will sit in board rooms and set caps on pay. But of course my constituents are accustomed to hearing these kinds of false arguments from those who wish to maintain the status quo.

My constituents sent me to Congress to move beyond the status quo of a broken financial regulatory structure. They sent me to enact commonsense reforms like those included in the legislation we're discussing today, Mr. Speaker. They know that average families have cut back, work longer hours, and have saved their money during this crisis. Meanwhile, Wall Street execs have acted irresponsibly and enjoy the lavish compensation packages that have allowed their companies to fail.

So I am proud to be an original cosponsor of this bill that will bring about a new era of responsibility on Wall Street. I encourage my colleagues to do the same.

Mr. GARRETT of New Jersey. Mr. Speaker, may I inquire as to how much time is remaining and who will be closing?

The SPEAKER pro tempore. The gentleman from Massachusetts has the right to close.

The gentleman from New Jersey has 3 minutes remaining, and the gentleman from Massachusetts has 3¼ minutes remaining.

PARLIAMENTARY INQUIRY

Mr. GARRETT of New Jersey. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. GARRETT of New Jersey. As far as the procedure for determining who closes, is it not the author of the amendment?

The SPEAKER pro tempore. A manager controlling time in opposition has the right to close the debate.

Mr. FRANK of Massachusetts. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. FRANK of Massachusetts. Did the gentleman not notice that Mr. PRICE had the right to close because he was defending the committee on the amendment that I offered?

Mr. GARRETT of New Jersey. I yield myself the remaining 3 minutes.

Mr. Speaker, the final question, I guess, is who do we trust. Who do we trust to deal with the situation of pay?

The gentleman just spoke on the floor with regard to protecting the interests of his constituents. You know, it doesn't really matter who your constituents are, whether they are the CEO at the top of the ladder, someone in between, the receptionist, anywhere along the line as far as pay scale, this bill will affect them and will affect their ability as far as what their compensation is. It will affect the ability of the Federal Government to dictate what their compensation will be. Government bureaucrats will be making those decisions in the future as opposed to the people involved with the company. Large income or small, bureaucrats will be the ones at hand to make those final decisions.

The odd thing about this legislation, as we read through it and as you look at our amendment to try to address this problem, is that the underlying bill gives with one hand and takes with the other. As has been previously indicated, it gives with one hand in a tacit approach to say that the shareholders should be able to make these decisions, but then it takes that right back again when it says, then, When the government decides that those shareholders made an incorrect decision, some bureaucrat at the SEC or the Federal Reserve or someplace else will overrule that decision and take that power away from them.

It says in the committee, on the one hand, that States should have some say in some aspects of financial service regulation matters, such as with the VFPA, where they do not want to preempt State rights, but here they want to step in and preempt those States, States that may have had a long history of dealing with such situations as executive pay compensation, or States that may want to address it in the future, but the underlying bill says that they will preempt that.

That is why we have come up with an alternative. We have come up with a solution. We are not the ''party of no,'' we are the party of reform, a party that says we should address this on a longer period of time, a party that says that we should allow the shareholders to be able to decide these issues, a party that says that when it comes to compensation, the Federal Government should not be intermeddling.

Now, there was an article in The New York Times recently. It quoted from Alan Blinder, a Princeton economist and former Vice Chairman of the Fed who wrote recently for the Wall Street Journal with regard to this. He said, The executives, lawyers, and accountants who design compensation systems are imaginative, skilled, and definitely not disinterested. Congress and government bureaucrats won't beat them at their own game. Congress has tried to do this in the past when they set the issue with regard to deductibility for executive compensation at $1 million. It had the unintended consequence of setting $1 million as the floor, and Wall Street then went from compensation packages greatly exceeding this. We may well see the same thing with this underlying legislation as well.

In the headlines that I started the hour out with, Bank Bonuses $33 Billion, money that is actually coming from the very taxpayers who are watching us here right now, this underlying legislation will not change that. Despite the fact that the gentleman from Texas tried to limit this legislation to try to address this legislation to situations as TARP companies, this legislation will not solve this. Our substitute will.

Our substitute will return the power to the individual. It will return the power to the corporation and, most importantly, return the power to the shareholder and take it from the government bureaucrat.

Mr. FRANK of Massachusetts. I yield our remaining time to a leading member of the committee, the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. Mr. Speaker, I appreciate the comments of my friend from New Jersey, but I would say the word that comes to mind is ''amnesia.'' My friends on the Republican side of the aisle have amnesia. They have amnesia over how the Bush administration tried to deregulate everything, tried to make government smaller and more ineffective so that we could have Ponzi schemes as existed under Madoff. That occurred under the George Bush administration. We had the failure with Katrina, and we had the biggest collapse in the banking sector ever because of deregulation and a belief that the free market could do anything it wanted to do.

Now, this bill is very mild. What it allows, Mr. Speaker, is it allows shareholders to have a say on what the officers of the company make in terms of salary, the owners having a say on pay. What could be more American and more free enterprise than that?

What it does allow is the board of directors to overrule the shareholders if they think that's appropriate. But we need to have the ownership of the company have a say on what their executives make so that it doesn't get out of line and that there is no back-scratching going on.

The second piece that my friends complain about and that the substitute is designed to gut is that the Federal banking regulators have a say on the commissions and the bonuses and the

stock options that exist. And where we saw this most specifically was in mortgages. Lots of mortgages sold, lots of commissions made, lots of stock options went straight through the roof, but there was a time bomb in those mortgages 4 or 5 years down the road that caused all those mortgages to fail and companies and banks to collapse.

We're not going to allow that anymore. We're not going to allow the taxpayer to be holding the bag the way we've had to hold the bag this last fall. It is a time for reasonable regulation to restore confidence in our financial system. That's what this bill does. The substitute amendment guts that.

I urge a ''no'' vote on the substitute and a ''yes'' vote on say-on-pay.

PARLIAMENTARY INQUIRY

Mr. GARRETT of New Jersey. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. GARRETT of New Jersey. Can the Chair indicate how much time is remaining?

The SPEAKER pro tempore. All time for debate on the amendment has expired.

Does a Member seek unanimous consent to extend the debate?

Mr. GARRETT of New Jersey. Yes.

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

Mr. FRANK of Massachusetts. Let me reserve the right to object.

Members want to get out of here. I cannot be responsible for keeping Members here.

Apparently there is an effort—I don't think we ought to keep everybody in the dark about all this. There is apparently an effort to negotiate a unanimous consent agreement involving another bill, so they are asking us to delay this. I am perfectly willing to do this as long as people know it's not our fault. We were ready to get finished. There is a bipartisan leadership request that we wait another 10 minutes. I am perfectly prepared once people understand that, but I do think this kind of whisper-whisper, nobody will know is not a good way to go, so let's be honest about it.

The SPEAKER pro tempore. Without objection, debate will be extended by 5 minutes on each side of the aisle.

Mr. FRANK of Massachusetts. Mr. Speaker, I reserve my time. I have, at most, one further speaker.

Mr. GARRETT of New Jersey. I yield myself such time as I may consume.

I appreciate the gentleman from Massachusetts for working with the respective parties in order to ameliorate any situation that is going on outside of this area. And just as the gentleman says, it's nothing on your side of the aisle in the Chambers today at fault, and I guess we would say the same thing for those who are sitting here right now as well.

I left my last comments with the question of who do you trust and what do we need to do in order to address this situation. I will step back from that for a moment to look to the larger issue here that we are trying to uncover.

I commend the gentleman for the number of hearings that we have had over the last several weeks to try to delve into the various matters that dealt with the fiscal crisis we are currently facing in this country.

□ 1145

One of the takeaways, though, that I have had from those myriad of hearings that we have had is that the underlying concern of the Members of the House on both sides of the aisle is to try to get at the root cause of what was it that actually brought us to the current financial situation that we find in this country today.

We have heard a number of experts from think tanks, from Wall Street, from across the country expound upon where they believe what the underlying cause was. We have heard some who said it was with regard to GSEs, Fannie Mae and Freddie Mac, the fact that there was excessive leverage there allowed this to occur. There was someone who just spoke on the other side of the aisle who is in the chair right now who said that it was all due to deregulation, although I always raise the question whether or not they could cite those specific actions by Congress of deregulation other than the issue of Gramm-Leach-Bliley with regard to deregulation. And we have heard other areas as far as excesses both by government and Wall Street.

But through all those debates, I have yet to recall anyone who could provide any factual evidence, any factual proof, other than just their opinion, that the underlying cause was because of excessive pay by various corporations in this country. No one, certainly, brought up the idea that the problems that brought us here were due to excessive pay outside of the financial sector. So then we have to look at the underlying legislation and answer the question, what is it we are trying to get to here?

In the major portion of the legislation, which goes to allowing shareholders' rights to vote with regard to executive compensation outside of the financial sector, no evidence whatsoever that that brought us to the situation. So we ask why is that even in the underlying bill?

Now, we do try to attempt to reform it, inasmuch as that is all we can do at this point, by putting on a 3-year extension as opposed to a 1-year period of time. We also tried to reform their idea to say that States that have already looked into these issues should have the prerogative to continue with their legislation, that they are more knowledgeable, they have been more engaged, they follow the trends more in their States in their corporations in this area.

So we tried to reform and improve the legislation in that area as well. We also tried to reform it in a last way to say that, for those corporations that say that we have looked at this situation, our shareholders have digested the information and realize it would not be to the benefit of the corporation or the shareholders themselves, and over two-thirds of those shareholders say that they do not want to engage in setting pay but rather would allow it to return to where it has always historically been in this country, and that is by management and by the directors, we put that in the legislation as well.

But, still, the underlying bill takes all those powers away from the shareholders, from the management, from the directors, and it does so without any evidence that they were at all a cause of the problem.

Now, section 4 does, arguably, go to financial institutions, and it goes to those institutions that, arguably, could be, some would say, a cause of our current situation. But we already had regulation in place for most of those financial institutions. We already had regulators who were supposed to be doing their job. We had regulators over at SEC with regard to the Madoff situation. And, unfortunately, we know all too well they failed in that job. Despite the fact that there was testimony that evidence was presented to them, handed to them, documenting why that Madoff situation was out there and why the SEC should be involved, the regulators missed it.

We saw it as well with regard to regulators missing it over at AIG as well. Those regulators had authority to regulate those institutions as well, but did they do so? No. They missed it completely with regard to the whole AIG situation.

Now, the other side of the aisle seems to say that that was then and this is now, that the same regulators who missed Madoff, the same regulators who missed AIG, the same regulators who missed executive compensation and other problems in the past, now, all of a sudden, we are going to expand it even further and say we are going to give those regulators even broader authority for financial institutions, however they may be defined in the future, because this bill realizes that it may be expanded further. They now entrust those regulators.

We would conclude that we should trust the shareholders, the American people, more than we should trust the bureaucrats.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 5 minutes.

First of all, let me emphasize when the gentleman from New Jersey says ''trust the shareholders,'' that's a conversion. We are born-again shareholder advocates, because in 2006 when the Republicans controlled this institution, they would not even on the Financial Services Committee allow it to come up. We had a petition under the rules for a hearing. Then we asked for a markup and they refused it.

Then in 2007 the gentleman from Alabama, the gentleman from New Jersey, and the others, they all opposed say-on-pay. The gentleman from Alabama told us in 2007 that the free enterprise system was taking care of pay excess. He said that in March of 2007. All of the problems that we've had with pay in the interim apparently were figments of our imagination. The gentleman from Alabama had such confidence in the free enterprise system 2½ years ago, he told us they weren't going to happen. And say-on-pay now, oh, it's not a big deal. It was a big enough deal for them to oppose it.

By the way, let me say to the gentleman from New Jersey, here's the problem: No, it's not so much conscious acts of deregulation as nonregulation. What happened was new things grew up in the economy, particularly in the area of subprime mortgage and the way of packaging them and sending them around. And some of us in the minority wanted to change it. There were party differences.

In 2004 my friend from North Carolina (Mr. MILLER) who was here earlier, he spoke with people at the Center For Responsible Lending in North Carolina who told us in 2004 trouble was coming. By the way, trouble was coming because of an excessive encouragement of low-income people to buy homes, not from the CRA and not from liberal Democrats, but from the Bush administration. The gentleman from Texas (Mr. HENSARLING) inserted an amendment which we adopted. In 2002 the Bush administration sped this up. In 2004, over my objection among others, the Bush Administration directed Fannie Mae and Freddie Mac to substantially increase the number of subprime mortgages they were buying and for people below income. That's in the amendment that Mr. HENSARLING offered that we adopted.

And some of us saw the problem at that point. I hadn't seen a problem with Fannie Mae and Freddie Mac before, but I did in 2004 become worried. I joined the gentleman Mr. Oxley in trying to pass a bill, although I had a housing problem on the floor. The gentleman from Alabama voted with Mr. Oxley and many others did. Other Republicans thought Mr. Oxley was too soft, and we then got into an intra-Republican dispute on Fannie Mae and Freddie Mac where the House passed the bill, the House under the Republicans, supported by the overwhelming majority of Republicans, every amendment offering to toughen it up rejected by an overwhelming majority of Republicans.

And the Republican Senate had a difference. Ironically, the Democrats in the Senate agreed with Mr. Oxley. The Republicans in the Senate agreed with Mr. Bush. No bill.

We also tried, as I said, to do something about subprime lending. The gentleman from North Carolina pushed for legislation. The gentleman from Alabama, to his credit, was somewhat interested in working with us on it. But the Republicans were overruled by the then-majority leader, Mr. DeLay, who used the rhetoric we're hearing today: keep the bureaucrats out of it and let the free enterprise system do it. That was the prevailing philosophy of the Republicans who ruled this House in 2004 and 2005.

So when some of us, including the gentleman from Alabama (Mr. BACHUS), tried to work on legislation to restrict subprime lending, Mr. BACHUS was even chairman of the subcommittee, and he was overruled. The chairman of the committee, Mr. Oxley, was told, No, we don't do that. We're Republicans. We believe in free enterprise.

So it was a conscious decision not to do anything about——

Mr. LEWIS of California. Will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from California.

Mr. LEWIS of California. I wish the gentleman would start over. I'm finding it difficult to understand your very rapid speech. Will you slow down a little bit?

Mr. FRANK of Massachusetts. No. I tell you, to the gentleman from California, he's going to have to speed up. I'm not going to slow down. But if he waits a couple of days, there's a very competent transcriber here. He'll be able to read it, and maybe we can even get it put into large type for the gentleman from California.

And now, the gentleman's having tried to interrupt me because that's what people do when they don't like what you're saying, I will return to the tale of how the Republicans told us not to do subprime lending. And we had legislation working. If we had been able in 2005 to get that legislation done, we could have retarded the depths of the crisis. So, yes, there were regulators who didn't do their job, but there were conscious decisions not to regulate.

There was a bill passed, by the way, in 1994 by a Democratic Congress, replaced in 1995 by a Republican Congress, which gave the Federal Reserve the authority to regulate mortgages of the kind that caused trouble. Alan Greenspan, supported by the Republicans in Congress, refused to use that authority. It was when he continued to refuse that some of us tried to do something. So, yes, that's where we got this, because a Republican commitment to never doing anything of the sort that they are talking about now that let subprime mortgages flourish.

The SPEAKER pro tempore. All time has expired.

Pursuant to House Resolution 697, the previous question is ordered on the bill, as amended, and on the amendment in the nature of a substitute printed in House Report 111–237 offered by the gentleman from New Jersey (Mr. GARRETT).

The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

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

RECORDED VOTE

Mr. GARRETT of New Jersey. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to House Resolution 697, further proceedings on this question will be postponed.

Pursuant to clause 1(c) of rule XIX, further proceedings on the bill will be postponed.

□ 1200

PARLIAMENTARY INQUIRY

Mr. FRANK of Massachusetts. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FRANK of Massachusetts. Is there some way that I can convey to the membership that this incredible intrusion on their time is in no way the responsibility of the Financial Services Committee, that we are ready to go to a vote and we are as much the victim as anybody else of this—whatever it is?

The SPEAKER pro tempore. The gentleman may seek time to address the body.

Mr. FRANK of Massachusetts. Well, I don't want to inflict further excess on the body.

SUPPLEMENTAL APPROPRIATIONS, FISCAL YEAR 2009

Mr. PERLMUTTER. Mr. Speaker, I ask unanimous consent that the Speaker be authorized on this legislative day to entertain a motion to suspend the rules relating to H.R. 3435.

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

There was no objection.

Mr. OBEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3435) making supplemental appropriations for fiscal year 2009 for the Consumer Assistance to Recycle and Save Program.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3435

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2009, and for other purposes, namely:

DEPARTMENT OF TRANSPORTATION

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

CONSUMER ASSISTANCE TO RECYCLE AND SAVE PROGRAM

(TRANSFER OF FUNDS)

For an additional amount for ''Consumer Assistance to Recycle and Save Program'' to carry out the Consumer Assistance to Recycle and Save Program established by the Consumer Assistance to Recycle and Save

Act of 2009 (title XIII of Public Law 111–32), not to exceed $2,000,000,000, to remain available until September 30, 2010: *Provided*, That such amount shall be available for such purpose only to the extent directed by the President, and shall be derived by transfer from the amount made available for ''Department of Energy—Energy Programs—Title 17–Innovative Technology Loan Guarantee Program'' in title IV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5): *Provided further*, That the amount under this heading is designated as an emergency requirement and necessary to meet emergency needs pursuant to sections 403 and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 2. Section 1302(g) of Public Law 111–32 is amended by inserting the following new paragraph:

(3) REVIEW OF ADMINISTRATION OF THE PROGRAM BY GOVERNMENT ACCOUNTABILITY OFFICE AND INSPECTOR GENERAL. Not later than 180 days after the termination date described in subsection (c)(1)(A), the Government Accountability Office and the Inspector General of the Department of Transportation shall submit reports to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate reviewing the administration of the program.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. OBEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on H.R. 3435.

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

There was no objection.

Mr. OBEY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, late yesterday, it came to our attention that the cash for clunkers program, which went active just a few days ago, has proven even more wildly popular than its strongest supporters had predicted.

Just last month, Congress passed the program, which provided up to $4,500 if you trade in your old gas guzzler for a new car that gets better mileage. That was done in the hopes of spurring some new car sales and encouraging people to be a little more environmentally friendly. We provided $1 billion in the supplemental to get it going, enough for about 250,000 sales.

The program kicked off Monday, and it has already officially received 40,000 requests for reimbursement, worth about $160 million in rebates. A survey done by the National Automobile Dealers Association this week suggested that at least 200,000 deals have been completed but not yet officially submitted. If that is true, and we are being told it probably is, then the entire $1 billion is just about exhausted. So we have before us a bill to provide stopgap funding for cash for clunkers by allowing the administration to transfer up to $2 billion from the Department of Energy's Innovative Technology Loan Guarantee program, which doesn't expect to award funding until late next year.

Some would call this letting the markets work. Consumers have spoken with their wallets, and they are saying they like this program; and clearly it is doing what it was intended to do, to spur car sales in this sluggish economy.

□ 1215

This action will keep it going, hopefully; and I would urge support for the bill.

I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I rise to point out the absurdity of the situation we find ourselves in today. In the majority's haste to slam legislation through the floor with almost no consideration at the committee level, with no time for consideration by the House membership in general, and with absolutely no ability for the Members of this body to amend bills on the floor, we are now seeing the effects of such shortsighted martial law tactics.

Mr. Speaker, the Cash for Clunkers program was passed on the suspension calendar so no Members were able to offer amendments. The Senate had a comparable bill with some significant differences. The House and Senate bills should have gone to full and open conference so those differences could have been negotiated and a conference report then brought for a vote. Instead, the leadership of this body, without consultation or negotiation, stuck the House version of Cash for Clunkers on what was supposed to be a, quote, clean war supplemental, a bill only for the purpose of funding and supporting our troops and our efforts overseas in the war on terror. They had to do that because of the mess the majority created of the conferenced bill, and I use that term loosely, as most of the funding levels and programs were determined not in a conference but by the House leadership and by my chairman. But when it came to counting votes, the leadership and the chairman had to do some dancing and started loading up the war supplemental with extraneous and unrelated items, all of which needed to get more votes. Cash for Clunkers was one of those items.

My colleagues in the Senate, Senator FEINSTEIN, in particular, and Senator COLLINS, had some serious concerns with the House bill. Senator FEINSTEIN tried to negotiate some changes to improve the program but was rebuffed, as I understand it, by my chairman. Basically they were told that it was his way or the highway. Here we are today—not one hearing on the Cash for Clunkers program in the Appropriations Committee, not one hearing on the needs of the program prior to receiving funds, not one hearing on how the first billion dollars has been spent, not one hearing on how much money the program will need to get through the fiscal year. Instead, we find ourselves on the suspension calendar for the second time in 3 days, bailing out another program, shoveling another $2 billion out the door this fiscal year after we've shoveled $14 billion out the door to bail out the highway programs and other related items.

My colleagues are going to pat themselves on the back for finding an offset for this transfer; and for that I say two things: first, you should have been finding ways to offset spending all year; second, if there was an extra $2 billion in the stimulus program that was suitable for a different purpose, why did we spend the $2 billion in the first place? How many other billions of dollars are in the stimulus not being spent that we can return to our taxpayers?

Now many of my colleagues will say, This is a great program, and it is necessary for the revitalization of the economy and the car industry. I'm not really going to argue with those goals. Those are good goals, and we are looking for solutions. However, are we sure this program is working like it's supposed to? I don't think so. How is it that we didn't hear of this funding problem until last night? And even then we were told there was roughly 24 hours before they were going to shut down the program. This program has only been up and running 1 week. If that is how the government is going to handle billion-dollar programs affecting all Americans, I ask, Whatever will we do if the administration takes control of our health care system? I quote one car dealer from New York: ''If they can't administer a program like this, I'd be a little concerned about my health insurance.'' I say, amen.

I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself 30 seconds.

I'm not going to give any political speeches. We are simply trying to react to one program that the public has latched onto. The demand for this was so great that within 3 days of its inception, the funds were, apparently, totally used up. That indicates that we need to do something if we don't want the program to shut down 3 days after it begins. That's what we're trying to do today.

With that, I yield 2 minutes to the distinguished gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. I thank the distinguished chairman for the time.

Mr. Speaker, I was one of the original sponsors of the Cash for Clunkers bill. Many of us knew that it would work well. Few of us realized how well it would work. This program has been truly stimulative. Lots of people are questioning whether the Congress has passed anything that is stimulating the economy. This program has stimulated the economy. We have doubled car sales over the past 5 days. This is truly stimulative. It is creating jobs. It

is creating a surge for car dealers. The American consumer is satisfied with it, and we need to continue it. The American consumer has taken Cash for Clunkers on a test drive, and they want to continue driving Cash for Clunkers. They want to continue this program. In fact, not only should we continue it over the next 6 weeks by providing emergency funding, but we ought to improve it when we return in September. We should improve it by increasing the efficiency standards. We should improve it by making used cars eligible for the program. We should improve it through a long-term program because we have learned that the short-term program was so successful that we have exhausted the funds in only 5 days. This is an example of a bipartisan program that makes sense. We need to create a bridge of funding for the next 6 weeks, come back and extend it and improve it into the future.

Mr. LEWIS of California. Mr. Speaker, I yield 3 minutes to the gentlelady from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. I thank the gentleman for yielding.

Mr. Speaker, I was very proud to be the Republican lead sponsor of the original legislation that we passed a number of months ago. Cash for Clunkers—what a fantastic success. This program has exceeded everybody's expectations; and now most of the naysayers are even admitting that it's the best $1 billion in economic stimulus funds that the Federal Government has ever spent.

Here are a couple of today's quotes from those who are directly impacted. First of all, the CEO of one of our Nation's largest auto groups said, ''The most brilliantly conceived and most effective economic stimulus program ever put forward by the Federal Government.''

Ford Motor Company says, ''Huge success.''

This Congress appropriated $1 billion or November 1, whatever came first, and only several days into the program, we need more cash for the Cash for Clunkers. We can just think about the tremendous economic multiplier effect this is having. It is good for the auto dealers; it is good for the auto manufacturers; it is good for the suppliers; it is good for workers; it is good for the States, Mr. Speaker. Think about all of the revenue that is being generated by sales tax and licensing fees as well for this program. It is good for the environment. It's getting all of these old vehicles off the road, and it's absolutely great for consumers.

Let me just read quickly. Here's one letter I got from a lady in Dearborn Heights, Michigan:

Thank you for pushing through and helping to develop the Cash for Clunkers legislation. I am now the happy owner of an American-made 2010 Ford Fusion that I will be picking up on July 30. It has been 12 years since I have been able to purchase a new vehicle. I was able to save over $7,000, before tax, on my Ford Fusion. My old vehicle was a 1995 Ford Windstar with 150,000 miles.''

She says, ''I'm so excited for me.''

Well, we're excited too.

Mr. Speaker, throughout our Nation's history—since we've had the automobile, actually—it has been automobile sales that have literally pulled our Nation out of recession; and this time it's going to be the same. I think we are seeing ourselves being placed on the road to economic recovery here, and this road is paved by the Cash for Clunkers program.

I actually wrote a letter at the beginning of this week to the Speaker and to the House leadership, saying that we were going to run out of money, that we were going to need some more money for this program. Here we are on Friday of the first week. We absolutely need to do this, Mr. Speaker. We cannot leave for our August recess until we vote for this reprogramming of unspent economic stimulus funds for this program. We need to do it.

One other thing, for those who keep saying that we need to get the government out of the automobile business, if you really want to get the government out of the pocket of General Motors or whatever, this is the way to do it, Mr. Speaker. I would urge my colleagues to support this bill. It is very, very important not just for the State of Michigan, this is a national economic program, the best thing we've ever done. More cash for Cash for Clunkers.

Mr. OBEY. Mr. Speaker, I yield 1¾ minutes to the gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. The public has spoken. Consumers have been going to dealerships. The White House is now active, and the issue is whether this House will respond. As I see it, and I think the public will see it, this is a test of whether Congress can shed its disagreements on other issues and respond to what the public, indeed, wants. The rush to use this program shows its need.

I say to the gentleman from California and anybody else, what else do we need to see? This program is working. The White House has made clear that the dealers can go forward. This program is open until further notice, and dealers are urged not to rush too much but to do it right in the first place and get in line. So it's open until further notice. The question is whether this institution will shut it down or whether it will continue to open up the valves. It will be good for everybody. It will be good for the national economy. This isn't just an issue for Michigan, Ohio, Wisconsin, Indiana and Illinois but for the whole Nation. This is an issue of our national economic recovery, and anyone who votes ''no'' on this is saying ''no'' to an important boost to our economy at a critical time.

Mr. LEWIS of California. Mr. Speaker, I am proud to yield 2 minutes to the gentleman from Michigan (Mr. UPTON), the cochairman of the bipartisan Auto Caucus.

Mr. UPTON. I thank my friend from California.

I'm from the great State of Michigan where our unemployment is, sadly, at 15.2 percent, almost twice the national average. Last night we learned from the National Association of Auto Dealers that, in fact, in just 3 days this program has brought about almost a quarter of a million new car sales, yet the cash is going to run out literally in the next couple of days without an infusion. It's important that we're not taking new money. This is existing money. This bill moves existing money from other accounts, so it will not add to this year's deficit, but it is going to run out without this legislation.

Here is today's USA Today, a full page ad by Chrysler-Dodge-Jeep, $4,500 back if you purchase a new vehicle, turn in your old one, and get something that's at least 10 miles per gallon better. A lot of our auto dealers can do it, whether it's the Big Three or the transplants too. Nationwide, one in 10 jobs are auto-related. In Michigan it's about one in four, one in five jobs. For the last 3 years, auto sales have declined by nearly 50 percent. There are 16 other countries that have done this. Whether it be Germany, South Korea, even Slovakia has done this. In all of those 16 countries, car sales have come back. This country lost one in five manufacturing jobs in the last 16 months. If we want to keep jobs here in this country, bring back some of those that we have lost, obviously it's got to be in the auto sector where 1 in 10 jobs are auto-related. This bill sends those dominos the other way. It brings people back in the showroom. We've demonstrated that just this week. It brings back the call orders. We've heard from a number of dealers across Michigan that they're, frankly, running out of cars. Guess what they're going to do—they're going to order them back, and that's going to bring people back to work.

Let me just end on this, wouldn't you rather have people working and paying taxes than being unemployed and receiving benefits which, in Michigan, are becoming exhausted? I ask my colleagues to vote for this bill.

□ 1230

Mr. OBEY. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Michigan (Mr. DINGELL).

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

Mr. DINGELL. Mr. Speaker, I rise to commend the leadership and to commend my dear friend, the chairman of the Appropriations Committee, for his extraordinary leadership on this matter.

The success of the CARS program in just a few short days has been extraordinary. The program has been doing so well, in fact, that the initial $1 billion

allocated for the program is already running low. This is a great problem to have in the midst of all the difficulties that we confront. It's a sign that the program is not only working well and the consumers are very interested, but it's also proving that CARS is providing a jolt, a meaningful upward jolt to our economic recovery efforts.

This is a simple extension. It's an infusion of money in an area where it's needed and where it's working, and the legislation should not get bogged down by calls for changing the program. That would only serve to stall the extension and confuse consumers.

We cannot and should not make changes in an extraordinarily successful program that has only been operating for a week. That would be irresponsible. I would add that the additional $2 billion for the program has already been appropriated under ARRA and will not cost the taxpayers an additional dime.

I urge passage of the bill. I commend the leadership, and I thank my dear friend, the chairman of the committee, and the other members of the committee who have made it possible for us to consider this legislation so fast.

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

Mr. HENSARLING. Cash for Clunkers, Mr. Speaker, obviously it's a popular program. It's a clever title. It pays people several thousand dollars to trade in their old cars if they will buy new cars. And yes, Mr. Speaker, people are hurting in the auto industry. There's no doubt about it. But I would also note that the taxpayers are hurting. $80 billion to Chrysler and GM. And the auto industry does not have a monopoly on hard times in this economy.

Recently, one of the largest poultry producers in America, Pilgrims Pride, just a few miles outside of my congressional district, they had to declare Chapter 11. Maybe we should have a Cash for Cluckers program and pay people to eat chicken. Then after that, we can have a program to pay people to buy TVs, and then a program to pay people to buy lumber. It would pass the test. It has a clever title. It would help a large industry. It would put free money in the hands of consumers.

But this is not a humorous affair, Mr. Speaker, and it's not humorous because this is an extension of a program that has the government picking winners and losers. Why is the auto industry the winner? Why is the poultry industry the loser? This is one more step in enshrining us as a bailout Nation.

Now, people say, Well, it's $2 billion that's coming out of the stimulus program. Well, I would tell my distinguished colleagues that that is still $2 billion that has to be borrowed from the Chinese, with the bill sent to our children and grandchildren, at a time when the deficit has hit $1 trillion for the first time in history. You cannot bail out, borrow and spend your way into economic prosperity. Instead, let's unleash the spirit of entrepreneurial capitalism. Let's help small businesses with tax relief. Let's grow our way out of this economic recession.

Mr. OBEY. I yield 1½ minutes to the distinguished gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, when we passed the Cash for Clunkers legislation last month, I said it would provide a much needed boost to our auto industry and our manufacturing communities. After just 1 week, we see the great success of this program. I've been working closely with the White House, the auto task force and my Congressional colleagues to add additional funds to the program to keep it up and running. This program has been an unprecedented success, and there are no plans to suspend it. This program is a successful example of economic stimulus at work.

To continue this positive program, I join my colleagues today to introduce legislation to redirect $2 billion from the economic stimulus bill to the Cash for Clunkers program. We are poised to pass this legislation through the House of Representatives today, and I urge my Senate colleagues to do the same as quickly as possible.

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

Mr. HOEKSTRA. Mr. Speaker, I would like to begin by thanking the chairman of the committee and the ranking member of the Appropriations Committee for moving so expeditiously and getting this bill to the floor of the House this afternoon. The response from consumers to this program has been, as one of my dealers described it this week, he had chaos in his showroom. It accomplished what we wanted it to accomplish.

I was skeptical when this program passed a while back, but it has delivered customers into the showroom and they are buying cars. And being from Michigan and experiencing a 15.2 percent unemployment rate, this is not going to only provide opportunities for employment in the people that assemble cars, but also for the suppliers and those types of things. And hopefully this can be a catalyst for a stronger economic recovery. It appears to be one of the programs in the stimulus packages that have passed this House that actually appears to be working.

At the same time, while we are maybe euphoric about the parts of the program that are working, I think we also have to recognize that the back end of this program, the parts that are being handled by the Federal Government, have been a disaster for our dealers. I have yet to have one dealer who has sold a car that has gotten it approved by the Department of Transportation. The Federal Government can't process a simple rebate.

I've got dealers that have submitted the paperwork three times and have gotten three rejections. The last one came back and it said, No reason for rejection. What is a dealer supposed to do? They've already destroyed the cars that have been traded in. They have sold the car. They're now on the hook and expecting a check for $3,500 to $4,500 from the Federal Government and they're not getting it.

We need to get these backroom problems fixed to be able to call this program truly successful. It can't just be the front end. It has to be the entire process, from selling it to the customer to the dealer getting the money from the Federal Government. That all has to work seamlessly for this program to be an unqualified success.

Mr. OBEY. Mr. Speaker, I yield 1 minute and 45 seconds to the gentlewoman from Ohio (Ms. SUTTON).

Ms. SUTTON. Mr. Speaker, I rise today in support of this legislation that's going to provide an additional $2 billion for the CARS Act, a bill that I sponsored, sometimes referred to as Cash for Clunkers. But by any name, this bill has been, thus far, a tremendous success.

It has helped consumers purchase cars that they couldn't have purchased in this economic downturn perhaps but which they needed. It's going to give them cars and fuel savings for a long time to come. It's helping our auto companies, our auto dealers, all of the jobs associated with that very vital and important industry in this country, to maintain itself, to continue and give it the chance to grow and restore.

The program also, of course, is good for our environment because it's taking out those less fuel-efficient cars and getting them off the road and replacing them with more fuel-efficient cars.

This is an unprecedented success, and my colleague is right. We must make sure that it works throughout the entire process. But we are well on our way, and I appreciate the leadership of the chairman of the Appropriations Committee, Secretary LaHood, the administration, who I've been working very closely with to make sure that we build on this success which is stimulating our economy, keeping people working, helping our environment, and helping our consumers when they really, really need it.

Mr. LEWIS of California. Mr. Speaker, I would like to say to the gentlelady who authored this bill, she has more influence with the Appropriations chairman than most people around here. He just picked that up for her and moved it along, expedited the process.

I am proud to yield 2 minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Speaker, the Cash for Clunkers program was inartfully drafted. It is more complex and cumbersome than it needs to be. The administration of it is not going very well at all, but it has worked. And, Mr. Speaker, we have passed a number of things in this Congress this year intended to stimulate the economy. The vast majority of them have

not had that effect, but this one has, and it has clearly worked.

For the initial $1 billion to be exhausted, that means that roughly 250,000 new vehicles must have been sold in just the last week or two in order to exhaust all of that money. That is clearing inventories in car dealerships, which means car dealers will be ordering more cars.

When they order more cars, plants will begin to run again. Plants will open up. They will be producing more cars, and people will go back to work. There will be suppliers that will produce supplies, various parts for those cars, steel mills producing for those cars, and those people will go back to work. There will be trucks and trains that deliver those cars, and those people will go back to work.

And Mr. Speaker, the $2 billion for this is coming out of the existing funding, so it is not increasing the debt or the deficit any more than what has already been there.

Mr. Speaker, I support this bill. I support this effort. It is the one thing that we have done here in this Congress that is absolutely working. It is stimulating the economy. It is creating jobs, and we want it to create more.

Mr. OBEY. I yield 1½ minutes to the distinguished gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY of Massachusetts. I thank the chairman very much, and I very much appreciate your very hard work on extending this program.

This program is a win for consumers who are trading in old gas guzzlers for new hybrids, a win for the recovering economy, and a win for energy independence and the environment as the new vehicles are averaging 60 percent more fuel efficiency than the junkers being taken off the road.

However, I am concerned that we are taking funding from the Renewable Energy Loan Guarantee Program and would express my strong belief that we must find a way of replenishing those funds as soon as possible.

Mr. Chairman, could you work with me and other Members to ensure that the funds for this program will be replenished?

Mr. OBEY. If the gentleman would yield, I share the gentleman's view that the Renewable Energy Loan Guarantee Program is of vital importance to creating a new, green economy. We have talked with the White House. We have talked with the Speaker, and I want to assure you that all of us certainly have every intention of restoring these funds.

Mr. MARKEY of Massachusetts. I thank the chairman very much. I know that this has always been the highest priority for yourself, for Speaker PELOSI, and for the Obama administration, and I look forward to working with you in the future in order to make sure that we have a win-win here for renewable energy and for our fuel-efficient vehicles.

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

Mr. FLAKE. I thank the gentleman for yielding, and I won't take 2 minutes.

I just want to say, I thought I'd heard it all until I came to the floor today. Somebody said earlier, this bill's a success. Ford Motor Company loves it. I think that that's self-evident. But I think that there are taxpayers around the country who are wondering why we're taking $2 billion more from them to decide which industry here is going to get a break.

We decided to give out free money, and now we're surprised when people take advantage of it and love the program. I mean, that's the nature of human nature. If you're given free money, you like it and you want more. And that's what this program is. Why are we deciding to aid this sector and not another?

If you're Mr. or Mrs. Businessman across the country, you've got to be wondering if we have lost our minds here by saying that we're going to continue to give out more money just for this industry but not help the others. I don't understand this process and how we can bring this up this quickly. But an Appropriation Committee that can bring a Defense bill to the floor in 18 minutes for a markup that has more than 1,100 earmarks, I guess, has no problem doing this.

Mr. OBEY. Mr. Speaker, I yield myself 20 seconds.

I just want to say, Mr. Speaker, that what we have heard several times here today about this action are complaints from the people who helped wreck America's economy and are now complaining because of the way this President and this Congress are trying to pull the country out of the ditch and restore economic growth. We've come to expect that, but that doesn't make it any more pleasant.

I yield 1 minute to the distinguished Speaker of the House.

□ 1245

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding, and I thank him for his very important and swift action to address the opportunity that was given to us this week.

As you know, my colleagues, as part of the supplemental earlier this year, the Cash for Clunkers provision was provided in it. Many people had worked very, very hard on that for a long time, and we were able to have it pass on a bill that was going to be signed by the President.

I want to acknowledge Congresswoman SUTTON for her enthusiastic support and leadership; Congressman INSLEE and Congressman ISRAEL of New York, who all worked very hard on this; certainly the chairman emeritus of the Energy and Commerce Committee, Mr. DINGELL; the current chairman, Mr. WAXMAN; and Mr. MARKEY as Chair of the Select Committee on Global Warming for his leadership on this issue for a long period of time.

I mention all of them because this brings together so many elements of what we want to do to grow our economy, to help our workers, to protect our environment, and to do so in a very focused way that works, and that's what is interesting about this week.

In about 6 days, it is estimated that 250,000 cars were sold. On both sides of the aisle, people acknowledge the effectiveness of this initiative, and that is why yesterday—and as we were seeing what was happening this week—the Obama administration asked us to help consumers who have yet to have the opportunity to take advantage of trading in their old cars for new energy-efficient models. When they do that, again, they strengthen the auto industry, strengthen our economy at large and help preserve our environment.

What's interesting about it, and the point that has been made by many speakers already, is just that everything has performed beyond the requirements of the bill. The cars that have been purchased are much more fuel-efficient and the emissions standard much better than the bill even required, and that's good news.

I do share the concern that has been put forth by Mr. MARKEY—and I don't know if Mr. INSLEE has yet, but he will—about the source of the revenue, and that is the Innovative Technologies Loan Guarantee Program.

In the recovery package in January, we voted for a $6 billion initiative. It was very important to have it at that level, and it's very important in terms of our renewables program—$6 billion—but the administration has just released a solicitation for about half of that money, for $3 billion in loans for renewable energy. The rest of the money would not be released until next year, until after January. So that gave us an opportunity, for the time being, to use $2 billion of that for this Cash for Clunkers expansion.

Again, I am concerned about the fact that that money is taken from that account, but it has not cost any opportunities for the program, because the timing is such that that money would be spent next year.

I do hope, whether it's in the continuing resolution or some other step along the way, that those funds will be restored, because it's not appropriate for us to take money to do one thing for fuel efficiency out of an account that is designed to do just that in looking into the future with further innovation. So I share the concerns expressed by Mr. MARKEY, and I appreciate the comments made by Mr. OBEY in the colloquy that they had about restoring those funds.

But, again, I think this is a pretty exciting day. As I said, we got the word just as this news was unfolding this week. Yesterday, it was determined that we could go forward. The Rules Committee under Congresswoman SLAUGHTER responded very positively. The chairman of the Appropriations Committee, Mr. OBEY, has been trying to find solutions for us, and the leadership of the Republican Party has been

very cooperative in how we could bring the bill to the floor.

So this is a very positive, bipartisan initiative to help our auto industry, to help consumers grow our economy and to do it in an environmentally sound way. I think it is the perfect message for us to take home for August.

Thank you all for your leadership in making this possible.

Mr. LEWIS of California. Mr. Speaker, may I inquire of the time remaining on both sides?

The SPEAKER pro tempore. The gentleman from California has 4 minutes remaining, and the gentleman from Wisconsin has 7¾ minutes remaining.

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

Mr. BROUN of Georgia. I thank my friend from California for yielding.

Mr. Speaker, Cash for Clunkers has serious problems that are administrative problems. I have dealers in my district in northeast Georgia who probably are going to go bankrupt because of these problems. I hope, as we go forward, that we'll fix these administrative snafus that are in this problem.

We're throwing money into another government program that has very serious problems where dealers can't get their money. I have one dealer who has paid out of his pocket for 50 cars but has only gotten money back for one. Now, that dealer, if he doesn't get paid back, is going to have very severe financial problems, and his employees are going to be put out of work if we don't fix this.

Certainly, we've sold a lot of cars because of this program, but just throwing money into a program that has tremendous administrative, red tape problems and other problems is not going to be the long-term answer. I hope that the administration will straighten out these administration snafus and will get the money to our dealers, money that they desperately need.

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

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

Mr. MAFFEI. Mr. Speaker, today, we are faced with a rare problem. We have a program that has proven to be working, and all we need to do is to keep it working. Getting gas-guzzling vehicles off the road and replaced with new fuel-efficient vehicles is helping our environment. It is putting money directly into the pockets of middle-income families. It is a ray of hope for auto dealers in this country, a ray of hope for the U.S. auto industry and a ray of hope for our economy.

Finally we have a bailout, not for the big businesses, not for Wall Street, but a bailout for Main Street.

As the lead sponsor of a bill to help protect the legal rights of auto dealers, I can tell you this is a godsend for the auto dealers in my district. Don't stall what's working. Give it a fill-up, and let's get Cash for Clunkers back on the road.

Mr. LEWIS of California. Mr. Speaker, I will be the last speaker on our side, so I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. SCHAUER).

Mr. SCHAUER. Thank you, Mr. Chairman. Thank you for your quick leadership on such an important issue.

When I ran for Congress—and I'm from Michigan—I pledged that I would fight every day for people in businesses in my community who are being hurt by a brutal economy. The Cash for Clunkers program has breathed life into a very difficult economy in communities all around my district. Here is why this is important:

I've talked to car dealers in my district. They can't keep cars on the lots. They will be ordering new cars from manufacturers in my State and from around the country. Suppliers who supply parts for those cars will be manufacturing more of them. This is very, very critical, and it has been very effective in turning around our economy in just a matter of days.

Mr. Chairman, thank you for giving us the opportunity to continue this program and to continue to turn our economy around.

Mr. LEWIS of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. OBEY. I yield 1 minute to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, I want to just make a point that this program has been spectacularly successful from an environmental perspective. It was originally criticized that we did not call for high enough efficiency improvement in these cars. The people have fixed this problem for us. We are seeing average increases of efficiency of 60 percent—well, well above what was required by Congress.

For one car company, 78 percent of the cars that they're buying are over 30 miles a gallon and 39 percent above 30 miles per gallon. The American people have seen spectacular improvements in efficiency and in environmental performance.

I want to thank the Speaker and Mr. OBEY for essentially assuring us—I'll take it as that, almost—that we, in fact, are going to replace this money. I hope it is in the CR. It is necessary to achieve our efficiency goals.

Mr. LEWIS of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 30 seconds to the gentleman from Indiana (Mr. DONNELLY).

Mr. DONNELLY of Indiana. Mr. Speaker, I want to thank the chairman for bringing this bill to the floor. This program has been an enormous success. It's good for our environment to have cars with better mileage. It's good for our families, who get to save some money when they make these big purchases. It's also very, very good for the workers of Indiana, who are back to work, building these cars.

This is a win-win-win for our country. It's one of the great programs to create jobs, to help our environment and to help our families. We're very supportive, and we want to thank the chairman for bringing this program forward.

Mr. LEWIS of California. Mr. Speaker, it should be noted that the Speaker, when she was presenting her views to the membership, indicated that, one way or another, she'd find a way to get this money back into the bill somewhere down the line. Between now and then, it's pretty obvious that this bill could not have been on the floor today if it had not been for an emergency designation that would allow us to exercise ourselves in this fashion.

I would remind ourselves one more time of the quote received from a car dealer in New York. Speaking of us, about how this bill was handled, he said, If they can't administer a program like this, I'd be a little concerned about my health insurance.

With that, I join the gentleman one more time in saying, ''Amen.''

I yield back the balance of my time.

Mr. OBEY. I yield myself the remainder of the time.

Mr. Speaker, today, the Commerce Department just issued figures which have indicated that the depth of the recession in the last quarter of last year was much more severe than anyone had estimated. This is the good news part of the day: They also tell us that, in the first quarter of this year, the shrinkage of the economy has now slowed considerably, which is a very hopeful sign, because the economy, evidently, performed significantly better than most of the economic experts had thought it would perform. We all welcome that news, but as you know, that is not good enough. We need to see more progress. Our dilemma is this:

Ordinarily in a recession, when the country is losing jobs, the Federal Reserve lowers interest rates, and that helps the housing industry to move ahead. It helps the auto industry to sell cars. Our economy is normally led out of the recession by the housing industry and by the auto industry. This time around, the situation is very different, because those two sectors have been basket cases for the past year and a half.

The first glimmer of hope we've seen in the auto industry is the news that we received yesterday from the Secretary of Transportation, Mr. LAHOOD, who informed us that, in just 3 days' time, when the program was started, as far as they can tell, it's already oversubscribed. That means the consumers like this program; it means they are reacting to it, and it means that it would be irresponsible of us not to try

to prevent the shutdown of this program just 3 days after it began.

So we're here, trying to take advantage of one of the few bright spots in the economy to help move the economy forward. We still have a long way to go before good news shows up on the unemployment side of the ledger, but we'll take every bit of good news we can. Today, I think this is one piece of good news, and I think we need to respond to it.

Mr. LEWIS of California. Would the gentleman yield?

Mr. OBEY. I would be happy to yield very briefly to my friend.

Mr. LEWIS of California. I just want to say, Mr. Chairman, that, for some reason or another, the gentleman who is our Speaker pro tempore has drawn the short end of the stick this week. He has been doing wonderful work in moving the process along, and I think the body should recognize his work.

Mr. OBEY. I thank the gentleman.

Mr. Speaker, I would ask for an ''aye'' vote.

Mr. BLUMENAUER. Mr. Speaker, while I strongly support the ''cash for clunkers'' concept, I voted against this legislation to provide the program with infusion of cash. The bill that was rushed to the Floor today tripled the program without any discussion of how it's working administratively or why the money ran out so quickly. I'm concerned that rushing ahead without better understanding these issues will create additional problems in the future. In addition, by bringing this legislation to the Floor so quickly, we have missed an opportunity to make improvements to the program.

Cash for clunkers is a much better approach to help both consumers and the auto industry than simply bailing out the automakers by throwing money at them. With this program we are not only helping them to modernize their fleet, but we are taking some of the dirtiest, most polluting cars off the road.

The fact that the program ran out of money within the course of a few days shows its popularity and its potential to help rescue and transform our nation's automakers. Consumers have clearly demonstrated that they want to purchase more fuel efficient vehicles. Action to extend the program would have been a good opportunity to strengthen and better target the provisions so they do more to improve fuel efficiency, reduce vehicle emissions and reduce our dependence on foreign oil.

I am also concerned that in order to triple cash for clunkers, the bill takes money away from another important economic recovery program that supports renewable energy projects. We don't know the consequences of this action and how it will impact other Oregon priorities and job prospects in the renewables sector.

Cash for clunkers is a program I support and I think it has an important role to play in our economic recovery. However, I don't want this rushed action to weaken both its effectiveness and long-term viability.

Mr. STUPAK. Mr. Speaker, I rise in support of H.R. 3435.

The CARS program has proven widely successful. Within five days of the program's official start for electronic submission of applications, there is concern that the original $1 billion in funding will soon be depleted.

This means an estimated 250,000 new vehicles were sold since the start of the program. This is a great boost to our auto industry, with reports of dealerships being unable to keep current vehicles in stock due to the strong demand from consumers—a problem my local dealers welcome.

Preliminary statistics on the program point to consumers gaining a 69 percent improvement in fuel efficiency from their trade-in vehicles, with an average annual gasoline savings of $750.

The goals of increasing fuel efficiency, reducing pollution, and providing a needed economic stimulus for our nation's auto industry have all been met by the program. An additional $2 billion, transferred from the economic stimulus bill, should provide enough funding for the program to sell an additional 500,000 vehicles.

Even ineligible consumers are benefiting as more foot traffic from the program will boost automotive sales for dealerships across the country.

A bipartisan group of Members and the White House are in agreement that this successful program must continue. Congress should pass H.R. 3435 to provide $2 billion from economic stimulus funding to support this widely successful program. Consumers should continue to benefit from the program, and we must ensure the financial security of existing deals between consumers and car dealerships.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I am concerned over the news reports that the Consumer Assistance to Recycle and Save Program, or the Car Allowance Rebate System has run out of money.

This program took effect approximately one week ago, and American auto dealers have already sold 8,000 cars thanks to subsidies contained in the legislation. Equally impressive is the fact that appropriated funds have already been dispersed. This swift action by Congress and the Department of Transportation is extremely encouraging. This legislation has been having a stabilizing effect moving forward and delivers badly needed relief to the American auto industry.

The Cars for Clunkers program is a part of the federal government's efforts to help local dealers who are suffering financially and shutting down because of the economy, and I am thrilled by the program's early success.

We need to fully fund the House-passed authorized level of $4 billion before we leave for our August district work period.

The government's new Cash for Clunkers program took effect approximately one week ago, and American auto dealers have already sold 8,000 cars thanks to subsidies contained in the legislation. I am confident that this legislation will have a stabilizing effect moving forward and deliver badly needed relief to the American auto industry. Creation of the Cash for Clunkers program was not the first action Congress has taken this year to help struggling auto dealers. As we move forward with implementation of this new program, it is important that Congress make sure previously appropriated funds are used to help auto dealers on Main Street and not just manufacturers.

As a senior member of the Transportation Committee, I work every day to help Americans who depend on the transportation industry for jobs and services. I firmly believe that every mode of transportation contributes to America in meaningful ways. However, no mode of transportation has shaped American life as profoundly as the automobile—and that is why Congress needs to do everything in its power to help struggling auto dealers across America.

In good economic times, manufacturers established as many dealerships as possible in order to maximize profit. However, in today's recession, these same dealerships are being asked to sacrifice. And those responsible for the industry's collapse—namely the management of GM and Chrysler who insisted on building bigger, gas-guzzling automobiles—are the ones being propped up by federal bailout dollars. This is hardly fair, and Congress has a responsibility to exercise oversight and ensure dealers are not punished for management's mistakes.

Most dealerships across America are seeing layoffs and some have been closed altogether. These dealers are the bedrock of our communities; they sponsor our children's sports teams and are known for participating in community organizations. Supporting upstanding auto dealers across America is not ''political pandering'' as your editorial suggested. Congress is simply taking action to protect hard-working Americans whose dealerships are being taken from them for no mistake of their own.

When we committed taxpayer dollars to these companies, we accepted the responsibility to make sure those monies would help Americans on Main Street—that means dealerships and not just manufacturers. Dealers deserve to be protected by these funds, and Members of Congress should be committed to effective oversight.

In a rare exhibit of bipartisanship, Democrats and Republicans are working together to save American auto dealers. Members of both parties agree that the closing of dealerships may violate state franchise laws designed to protect dealers from unfair and oppressive trade practices.

The actions of Chrysler and GM simply ignore these protected rights. Dealers have lost their dealerships without due process or adequate compensation. Action by Congress could not only reinstate dealers but will also revitalize the communities that depend crucially on dealerships for jobs and services. Simply, auto dealers are part of the solution to manufacturers' problems, not a part of the problem.

Most dealers would prefer to remain in the automobile business as GM or Chrysler franchisees, but today manufacturers are allowed to eliminate entire dealerships regardless of clear precedent that protects dealers' rights. Chrysler and GM are being allowed to operate as the ''exception to the rule.'' This is unfair to our communities that depend on auto dealers and represents a clear federal level assault on state franchise laws.

Congress must take action to save our dealerships, communities, and American jobs.

Mr. TONKO. Mr. Speaker, I rise in support of H.R. 3435, the Consumer Assistance to Recycle and Save (CARS) Program, or the ''Cash for Clunkers'' initiative.

This additional $2 billion in funding will help promote automotive sales and protect our environment. In the past week, it is estimated that 250,000 cars were sold. On both sides of the aisle, people acknowledged the effectiveness of this initiative. I am proud to support its extension.

I also ask for special consideration and clarification on an important part of this bill. As it currently stands, if one spouse owns the title to a "clunker" and the other spouse holds the registration, that couple is not eligible to participate in the program. I believe that consideration to married couples should be afforded more flexibility and that regardless of the registration/title configuration, those married couples should be able to participate.

Finally, this is a very positive, bipartisan initiative to help our auto industry, to help consumers, to grow our economy, and to do it in an environmentally sound way.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. OBEY) that the House suspend the rules and pass the bill, H.R. 3435.

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. LEWIS of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

Pursuant to House Resolution 697, this 15-minute vote on the motion to suspend the rules will be followed by 5-minute votes on adoption of the Frank amendment, as modified, to H.R. 3269; adoption of the Garrett amendment to H.R. 3269.

The vote was taken by electronic device, and there were—yeas 316, nays 109, answered ''present'' 2, not voting 6, as follows:

[Roll No. 682]

YEAS—316

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blunt
Boccieri
Bono Mack
Boren
Boswell
Boucher
Boustany
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Brown-Waite, Ginny
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Gerlach
Gingrey (GA)
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kingston
Kirk
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCollum
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Pomeroy
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tiberi
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (FL)

NAYS—109

Akin
Alexander
Bachmann
Baird
Barrett (SC)
Bartlett
Bilirakis
Bishop (UT)
Blackburn
Blumenauer
Boehner
Bonner
Boozman
Boyd
Brady (TX)
Broun (GA)
Brown (SC)
Burgess
Cantor
Carter
Chaffetz
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Dent
Doggett
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Goodlatte
Granger
Graves
Hastings (WA)
Heller
Hensarling
Herger
Herseth Sandlin
Hunter
Inglis
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
King (IA)
Kirkpatrick (AZ)
Lamborn
Latta
Lewis (CA)
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marshall
McCarthy (CA)
McClintock
McHenry
McMorris Rodgers
Mica
Miller (FL)
Mitchell
Moran (KS)
Murphy (NY)
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Peterson
Polis (CO)
Posey
Price (GA)
Radanovich
Rogers (KY)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Schrader
Sensenbrenner
Sessions
Shadegg
Smith (NE)
Smith (TX)
Sullivan
Thornberry
Tierney
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)

ANSWERED ''PRESENT''—2

Buchanan
Deal (GA)

NOT VOTING—6

Gohmert
Harper
Linder
McCarthy (NY)
McCaul
Salazar

□ 1324

Messrs. COFFMAN of Colorado, BLUMENAUER and BAIRD and Ms. JENKINS changed their vote from ''yea'' to ''nay.''

Mr. BACHUS changed his vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CORPORATE AND FINANCIAL INSTITUTION COMPENSATION FAIRNESS ACT OF 2009

The SPEAKER pro tempore. Pursuant to House Resolution 697, proceedings will now resume on the bill (H.R. 3269) to amend the Securities Exchange Act of 1934 to provide shareholders with an advisory vote on executive compensation and to prevent perverse incentives in the compensation practices of financial institutions.

The Clerk read the title of the bill.

AMENDMENT NO. 1, AS MODIFIED, OFFERED BY MR. FRANK OF MASSACHUSETTS

The SPEAKER pro tempore. The unfinished business is the question on the amendment by the gentleman from Massachusetts (Mr. FRANK), as modified, on which a recorded vote was ordered.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The SPEAKER pro tempore. The question is on the amendment, as modified.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 242, noes 178, not voting 13, as follows:

[Roll No. 683]

AYES—242

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth

Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (MA)
Marshall
Massa
Matheson
Matsui
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Woolsey
Wu
Yarmuth

NOES—178

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

NOT VOTING—13

Gohmert
Harper
Linder
McCarthy (NY)
McCaul
McCollum
McMorris Rodgers
Olver
Paulsen
Salazar
Schock
Wamp
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1330

Mr. CLEAVER changed his vote from ''no'' to ''aye.''

So the amendment, as modified, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. PAULSEN. Mr. Speaker, on rollcall No. 683 I was unavoidably detained. Had I been present, I would have voted ''no.''

AMENDMENT NO. 2 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. GARRETT OF NEW JERSEY

The SPEAKER pro tempore. The unfinished business is the question on the amendment offered by the gentleman from New Jersey (Mr. GARRETT) on which a recorded vote was ordered.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 179, noes 244, not voting 10, as follows:

[Roll No. 684]

AYES—179

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

NOES—244

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar

Obey	Sánchez, Linda T.	Tanner
Olver	Sanchez, Loretta	Taylor
Ortiz	Sarbanes	Thompson (CA)
Pallone	Schakowsky	Thompson (MS)
Pascrell	Schauer	Tierney
Pastor (AZ)	Schiff	Titus
Payne	Schrader	Tonko
Perlmutter	Schwartz	Towns
Perriello	Scott (GA)	Tsongas
Peters	Scott (VA)	Van Hollen
Peterson	Serrano	Velázquez
Polis (CO)	Sestak	Visclosky
Pomeroy	Shea-Porter	Walz
Price (NC)	Sherman	Wasserman Schultz
Quigley	Shuler	Waters
Rahall	Sires	Watson
Rangel	Skelton	Watt
Reyes	Slaughter	Waxman
Richardson	Smith (WA)	Weiner
Rodriguez	Snyder	Welch
Ross	Space	Wexler
Rothman (NJ)	Speier	Wilson (OH)
Roybal-Allard	Spratt	Woolsey
Ruppersberger	Stark	Wu
Rush	Stupak	Yarmuth
Ryan (OH)	Sutton	

NOT VOTING—10

Bilbray	Linder	Salazar
Gohmert	McCarthy (NY)	Wamp
Gutierrez	McCaul	
Harper	Pingree (ME)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1338

Messrs. CONYERS and OBEY changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. SESSIONS. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SESSIONS. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Sessions moves to recommit the bill, H.R. 3269, to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

At the end of section 14(i) of the Securities Exchange Act of 1934 (as added by section 2 of the bill), insert the following:

''(6) DISCLOSURE OF ACTIVITIES TO INFLUENCE VOTE.—Notwithstanding paragraphs (1) or (2)(B), a shareholder's vote shall not be counted under such paragraphs if the shareholder has spent, directly or indirectly, more than a de minimis amount of money (as determined by the Commission) on activities to influence the vote under such paragraphs of other shareholders, unless such shareholder discloses to the Commission, in accordance with rules prescribed by the Commission—

''(A) the identity of all persons or entities engaged in activities to influence such a vote;

''(B) the activities engaged in to influence such a vote; and

''(C) the amount of money expended on activities to influence such a vote.''.

Mr. SESSIONS (during the reading). Mr. Speaker, I ask unanimous consent to have the motion considered as read.

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

There was no objection.

Mr. SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas is recognized for 5 minutes in support of his motion.

Mr. SESSIONS. Mr. Speaker, I would like to preempt a common protest by the gentleman, my friend from Massachusetts, and let my colleagues know that this motion will not ''kill the bill.'' In fact, it will not even send it back to committee. We have the authority right here, right now to provide for the appropriate transparency and accountability just by passing this motion.

The legislation that the Democrat majority has brought before the House today forces every publicly held company to bear the cost of administering a toothless, non-binding shareholder vote on pay packages during every proxy vote.

This motion to recommit would improve this interventionist legislation by providing sunshine and transparency for shareholders so that there is full disclosure about who is financing efforts to influence a vote on this new, congressionally mandated, nonbinding shareholder resolution.

Let me give an example of a substantially similar disclosure requirement that every Member of this body understands because it's already a current practice: As Federal candidates, we are obligated to disclose to the FEC the name, occupation, and amount given from each of our donors. We require this because public interest is advanced by letting voters know who funds each candidate's campaign.

My motion asks for the same disclosure so that shareholders know what persons or organizations are spending money to influence the new mandatory, non-binding vote.

The purpose of this motion is not to impede the ability of organizations to influence the vote. If they hold shares in stock, they will be able to express their opinion. The point of the motion is to simply provide voters, in this case shareholders, with access to information about who is spending money and what are they attempting to influence with their vote.

My motion tasks the SEC with setting a de minimus level of spending and with collecting important information about anyone or any organization that spends over that amount to influence a vote, including who is spending the money, what they are spending the money on, and how much they are spending to influence the votes of other shareholders.

This motion provides an appropriate level of transparency for shareholder elections. If we believe that voters deserve this information, we should also give to shareholders this same level of transparency.

Once again, I would like to make it clear that this legislation will not ''kill the bill,'' as its opponents might claim. It will not send the bill back to committee to fix its current lack of transparency because it allows it to be done right here, right now.

I encourage all my colleagues to support this commonsense motion to improve transparency for shareholders about who is trying to influence their votes.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I rise to claim the time in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, that speech would have been impressive—I might have disagreed with it—if it applied to all shareholder votes. The recommittal motion singles out the say-on-pay. And if you want to influence pay, you have to report everything. If you want to vote on a merger or an acquisition or if you want to vote on anything else, you don't have to do it. It's not a uniform requirement of a disclosure. It burdens the say-on-pay vote and leaves every other vote in the dark. If that's so important, why did we not have a broader version of it?

It also is quite burdensome.

□ 1345

If you want to spend money to oppose large bonuses, to oppose large salaries, to oppose a company paying 72 percent of its revenue, as recently happened, in compensation, if you are a pension fund, if you are a union, if you want to write to your own members and say this is a bad idea, if you hold shares, vote ''no.'' You have to give the identity of all persons or entities engaged in the activity and the activities engaged.

It is not simply a reporting of the amount of money. It is a very detailed one, and it burdens only those voting on say-on-pay. It clearly comes from a hostility of the notion of say-on-pay. Members who opposed it 2 years ago can't oppose it today, so they now have a new tactic. They are trying to aggravate it.

And while we are on the subject of aggravation, I hope to reduce the level here by asking people to vote ''no.''

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

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. SESSIONS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 178, noes 244, not voting 11, as follows:

[Roll No. 685]

AYES—178

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

NOES—244

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

NOT VOTING—11

Gohmert
Harper
Linder
McCarthy (NY)
McCaul
McHugh
Rangel
Salazar
Skelton
Wamp
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1402

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. FRANK of Massachusetts. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 237, noes 185, not voting 11, as follows:

[Roll No. 686]

AYES—237

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

NOES—185

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Berry
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Boyd
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan

Burgess	Inglis	Pitts
Burton (IN)	Issa	Platts
Buyer	Jenkins	Poe (TX)
Calvert	Johnson (IL)	Posey
Camp	Johnson, Sam	Price (GA)
Campbell	Jones	Putnam
Cantor	Jordan (OH)	Radanovich
Cao	King (IA)	Rehberg
Capito	King (NY)	Reichert
Carter	Kingston	Roe (TN)
Cassidy	Kirk	Rogers (AL)
Castle	Kirkpatrick (AZ)	Rogers (KY)
Chaffetz	Kline (MN)	Rogers (MI)
Coble	Kratovil	Rohrabacher
Coffman (CO)	Lamborn	Rooney
Cole	Lance	Ros-Lehtinen
Conaway	Latham	Roskam
Crenshaw	LaTourette	Ross
Cuellar	Latta	Royce
Culberson	Lewis (CA)	Ryan (WI)
Davis (KY)	LoBiondo	Scalise
Deal (GA)	Lucas	Schmidt
Dent	Luetkemeyer	Schock
Diaz-Balart, L.	Lummis	Sensenbrenner
Diaz-Balart, M.	Lungren, Daniel E.	Sessions
Dreier	Mack	Shadegg
Ehlers	Manzullo	Shimkus
Emerson	Marchant	Shuster
Fallin	Markey (CO)	Simpson
Flake	McCarthy (CA)	Smith (NE)
Fleming	McClintock	Smith (NJ)
Forbes	McCotter	Smith (TX)
Fortenberry	McHenry	Snyder
Foxx	McKeon	Souder
Franks (AZ)	McMahon	Stearns
Frelinghuysen	McMorris Rodgers	Sullivan
Gallegly	Mica	Teague
Garrett (NJ)	Miller (FL)	Terry
Gerlach	Miller (MI)	Thompson (PA)
Gingrey (GA)	Miller, Gary	Thornberry
Goodlatte	Mitchell	Tiahrt
Granger	Moran (KS)	Tiberi
Graves	Myrick	Turner
Griffith	Neugebauer	Upton
Guthrie	Nunes	Walden
Hall (TX)	Nye	Westmoreland
Halvorson	Olson	Whitfield
Hastings (WA)	Paul	Wilson (SC)
Heller	Paulsen	Wittman
Hensarling	Pence	Wolf
Herger	Petri	Young (AK)
Hoekstra	Pitts	Young (FL)
Hunter	Platts	

NOT VOTING—11

Gohmert	Linder	McHugh
Grijalva	Markey (MA)	Salazar
Harper	McCarthy (NY)	Wamp
Lee (NY)	McCaul	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1409

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MARKEY of Massachusetts. Mr. Speaker, on rollcall No. 686, I inadvertently did not vote, but intended to vote ''aye''.

Stated against:

Mr. LEE of New York. Mr. Speaker, on rollcall No. 686, had I been present, I would have voted ''no.''

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 172. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

AUTHORIZING USE OF CAPITOL GROUNDS FOR NATIONAL WEEKEND OF REMEMBRANCE EVENT

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure be discharged from further consideration of the concurrent resolution (H. Con. Res. 171) authorizing the use of the Capitol Grounds for an event to honor military personnel who have died in service to the United States and to acknowledge the sacrifice of the families of those individuals as part of the National Weekend of Remembrance, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 171

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

SECTION 1. USE OF CAPITOL GROUNDS FOR NATIONAL WEEKEND OF REMEMBRANCE EVENT.

(a) IN GENERAL.—The White House Commission on Remembrance (in this resolution referred to as the ''sponsor'') shall be permitted to sponsor a public event (in this resolution referred to as the ''event'') on the Capitol Grounds to honor military personnel who have died in service to the United States and to acknowledge the sacrifice of the families of those individuals as part of the National Weekend of Remembrance.

(b) DATE OF EVENT.—The event shall be held on September 26, 2009, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of House Concurrent Resolution 171, authorizing the use of the Capitol Grounds for an event to honor military personnel who have died in service to the United States and to acknowledge the sacrifice of the families of those individuals as part of the National Weekend of Remembrance.

This concurrent resolution will permit the use of the Capitol Grounds for a Time of Remembrance tribute for military families who have lost loved ones in Iraq and Afghanistan, including 72 Minnesota families (with 12 families from my Congressional District). This event will be held on September 26, 2009, on the West Front of the Capitol and will be sponsored by the White House Commission on Remembrance and Families United for Our Troops and Their Mission, a non-profit organization.

The White House Commission on Remembrance was established by Congress in 2000, under the National Moment of Remembrance Act (P.L. 106–579). This law directed the Commission to unite the nation in a National Moment of Remembrance, to be held at 3:00 p.m. each Memorial Day. Since 2006, the Commission has also sponsored an annual Time of Remembrance ceremony to ''honor all those who have died in service to our country, with a special tribute to America's fallen in Afghanistan and Iraq and the families they left behind.''

Passing this resolution will ensure that this year's ceremony, and a picnic to follow, will be allowed to go forward on the Capitol Grounds on September 26, 2009. Activities on the Capitol Grounds conducted under H. Con. Res. 171 will be coordinated with the Architect of the Capitol and the Capitol Police Board, and will be free of charge.

This ceremony is an opportunity to demonstrate to military families that their fellow Americans join them in mourning their loss, and to express our sincere and immeasurable gratitude for the service of their sons, daughters, mothers, fathers, sisters, and brothers to our nation. While we can never adequately thank those who have died for the sacrifice they have made, taking time to remember these brave men and women and celebrating their lives with their families is an appropriate tribute.

I urge my colleagues to join me in supporting H. Con. Res. 171.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

SIDNEY M. ARONOVITZ UNITED STATES COURTHOUSE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent for the immediate consideration in the House of the bill (H.R. 2913) to designate the United States courthouse located at 301 Simonton Street in Key West, Florida, as the ''Sidney M. Aronovitz United States Courthouse''.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 2913

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

SECTION 1. DESIGNATION.

The United States courthouse located at 301 Simonton Street in Key West, Florida, shall be known and designated as the ''Sidney M. Aronovitz United States Courthouse''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the ''Sidney M. Aronovitz United States Courthouse''.

Mr. OBERSTAR. Mr. Speaker, I rise in support of the bill, H.R. 2913, introduced by the gentlelady from Florida (Ms. ROS-LEHTINEN), to designate the United States courthouse located at 301 Simonton Street in Key West, Florida, as the ''Sidney M. Aronovitz United States Courthouse''.

Judge Sidney M. Aronovitz served as a U.S. District Court Judge for the Southern District of Florida for 21 years. Aronovitz was born in Key West, Florida, on June 20, 1920. After graduating from Key West High School in 1937, he went on to attend the University of Florida where he was awarded a bachelor of arts degree in 1942, and a law degree, with honors, in 1943. Aronovitz went on to serve as a U.S. Army captain from 1943 to 1946, earning multiple distinctions, including a Bronze Star.

Between 1943 and 1976, Aronovitz served as a lawyer in private practice in Miami, Florida. He also served as a City Commissioner from 1962 to 1966, holding the position of Vice-Mayor in 1965. In 1976, President Gerald Ford nominated Sidney M. Aronovitz to serve as a U.S. District Court Judge for the Southern District of Florida. Judge Aronovitz was commissioned on September 21, 1976, and served as a U.S. District Court Judge until his death in 1997. In addition, he periodically sat on the U.S. Court of Appeals, 11th Circuit, and served on the U.S. Foreign Intelligence Surveillance Court from 1988 to 1992.

Judge Aronovitz served with distinction and it is fitting that we honor him today with this designation.

I urge my colleagues to support H.R. 2913.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO THE ATTORNEY GENERAL

Mr. COHEN, from the Committee on the Judiciary, submitted an adverse privileged report (Rept. No. 111–242) on the resolution (H. Res. 636) directing the Attorney General to transmit to the House of Representatives all information in the Attorney General's possession relating to the transfer or release of detainees held at Naval Station, Guantanamo Bay, Cuba, into the United States, which was referred to the House Calendar and ordered to be printed.

SUPPORTING NATIONAL SAVE FOR RETIREMENT WEEK

Ms. SCHWARTZ. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means be discharged from further consideration of the resolution (H. Res. 662) supporting the goals and ideals of ''National Save for Retirement Week'', including raising public awareness of the various tax-preferred retirement vehicles as important tools for personal savings and retirement financial security, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 662

Whereas people in the United States are living longer and the cost of retirement continues to rise, in part because the number of employers providing retiree health coverage continues to decline, and retiree health care costs continue to increase at a rapid pace;

Whereas Social Security remains the bedrock of retirement income for the great majority of the people of the United States, but was never intended by Congress to be the sole source of retirement income for families;

Whereas recent data from the Employee Benefit Research Institute indicates that, in the United States, less than ⅔ of workers or their spouses are currently saving for retirement and that the actual amount of retirement savings of workers lags far behind the amount that will be needed to adequately fund their retirement years;

Whereas saving for one's retirement is a key component to overall financial health and security during retirement years;

Whereas many workers may not be aware of their options for saving for retirement or may not have focused on the importance of, and need for, saving for their own retirement;

Whereas many employees have available to them through their employers access to defined benefit and defined contribution plans to assist them in preparing for retirement, yet many of them may not be taking advantage of employer-sponsored defined contribution plans at all or to the full extent allowed by the plans as prescribed by Federal law;

Whereas many workers who are saving for retirement in tax-preferred vehicles have experienced declines in their account values as a result of the recent economic downturn and market decline, making continued contributions all the more important;

Whereas all workers, including public- and private-sector employees, employees of tax-exempt organizations, and self-employed individuals, can benefit from increased awareness of the need to develop personal budgets and financial plans including retirement savings strategies, and to take advantage of the availability of tax-preferred savings vehicles to assist them in saving for retirement; and

Whereas October 18 through October 24, 2009, has been designated as ''National Save for Retirement Week'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of ''National Save for Retirement Week'', including raising public awareness of the various tax-preferred retirement vehicles as important tools for personal savings and retirement financial security;

(2) supports the need to raise public awareness of efficiently utilizing substantial tax revenues that currently subsidize retirement savings, revenues estimated to be in excess of $120,400,000,000 for the 2008 fiscal year budget;

(3) supports the need to raise public awareness of the importance of saving adequately for retirement, and the availability of tax-preferred employer-sponsored retirement savings vehicles; and

(4) calls on the States, localities, schools, universities, nonprofit organizations, businesses, other entities, and the people of the United States to observe this week with appropriate programs and activities with the goal of increasing retirement savings for all the people of the United States.

The resolution was agreed to.

A motion to reconsider was laid on the table.

WASHINGTON METROPOLITAN AREA TRANSIT REGULATION COMPACT AMENDMENTS

Mr. COHEN. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the joint resolution (S.J. Res. 19) granting the consent and approval of Congress to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

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

There was no objection.

The text of the joint resolution is as follows:

S.J. RES. 19

Whereas Congress in title VI of the Passenger Rail Investment and Improvement Act of 2008 (section 601, Public Law 110–432) authorized the Secretary of Transportation to make grants to the Washington Metropolitan Area Transit Authority subject to certain conditions, including that no amounts may be provided until specified amendments to the Washington Metropolitan Area Transit Regulation Compact have taken effect;

Whereas legislation enacted by the State of Maryland (Chapter 111, 2009 Laws of the Maryland General Assembly), the Commonwealth of Virginia (Chapter 771, 2009 Acts of Assembly of Virginia), and the District of Columbia (D.C. Act 18–0095) contain the amendments to the Washington Metropolitan Area Transit Regulation Compact specified by the Passenger Rail Investment and Improvement Act of 2008 (section 601, Public Law 110–432); and

Whereas the consent of Congress is required in order to implement such amendments: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONSENT OF CONGRESS TO COMPACT AMENDMENTS.

(a) CONSENT.—Consent of Congress is given to the amendments of the State of Maryland, the amendments of the Commonwealth of Virginia, and the amendments of the District of Columbia to sections 5, 9 and 18 of title III of the Washington Metropolitan Area Transit Regulation Compact.

(b) AMENDMENTS.—The amendments referred to in subsection (a) are substantially as follows:

(1) Section 5 is amended to read as follows:

''(a) The Authority shall be governed by a Board of eight Directors consisting of two Directors for each Signatory and two for the federal government (one of whom shall be a regular passenger and customer of the bus or rail service of the Authority). For Virginia, the Directors shall be appointed by the Northern Virginia Transportation Commission; for the District of Columbia, by the Council of the District of Columbia; for Maryland, by the Washington Suburban Transit Commission; and for the Federal Government, by the Administrator of General Services. For Virginia and Maryland, the Directors shall be appointed from among the members of the appointing body, except as otherwise provided herein, and shall serve for a term coincident with their term on the appointing body. A Director for a Signatory may be removed or suspended from office only as provided by the law of the Signatory from which he was appointed. The nonfederal appointing authorities shall also appoint an alternate for each Director. In addition, the Administrator of General Services shall also appoint two nonvoting members who shall serve as the alternates for the federal Directors. An alternate Director may act only in the absence of the Director for whom he has been appointed an alternate, except that, in the case of the District of Columbia where only one Director and his alternate are present, such alternate may act on behalf of the absent Director. Each alternate, including the federal nonvoting Directors, shall serve at the pleasure of the appointing authority. In the event of a vacancy in the Office of Director or alternate, it shall be filled in the same manner as an original appointment.

''(b) Before entering upon the duties of his office each Director and alternate Director shall take and subscribe to the following oath (or affirmation) of office or any such other oath or affirmation, if any, as the constitution or laws of the Government he represents shall provide: 'I, , hereby solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution and laws of the state or political jurisdiction from which I was appointed as a director (alternate director) of the Board of Washington Metropolitan Area Transit Authority and will faithfully discharge the duties of the office upon which I am about to enter.' ''.

(2) Subsection (a) of section 9 is amended to read as follows:

''(a) The officers of the Authority, none of whom shall be members of the Board, shall consist of a general manager, a secretary, a treasurer, a comptroller, an inspector general, and a general counsel and such other officers as the Board may provide. Except for the office of general manager, inspector general, and comptroller, the Board may consolidate any of such other offices in one person. All such officers shall be appointed and may be removed by the Board, shall serve at the pleasure of the Board and shall perform such duties and functions as the Board shall specify. The Board shall fix and determine the compensation to be paid to all officers and, except for the general manager who shall be a full-time employee, all other officers may be hired on a full-time or part-time basis and may be compensated on a salary or fee basis, as the Board may determine. All employees and such officers as the Board may designate shall be appointed and removed by the general manager under such rules of procedure and standards as the Board may determine.''.

(3) Section 9 is further amended by inserting new subsection (d) to read as follows (and by renumbering all subsequent paragraphs of section 9):

''(d) The inspector general shall report to the Board and head the Office of the Inspector General, an independent and objective unit of the Authority that conducts and supervises audits, program evaluations, and investigations relating to Authority activities; promotes economy, efficiency, and effectiveness in Authority activities; detects and prevents fraud and abuse in Authority activities; and keeps the Board fully and currently informed about deficiencies in Authority activities as well as the necessity for and progress of corrective action.''.

(4) Section 18 is amended by adding a new section 18(d) to read as follows:

''(d)(1) All payments made by the local Signatory governments for the Authority for the purpose of matching federal funds appropriated in any given year as authorized under title VI, section 601, Public Law 110–432 regarding funding of capital and preventative maintenance projects of 1 the Authority shall be made from amounts derived from dedicated funding sources.

''(2) For the purposes of this paragraph (d), a 'dedicated funding source' means any source of funding that is earmarked or required under State or local law to be used to match Federal appropriations authorized under title VI, section 601, Public Law 110–432 for payments to the Authority.''.

SEC. 2. RIGHT TO ALTER, AMEND, OR REPEAL.

The right to alter, amend, or repeal this Act is expressly reserved. The consent granted by this Act shall not be construed as impairing or in any manner affecting any right or jurisdiction of the United States in and over the region that forms the subject of the compact.

SEC. 3. CONSTRUCTION AND SEVERABILITY.

It is intended that the provisions of this compact shall be reasonably and liberally construed to effectuate the purposes thereof. If any part or application of this compact, or legislation enabling the compact, is held invalid, the remainder of the compact or its application to other situations or persons shall not be affected.

SEC. 4. INCONSISTENCY OF LANGUAGE.

The validity of this compact shall not be affected by any insubstantial differences in its form or language as adopted by the State of Maryland, Commonwealth of Virginia and District of Columbia.

SEC. 5. EFFECTIVE DATE.

This Act shall take effect on the date of enactment of this Act.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SUPPORTING DESIGNATION OF GOSPEL MUSIC HERITAGE MONTH

Mr. CLAY. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the joint resolution (H.J. Res. 12) expressing support for designation of September 2009 as ''Gospel Music Heritage Month'' and honoring gospel music for its valuable and longstanding contributions to the culture of the United States, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

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

There was no objection.

The text of the joint resolution is as follows:

H.J. RES. 12

Whereas gospel music is a beloved art form unique to the United States, spanning decades, generations, and races;

Whereas gospel music is one of the cornerstones of the musical tradition of the United States and has grown beyond its roots to achieve pop-culture and historical relevance;

Whereas gospel music has spread beyond its geographic origins to touch audiences around the world;

Whereas the history of gospel music can be traced to multiple and diverse influences and foundations, including African-American spirituals that blended diverse elements from African music and melodic influences from Irish folk songs and hymns, and gospel music ultimately borrowed from uniquely American musical styles including ragtime, jazz, and blues;

Whereas that tradition of diversity remains today, as the influence of gospel music can be found infused in all forms of secular music, including rock and roll, country, soul, rhythm and blues, and countless other styles;

Whereas the legacy of gospel music includes some of the most memorable voices and musical pioneers in the history of the United States, such as Thomas Dorsey, Mahalia Jackson, James Vaughan, Roberta Martin, Virgil Stamps, Diana Washington, Stamps Quartet, The Highway QCs, The Statesmen, The Soul Stirrers, Point of Grace, Smokie Norful, Terry Woods, James Cleveland, Billy Ray Hearns, Rex Humbard, Joe Ligon and The Mighty Clouds of Joy, Kirk Franklin, V. Michael McKay, Theola Booker, Yolanda Adams, Edwin and Walter Hawkins, Sandi Patty, The Winans, Kathy Taylor, and Brenda Waters, Carl Preacher, Shirley Joiner of B, C & S;

Whereas many of the biggest names in music emerged from the gospel music tradition or have recorded gospel music, including Sam Cooke, Al Green, Elvis Presley, Marvin Gaye, Aretha Franklin, Whitney Houston, Little Richard, Ray Charles, Buddy Holly, Alan Jackson, Dolly Parton, Mariah Carey, Bob Dylan, and Randy Travis;

Whereas, regardless of their musical styles, those artists and so many more have turned to gospel music as the source and inspiration for their music, which has blurred the boundaries between secular and gospel music;

Whereas, beyond its contribution to the musical tradition of the United States, gospel music has provided a cultural and musical backdrop across all of mainstream media, from hit television series to major Hollywood motion pictures, including ''American Idol'', ''Heroes'', ''Dancing with the Stars'', ''O Brother, Where Art Thou?'', ''Sister Act'', ''The Preacher's Wife'', ''Evan Almighty'', and more;

Whereas gospel music has a huge audience around the country and around the world, a testament to the universal appeal of a historical American art form that both inspires and entertains across racial, ethnic, religious, and geographic boundaries; and

Whereas September 2009 would be an appropriate month to designate as ''Gospel Music Heritage Month'': Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress supports the designation of ''Gospel Music Heritage Month'' which would recognize the contributions to the culture of the United States derived from the rich heritage of gospel music and gospel music artists.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to support my bill, H.J. Res. 12, that will

designate September 2009 as Gospel Music Heritage Month and honor gospel music for its valuable and longstanding contributions to the culture of the United States. Gospel music is an American art form that has spanned hundreds of generations and its musical roots can be heard throughout many musical genres that we love today. It is important that we recognize and celebrate the vital role gospel music has had on music history. For this reason, I ask that you join me in supporting my resolution expressing support for designating September 2009 as ''Gospel Music Heritage Month,'' honoring gospel music for its valuable long-standing contributions to American culture. I would also like to thank the 6 co-sponsors who have seen fit to honor our gospel music heritage.

The history of gospel music can be traced back to African American spirituals that blended diverse elements from African music, melodic influences from Irish folk songs and hymns, and ultimately borrowed from other uniquely American musical styles including ragtime, jazz, and blues.

The influence of gospel music can be found infused in all forms of secular music, from rock & roll, country, soul, R&B, and countless other styles. The legacy of gospel music includes some of the most memorable voices and pioneers in American history, such as Thomas Dorsey, Mahalia Jackson, James Vaughan, Roberta Martin, and many more. Gospel music has laid down the musical foundation for legendary recording artists such as Elvis Presley, Marvin Gaye, Aretha Franklin, Buddy Holly, Whitney Houston, Ray Charles, Dolly Parton, Mariah Carey, Bob Dylan, and Randy Travis.

Gospel music has had an overwhelming influence on American culture and this bill recognizes gospel music's contributions by celebrating the rich heritage of gospel music and its artists in the month of September, 2009.

I urge my colleagues to support this bill as we move it to the floor for a vote.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

□ 1415

SUPPORTING GOLD STAR MOTHERS DAY

Mr. CLAY. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the resolution (H. Res. 513) supporting the goals and purpose of Gold Star Mothers Day, which is observed on the last Sunday in September of each year in remembrance of the supreme sacrifice made by mothers who lose a son or daughter serving in the Armed Forces, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 513

Whereas the American Gold Star Mothers have suffered the supreme sacrifice of motherhood by losing a son or daughter who served in the Armed Forces, and thus perpetuate the memory of all whose lives are sacrificed in war;

Whereas the American Gold Star Mothers assist veterans of the Armed Forces and their dependents in the presentation of claims to the Department of Veterans Affairs and aid members of the Armed Forces who served and died or were wounded or incapacitated during hostilities;

Whereas the services rendered to the United States by the mothers of America have strengthened and inspired Americans throughout the history of the United States;

Whereas Americans honor themselves and the mothers of America when they revere and emphasize the role of the home and the family as the true foundations of the United States;

Whereas by doing so much for the home, the American mother is a source of moral and spiritual guidance for the people of the United States and thus acts as a positive force to promote good government and peace among all mankind; and

Whereas the last Sunday in September, which in 2009 is September 27, is observed as Gold Star Mothers Day: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and purpose of Gold Star Mothers Day, which is observed in remembrance of the supreme sacrifice made by mothers who lose a son or daughter serving in the Armed Forces; and

(2) urges the President to issue a proclamation calling upon the people of the United States to observe Gold Star Mothers Day with appropriate ceremonies and activities.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measures just considered.

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

There was no objection.

ATTEMPTS TO DERAIL HEALTH CARE REFORM

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

Mr. CONNOLLY of Virginia. Mr. Speaker, when our friends on the other side of the aisle decide in advance to oppose any health care reform bill, they're putting politics ahead of the needs of the American people.

Guaranteeing coverage for pre-existing conditions, which affect 45 percent of insured Americans, they're against it. Closing the prescription drug doughnut hole for seniors, they're against it. Protecting families from the cost of catastrophic illness, they're against it. Half a trillion in Medicare and Medicaid savings, they're against it. A plan of their own, they're even against that, too.

Why, Mr. Speaker? Uniform opposition to all reform, all savings, all extended coverage? Why? The answer is simple, chilling, and deeply troubling. Senator DEMINT, Republican of South Carolina, put it bluntly: If we're able to stop Obama on health care, it will be his Waterloo. It will break him.

At least the distinguished Senator from South Carolina is honest about the Republican agenda. It's not about a substantive critique. It's about politics, a calculated cynical strategy to derail reform of a broken health care system, a reform that can benefit every American family and small business.

NATIONAL THERAPEUTIC RECREATION WEEK

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, in July we celebrate National Therapeutic Recreation Week. And therapeutic recreation or recreational therapy embraces a definition of health, which includes not only the absence of illness, but extends to enhancement of the physical, cognitive, emotional, social, and leisure development.

This caring profession touches the lives of individuals facing life-changing disease and disability all across the Nation. These services are provided by professionals nationally certified by the National Council for Therapeutic Recreation Certification as certified therapeutic recreation specialists.

Every day, countless individuals face rebuilding lives as a result of disease and disability. These individuals benefit from compassionate and cost-effective care of a certified therapeutic recreation specialist. Recreational therapy ultimately aims to improve an individual's functioning and keep them as active, healthy, and independent as possible.

Mr. Speaker, I congratulate the caring professionals of the therapeutic recreation profession for the services and care that they provide every day.

HONORING THE LIFE OF THOMAS MAROVICH, JR.

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

Mr. MCCLINTOCK. Mr. Speaker, I rise to pay tribute to a young man who gave his life last week while fighting the Backbone Fire in the Trinity Alps wilderness.

Thomas Marovich, Jr. was just 20 years old. He was in his second year with the U.S. Forest Service assigned to the Modoc National Forest. He was training with the Chester Helitack crew assigned to the Backbone Fire when a training accident claimed his life.

He was born and raised in Hayward, but he had come to Northeastern California to protect our forests, our communities, and our citizens from the

ravages of fire. Thomas Marovich had wanted to be a firefighter since he was a little boy and, by all accounts, had an exemplary life ahead of him. He was only able to live 20 years of that life, sacrificing the rest of it for the safety of our community. And for that, we owe him and his grieving family our eternal gratitude.

THE COMMUNITY LIVING ASSISTANCE SERVICES AND SUPPORTS ACT

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

Mr. PRICE of Georgia. Mr. Speaker, there's a health care bill that the Democrats have proposed here in the House that would have a major impact on the way that health care is provided in this Nation.

One of the areas that hasn't been talked about a lot is long-term care. Specifically, the CLASS Act, Community Living Assisted Services and Supports Act, is included, which would mandate government-sponsored, long-term care insurance on all Americans. Now, unfortunately, the $50-a-day allocation for long-term care insurance is only a portion of the actual cost for the long-term care. Consequently, this is a huge unfunded mandate on who, Mr. Speaker? On you, the American people.

Instead, Congress should consider positive solutions which would make long-term care insurance more accessible by allowing it to be covered under FSAs and cafeteria plans and other patient-centered plans. Without a doubt, Americans need a plan in advance for long-term care. They should be allowed to work with family and trusted advisers to ensure their long-term needs are covered. The government should not limit the type of long-term care Americans may select.

This is just another example of the government telling people what kind of care they should need and may receive.

GOSPEL MUSIC HERITAGE MONTH

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, we've had a long session of hard work, and I believe this is an appropriate ending to be able to honor some of America's culture. And so I rise today to acknowledge the passing of H.J. Res. 12, to designate September 2009 as Gospel Music Heritage Month and honor the gospel music for its valuable and longstanding contributions to the culture of the United States.

I thank the majority leader and the Republican leadership. I thank the chairman of the committee, Chairman TOWNS, and Ranking Member ISSA of Government Oversight, all of those who have worked, along with my 16 cosponsors who recognize the value of the songs sung by the likes of Mahalia Jackson singing Precious Lord; Yolanda Adams, The Battle is the Lord's; Sandi Patty; and the work that Elvis Presley did when he sang his gospel songs; Israel, out of Lakewood Church; Kurt Carr with This Little Light of Mine; Donnie McClurkin, Just Stand; and Rev. Gregg Patrick, who is both a producer and a singer.

We have a wide vastness of musical talent in this Nation. I'm glad we're celebrating gospel music.

THE AMERICAN PEOPLE ARE HURTING

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

Ms. FOXX. Mr. Speaker, the American people are hurting and losing jobs at an alarming rate. The President and the Democrats in Congress promised that their trillion dollar stimulus bill would create jobs immediately and keep unemployment below 8 percent. But since the President signed his so-called stimulus into law, the national unemployment rate has reached 9.5 percent, a 26-year high, and over 2 million more jobs have been lost.

It's clear the Democrats $1.1 trillion stimulus scheme isn't working. It's clear Democrats are on the side of more government, more taxes, and more debt. House Republicans are on the side of the American people, fighting for working families and small businesses to put America back to work.

The American people deserve real solutions for real recovery, and House Republicans will continue to fight for these solutions on behalf of the American people.

COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure:

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, July 30, 2009.

Hon. NANCY PELOSI,
Speaker of the House, House of Representatives, The Capitol, Washington, DC.

DEAR MADAM SPEAKER: Today, on July 30, 2009, the Committee on Transportation and Infrastructure met in open session to consider three resolutions for the U.S. Army Corps of Engineers, in accordance with 33 U.S.C. 542. The resolutions authorize Corps surveys (or studies) of water resources needs and possible solutions. The Committee adopted the resolutions by voice vote with a quorum present.

Enclosed are copies of the resolutions adopted by the Committee.

Sincerely,

JAMES L. OBERSTAR.

Enclosures.

RESOLUTION—DOCKET 2819—BLACK RASCAL CREEK, MERCED, CALIFORNIA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army review the reports on the Sacramento-San Joaquin Basin Streams, California, published as House Document No. 367, 81st Congress, 1st Session, and other reports to determine whether any modifications of the recommendations contained therein are advisable at the present time in the interest of flood damage reduction, and other related purposes in the vicinity of the Black Rascal Creek Watershed, Merced, California.

RESOLUTION—DOCKET 2820—DEADMAN'S RUN, LINCOLN, NEBRASKA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army review the reports of the Chief of Engineers on the Missouri River and Tributaries, published as House Document Numbered 475, 78th Congress, and other reports to determine whether any modifications of the recommendations contained therein are advisable at the present time in the interest of flood damage reduction, environmental restoration, and other related purposes in the Deadman's Run Watershed, located in the vicinity of Lincoln, Nebraska.

RESOLUTION—DOCKET 2821—HYDROELECTRIC POWER, UPPER MISSISSIPPI RIVER SYSTEM, ILLINOIS, IOWA, MINNESOTA, MISSOURI, AND WISCONSIN

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army review the report of the Corps of Engineers, entitled Upper Mississippi River and Illinois Waterway System: Report of the Chief of Engineers, dated December 15, 2004, and other pertinent reports, to determine whether any modifications of the recommendations contained therein are advisable at the present time in determining the feasibility of incorporating hydroelectric power into the improvements of the navigable portions of the Upper Mississippi and Illinois River system, Illinois, Iowa, Minnesota, Missouri, and Wisconsin.

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.

LET'S TAKE CARE OF AMERICA

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

Mr. POE of Texas. Mr. Speaker, a year ago today, when we recessed for the August break, there were some of us who stayed here on the House floor and continued to talk about energy and American independence in energy. Eventually, the powers that be turned out most of the lights, turned off the microphone, turned off the cameras, but we talked on that Friday, and then we continued to talk through most of the month of August, even though a formal session did not occur. And we talked about the need to be energy independent.

Now we've gone a year from that, and what has happened in that 1 year? Well, things have only gotten worse as

far as energy independence has gone. Let me give you one example.

In 2008 at this time, in the United States proper we had 1,808 rigs drilling for crude oil and natural gas. A year later, we only have 1,128, so that means 680 rigs fewer now than we did a year ago producing oil and natural gas. What has happened? Well, things have only gotten worse.

We have, or this body passed, barely, legislation to punish energy consumption by the cap-and-tax bill, which means that if you use energy in this country, natural gas, electricity, you use gasoline, you're going to have to pay more down the road. Hopefully, the Senate will not pass this legislation.

And we have fewer rigs and we are not more independent. We're more dependent. And who are we dependent on? We're dependent on the countries who hate us, some countries in the Middle East, some countries that we know and we have heard that actually the money that we spend on crude oil that we send them finds its way to people who don't like America and funds their organizations.

Why do we continue to do that? Because we don't take care of ourselves. We hear about clean energy, and we all want to go to alternative energy, but we're not there yet, Mr. Speaker. We need to do the simple things. We need to use and drill for our own natural gas and our own crude oil, and we can do that in the United States, in ANWR. We can do that offshore, and that keeps the money in the United States. It produces jobs for Americans, and doesn't send those jobs overseas. It keeps our oil companies and our natural gas companies in the United States. It's a good thing for America.

But because of the fear lobby, we're afraid to drill for natural gas and crude oil. And that is a mistake, because it can be done safely, and it should be done safely. The places that we drill offshore, it's been proven that it can be done safely. And we should continue to do that. So, a year from now, hopefully we won't be in a worse situation, depending on foreign countries for our energy.

We should do the obvious. Take care of America. Drill safely, drill anywhere that we have natural gas or crude oil and help bring energy back home to America, furnish jobs, keep that money in the United States and quit sending it overseas to people who don't even like the United States.

And that's just the way it is.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 172. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

□ 1430

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

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

AMERICA'S FINANCIAL CRISIS

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

Ms. KAPTUR. Mr. Speaker, the financial crisis has resulted in the largest transfer of wealth in U.S. history, from Main Street citizens to Wall Street titans, and Wall Street insiders made huge profits off the Ponzi scheme they set up that led to the real estate bust and to our economic demise.

As the rest of America tries to dig itself out from the rubble left in their wake, The New York Times reports today that the nine biggest banks paid $32 billion in bonuses to their employees of the $165 billion they got from us, the taxpayers; 4,793 bankers and traders got a minimum of an additional $1 million each. The average dealer at Goldman Sachs will earn $750,000 extra. Meanwhile, Wall Street is dumping their bad loans on us, through the government, while dragging their feet on the mortgage workouts.

Bear in mind, some people in this Congress and in the Obama administration decided to pay servicers to do mortgage workouts because they weren't doing them themselves. So, rather than holding them accountable and rather than this Congress' holding them accountable, the administration is paying them, and they're still not doing it.

Look at the rogues gallery. Bank of America got $45 billion in TARP funds while pulling in $2.7 billion in profits last quarter. They're going to pay $3.3 billion in bonuses. Wells Fargo got $25 billion in TARP funds and turned a $2.6 billion profit, and they will pay $980 million in bonuses. J.P. Morgan is one of the worst. They got $25 billion in TARP funds, and wracked up $2.7 billion in profits last quarter, and they will pay $8.9 billion in bonuses.

I am introducing legislation today to place a full excise tax on all of those Wall Street bonuses, to recoup the taxpayers' money and to direct it be used to do real mortgage workouts across this country on behalf of the American people to get our local real estate markets working again from coast to coast.

You know, Wall Street gorges itself on profits while unemployment is rising across our country, while foreclosures are rising and while pink slips are rising.

Look at JPMorgan. Within one week—and this happened in Ohio—on a Friday, they invited borrowers to attend a workshop for workouts. One little problem: Nobody from JPMorgan showed up until our office had to do their work and call their staff and get them there hours late. Only five of the original 20 borrowers who showed up to the meeting were left because they'd all taken off work, and they'd been able to get sick time to go to the meeting. Then we invited JPMorgan to a workout, and they said they'd send three staff. They didn't. The event went on with one staff member, and people left frustrated.

This is what is going on across our country, so the Obama administration called the 25 servicers up to Washington this week, and tried to talk sweet talk to them. The New York Times said it right yesterday. Here is what they said:

Why aren't these companies cooperating? We're enriching them, but beyond that, ''Even when borrowers stop paying, mortgage companies that service the loans collect fees out of the proceeds when homes are ultimately sold in foreclosure. So the longer borrowers remain delinquent, the greater the opportunities for these mortgage companies to extract revenue—fees for insurance, appraisals, title searches, and legal services.''

A Florida lawyer who defends homeowners against foreclosure, Margery Golant, says, ''It frustrates me when I see the government looking to the servicer for the solution, because it will never ever happen.''

The tax laws favor them. So, despite the Federal Government's chickenhearted efforts, the servicers will have none of it because they can make more money with all of these bonuses and in letting people lose their homes.

Look in your neighborhood. How many more foreclosure signs do you see there? When America went to war in the early 20th century, each citizen sacrificed for the Nation. Now it's all about the big shots. It's all about their bonuses and their power.

Has greed really become the top American value? Foreclosures are rising. Unemployment is rising. Ninety percent of the people in our country say the economy is not working for them, and Wall Street banks just can't seem to help themselves. They're squeezing more profits off of our people's misery.

What is wrong with this Congress? What is wrong with the Obama administration? What was wrong with the Bush administration that preceded it? Somebody had better stand up for the interests of the Republic.

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

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CAN GOVERNMENT PROGRAMS STAY WITHIN BUDGET?

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

Ms. FOXX. Mr. Speaker, today, the House rushed through a bill that provides an additional $2 billion for the so-called Cash for Clunkers program. Apparently, the lure of free money from Uncle Sam provoked such a tsunami of clunkers that the program is already broke.

Mr. Speaker, everyone loves ''free money.'' The bailed-out banks loved their $700 billion last fall. The bailed-out automakers loved their $86 billion. So it's not a surprise that the initial funding for Cash for Clunkers dried up in a matter of days.

So the question is: If the government so underestimated the cost of this program, and if the backlog of requests from dealers is already so huge, what does this tell us about these types of government programs—that maybe they don't always function as they were predicted to, and that sometimes they cost taxpayers much more than was estimated?

One large dealership group in Utah had this to say about the hoops they had to jump through to avoid the fines for noncompliance: The auto dealer said, ''Dealers are being asked to be compliant with several rules that are often confusing and unrealistic . . . it is apparent that those writing the rules don't understand how a car deal actually happens.''

This dealer went on to say that the government agency in charge of the Cash for Clunkers program has ''threatened large fines for noncompliance. We are a top-10 dealer group in the country, and have gone to great lengths to be compliant, but it is even confusing to us. It will be a nightmare for the many smaller dealerships around the country.''

So far, we've learned several things from this Cash for Clunkers program. Lesson 1: Businesses and consumers really love free money—except when they're the ones paying for someone else's free money. Lesson 2: The government is abysmal at predicting how much programs will cost. Lesson 3: Complying with Federal mandates is a nightmare.

Of course, we should not overlook the fact that there may very well be some unintended consequences of this program. For instance, The New York Times reported in April that France had a similar program from 1994 to 1996. Guess what? It worked. Well, kind of. There were lots of auto sales initially, but the program was followed by a severe drop in auto sales in 1997 and in 1998. Isn't that interesting? It turns out the program was simply shifting demand forward. What is keeping the U.S. Cash for Clunkers program from doing the same thing? Nothing.

Let's return to Lesson 2: Congress' inability to accurately estimate the cost or the effect of new government programs.

Based on research from Congress' Joint Economic Committee over the years, congressional estimates of the cost of health care programs have been extremely unreliable. For example, when Congress was considering Medicare part A, the hospital insurance component, Congress estimated it would cost $9 billion by 1990. The actual cost in 1990 was $67 billion, 7 times more than Congress estimated. The 1967 estimate for the entire Medicare program in 1990 was $12 billion. The actual cost? $111 billion. It was almost 10 times the original estimate.

Later, in 1987, Congress estimated that Medicaid's disproportionate share of hospital payments to States would cost less than $1 billion in 1992. Five years later, the results were in. It was $17 billion, which is an incomprehensible 17-fold increase over the estimate from just 5 years earlier. You get the idea.

Today's Cash for Clunkers example is just the latest in a long line of programs that turned out to be dramatically more expensive than anyone predicted, not to mention notoriously difficult to comply with or to figure out. Perhaps the most amazing part of this example is that it reminds me of the ongoing discussion over health care reform.

Here we've got a health system that is in need of reform, and some people are pushing a bill that amounts to a government takeover of health care. They like to call it a ''public option.'' The Congressional Budget Office already has said it would add $239 billion to the deficit over 10 years, but as we've just seen, government programs have a tendency to take on a life of their own and cost taxpayers way more than was originally estimated or envisioned.

While I'm willing to allow for some margin of error in estimated costs—they are estimates after all—what concerns me is that, today, we're starting out with estimates for huge deficits with this health care plan. At the same time, we're paying for it out of the pockets of America's job creators—small businesses.

If the current proposal becomes law, are we going to be coming back to these small businesses with another tax increase in 5 or 10 years? With our track record on programs like Cash for Clunkers, that wouldn't surprise me one bit.

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

(Ms. LINDA T. SÁNCHEZ of California addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. GOHMERT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Minnesota (Mrs. BACHMANN) is recognized for 5 minutes.

(Mrs. BACHMANN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. PAUL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REFILE THE VOTER INTIMIDATION CASE AGAINST THE NEW BLACK PANTHER PARTY

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

Mr. WOLF. Mr. Speaker, earlier today, I sent a letter to Attorney General Eric Holder, which I submit for the RECORD, imploring him to refile the voter intimidation case against the New Black Panther Party that was inexplicably dismissed in May.

This case was brought in January by career attorneys in the department's Civil Rights Division against the party and several of its members for deploying uniformed men to a polling station in Philadelphia on election day last November to harass and intimidate voters—one of whom brandished a nightstick to the voters.

The public can view video of the incident as well as other examples of their intimidation in a January 2009 National Geographic Channel documentary that is posted on the Web at www.electionjournal.org.

One of the witnesses of the election day incident, Bartle Bull—a veteran civil rights activist who served as Bobby Kennedy's New York campaign manager in 1968—has publicly called this ''the most blatant form of voter intimidation'' he has ever seen. He also reminded us that Martin Luther King did not die to have people in jackboots with billy clubs block doors of polling places. Neither did Robert Kennedy. It's an absolute disgrace.

In 1981, I was the only member of the Virginia delegation in the House to vote for the Voting Rights Act, and I was harshly criticized by the editorial page of the Richmond Times Dispatch. When I supported the act's reauthorization in 2006, I was again criticized by editorial pages. My commitment to voting rights is unquestioned.

Given my consistent support for voting rights, I was deeply troubled by a report in yesterday's Washington Times, which I also submit for the RECORD, indicating that improper political influence by Associate Attorney General Thomas Perrelli led to the dismissal of this case—over the objections of justice career attorneys on the trial team.

I am troubled, but unfortunately not surprised, to learn of the existence of this guidance from the chief of the department's Appellate Division, which recommended that the department proceed with the case and obtain default judgment. Despite a congressionally directed request, the guidance was not previously shared with Members of Congress.

According to a summary of the Appellate Division guidance reported in The Washington Times, ''Appellate Chief Diana K. Flynn said in a May 13 memo obtained by The Times that the appropriate action was to pursue the default judgment unless the department had evidence the court ruling was based on unethical conduct by the government.''

She goes on to say many other things, which I'll submit for the RECORD, but she ends by saying that the complaint appeared to be sufficient to support the injunctions sought by the career employee, stating, ''The government's predominant interest is preventing intimidation, threats and coercion against voters.''

Just last week, Eric Holder declared that the department's Civil Rights Division is ''back and open for business.'' I question Eric Holder's commitment to voting rights, and I question Eric Holder's judgment. Yet where are the other Members of this Congress—Republican or Democrat—who want to even look at this issue?

Given that both the department's trial team and the Appellate Division argued strongly in favor of proceeding with the case, I can only conclude that the decision to overrule the career attorneys, Associate Attorney General Thomas Perrelli or other administration officials was politically motivated.

HOUSE OF REPRESENTATIVES,
Washington, DC, July 31, 2009.

Hon. ERIC H. HOLDER, JR.,
Attorney General, Department of Justice, Washington, DC.

DEAR ATTORNEY GENERAL HOLDER: In light of the troubling reports of political influence in the enclosed article from yesterday's Washington Times, as well as the many unanswered questions to members of Congress, I implore you to re-file the voter intimidation case against the New Black Panther Party and other defendants so that impartial judges—not political benefactors—may rule on the merits of this case. Given your declaration on July 22 that the department's Civil Rights Division is ''back and open for business,'' I would urge you to demonstrate your commitment to enforcing the law above political interests by re-filing.

My commitment to voting rights is unquestioned. In 1981, I was the only member—Republican or Democrat—of the Virginia delegation in the House to vote for the Voting Rights Act and was harshly criticized by the editorial page of the Richmond Times Dispatch, and when I supported the act's reauthorization in 2006, I was again criticized by editorial pages.

Given my consistent support for voting rights throughout my public service, I hope you can understand why I am particularly troubled by the dismissal of this case. The video evidence of the defendants' behavior on Election Day, as well as a January National Geographic Channel documentary, ''Inside: The New Black Panther Party,'' should leave no question of the defendants' desire to intimidate or incite violence.

The ramifications of the dismissal of this case were serious and immediate. Defendant Jerry Jackson received a new poll watcher certificate, a copy of which I have enclosed, on May 19, 2009, immediately after the case was dismissed. Mr. Jackson faced no consequences for his blatant intimidation and promptly involved himself in the next election. Is that justice served?

As you will read in the enclosed memorandum of opinion from the Congressional Research Service's American Law Division, there is no legal impediment that would prevent you from re-filing this case. Unlike a criminal case, a civil case seeking an injunction against the other defendants could be brought again at any time. According to the memo provided to me, ''It appears likely that the Double Jeopardy Clause would not bar a subsequent civil action against the [New Black Panther] Party or most of its members,'' and ''second, because the United States voluntarily dismissed its suit against the Party and two of the three individual members before those defendents had filed an answer or motion to dismiss the suit, the previous action had not moved sufficiently beyond preliminary steps so as to implicate the Double Jeopardy Clause.''

I was surprised to learn from The Washington Times report of the existence of the enclosed correspondence from the chief of the department's Appellate Division recommending that the department proceed with the case and the default judgment. These opinions were never disclosed to me or other members of Congress by the department in its previous responses to questions regarding the dismissal of the case. According to the report:

''Appellate Chief Diana K. Flynn said in a May 13 memo obtained by The Times that the appropriate action was to pursue the default judgment unless the department had evidence the court ruling was based on unethical conduct by the government.

''She said the complaint was aimed at preventing the 'paramilitary style intimidation of voters at polling places elsewhere' and Justice could make a 'reasonable argument in favor of default relief against all defendants and probably should.' She noted that the complaint's purpose was to 'prevent the paramilitary style intimidation of voters while leaving open 'ample opportunity for political expression.'

''An accompanying memo by Appellate Section lawyer Marie K. McElderry said the charges not only included bringing the weapon to the polling place, but creating an intimidating atmosphere by the uniforms, the military-type stance and the threatening language used. She said the complaint appeared to be 'sufficient to support the injunctions' sought by the career lawyers.

''The government's predominant interest is preventing intimidation, threats and coercion against voters or persons urging or aiding persons to vote or attempt to vote, she said.''

Given that both the department's trial team and the Appellate Division argued strongly in favor of proceeding with the case, I can only conclude that the decision to overrule the career attorneys Associate Attorney General Thomas Perrelli, or other administration officials, was politically motivated. This report further confirms my suspicions that the Department of Justice under your watch is becoming increasingly political.

It is imperative that we protect all Americans right to vote. This is a sacrosanct and inalienable right of any democracy. The career attorneys and Appellate Division within the department sought to demonstrate the federal government's commitment to protecting this right by vigorously prosecuting any individual or group that seeks to undermine this right. The only legitimate course of action is to allow the trial team to bring the case again and allow the our nation's justice system to work as it was intended—impartially and without bias.

Sincerely,

FRANK R. WOLF,
Member of Congress.

CONGRESSIONAL RESEARCH SERVICE,
Washington, DC, July 30, 2009.

Memorandum

To: Hon. Frank Wolf, Attention: Thomas Culligan.
From: Anna Henning, Legislative Attorney.
Subject: Application of the U.S. Constitution's Double Jeopardy Clause to Civil Suits.

This memorandum responds to your request for an analysis of the application of the Double Jeopardy Clause to successive civil suits in federal courts. In particular, it examines the clause's potential application in the context of a civil suit brought against the New Black Panther Party for Self-Defense or its members, against whom the United States had previously brought an action for injunctive relief. In sum, it appears likely that the Double Jeopardy Clause would not bar a subsequent civil action against the Party or most of its members.

DOUBLE JEOPARDY CLAUSE: APPLICATION TO CIVIL PENALTIES

The Double Jeopardy Clause provides that no ''person [shall] be subject for the same offence to be twice put in jeopardy of life or limb.'' It has been interpreted as prohibiting only successive punishments or prosecutions that are criminal in nature. However, some penalties designated as ''civil'' by statute have been found to be sufficiently ''criminal'' to implicate double jeopardy concerns. In other words, whether a particular punishment is criminal or civil may require an interpretation of congressional intent and the extent to which the penalty can be characterized as penal in nature.

Factors that courts consider when determining whether a penalty is criminal in nature include: (1) ''whether the sanction involves an affirmative disability or restraint''; (2) ''whether it has historically been regarded as a punishment''; (3) ''whether it comes into play only on a finding of scienter''; (4) ''whether its operation will promote the traditional aims of punishment—retribution and deterrence''; (5) ''whether the behavior to which it applies is already a crime''; (6) ''whether an alternative purpose to which it may rationally be connected is assignable for it''; and (7) ''whether it appears excessive in relation to the alternative purpose assigned.'' However, Congress' designation of a penalty as ''civil'' creates a presumption which must be overcome by clear evidence to the contrary. Thus, civil penalties are not typically found to be criminal in nature. For example, in Hudson v. United States, the U.S. Supreme Court held that monetary assessments and an occupational debarment order did not implicate the Double Jeopardy Clause, because neither type of penalty constituted a ''criminal punishment.''

Regardless of the nature of the penalty sought, the Double Jeopardy Clause does not bar a subsequent action if no more than preliminary proceedings commenced in the prior action. Typically, an action must have reached at least the stage where jury members have been sworn (in a jury trial) or where the first evidence has been presented to the judge (in a bench trial).

APPLICATION TO A SUBSEQUENT SUIT AGAINST THE NEW BLACK PANTHER PARTY FOR SELF-DEFENSE OR ITS MEMBERS

In January 2009, the U.S. Department of Justice filed a civil suit in a U.S. district court against the New Black Panther Party for Self-Defense and three of its members. The suit was brought by the Department's Civil Rights Division pursuant to the Voting Rights Act of 1965, 42 U.S.C. §1973 et. seq., which prohibits intimidation of ''any person for voting or attempting to vote'' and authorizes the Attorney General to bring civil actions to obtain declaratory judgment or injunctive relief to prohibit such actions. The Department alleged that members of the Party had intimidated voters and those aiding them during the November 2008 general election and sought an injunction banning the Party from deploying or displaying weapons near entrances to polling places in future elections. However, after the Department obtained an injunction barring one member's future use of weapons near polling places, it voluntarily dismissed its suit against the Party and the other members.

For two reasons, it appears likely that the Double Jeopardy Clause would not prohibit the Justice Department from bringing a similar suit on the same or similar grounds against at least the Party and the individual members for whom the previous suit was dismissed. First, it is likely that a court would find that the injunctive relief sought in the previous action constitutes a civil, rather than criminal, punishment.

Although Congress' designation of the injunctive relief actions as a civil penalty is not ultimately dispositive, it is unlikely, based on the seven factors noted previously, that injunctive relief sought by the Justice Department would be viewed as sufficiently criminal in nature so as to overcome the presumption in favor of accepting Congress' characterization. Most importantly, the injunctions seem to have been primarily designed to prohibit the use of guns at polling places for the purpose of implementing the purposes of the Voting Rights Act, rather than to impose punishment on the defendants.

Second, because the United States voluntarily dismissed its suits against the Party and two of the three individual members before those defendants had filed an answer or motion to dismiss the suit, the previous action had not moved sufficiently beyond preliminary steps so as to implicate the Double Jeopardy Clause. With respect to the one member against whom an injunction was obtained, this second factor would not apply. However, due to the likely characterization of the injunction as a civil penalty, it remains unlikely that a subsequent action would be barred.

□ 1445

It is imperative that we protect all Americans' right to vote. This is sacrosanct on an inalienable right of any democracy. The career attorneys and the appellate division within the Department sought to demonstrate the Federal Government's commitment to protecting this right by vigorously prosecuting any individual or group who seeks to undermine this right. The only legitimate course of action for the trial team is to bring the case again and allow our Nation's justice system to work as it was intended.

And to see it again, look for it in your own eyes. Look at www.electionjournal.org.

IMAC, NOT THE SILVER BULLET IT WAS PROMISED TO BE

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

Mr. PRICE of Georgia. Mr. Speaker, before I came to Congress I spent 20-plus years as a physician taking care of folks in the north Atlanta area, so this whole debate about the health care bill, there are many aspects of it that give me great concern. And the fact of the matter is, Mr. Speaker, there are many aspects of it that give the Nation great concern.

So whether it's the government-run program or the takeover of health care or whether it's the potential for huge mandates from the Federal Government, many aspects point to areas of different concern for the American people. And one of them is the issue of rationing, the issue of whether or not the Federal Government should be deciding to what extent which Americans receive medical care.

So earlier this year when there was a proposal that was passed in this House and in the Senate signed by the President for something called the Comparative Effectiveness Research Council, fancy name for a potential rationing board, many people voiced concerns about that, as did I.

And what we heard from the other side of the aisle, the majority party, the Democrats, they said, Don't worry about that. There will be congressional oversight. Congress will be able to hold their feet to the fire. Well, Mr. Speaker, what's now come out is that may not be the case.

The IMAC program, or the Independent Medicare Advisory Council, is a proposal that is being added to the current health care bill that would create a new Presidentially appointed board empowered to make recommendations on cost savings proposals. These are very, very personal medical decisions that we're talking about here, and cost savings proposals oftentimes means rationing.

This proposal in the health care bill right now would eliminate all congressional oversight of the Medicare program and put it in the hands of, you guessed it, the White House and the President. It creates a new executive branch agency with unelected board members appointed by the President to make recommendations on the reductions in Medicare payment levels, reimbursement for providers, potentially refusing to pay for services or care prescribed by doctors as they are deemed not to be ''cost efficient.'' That's the language, Mr. Speaker.

The bill says that the reforms must ''either improve the quality of medical care received by the beneficiaries of the Medicare program or,'' not and, ''improve the efficiency of the Medicare program's operation.''

Mr. Speaker, this is extremely concerning. This Congress has created the Comparative Effectiveness Resources Board that will have the power to ration care based on cost or quality. It would make the board's recommendations binding in the absence of action by Congress within 30 days if the President approved the recommendation.

Now, many Members of Congress are concerned about payment rates in rural parts of the country, yet this board eliminates State and community input into the Medicare program by rendering irrelevant the influence of local Medicare Carrier Advisory Communities, or MCACs, to develop and implement policies expressly applicable to their patient population.

Further, it would reduce the availability of patient advocacy groups to implement new policies that would improve the health care of our Nation's seniors.

The real concern as a physician is that nonmedical people will be making medical decisions. It's a terrible idea. It's not what the American people want, and they are actually waking up to the proposal that's before Congress right now. And that's why you see the numbers of support across this land decreasing.

Let's move in a positive direction. There is a positive direction, and that is to allow quality decisions, medical decisions to be made between patients and their families and caring and compassionate physicians. It's a simple way to do it, not put it in the hands of a bureaucrat, not put it in the hands of the White House, not put it in the hands of the President. Let patients and doctors decide.

Mr. Speaker, that's the right way. Mr. Speaker, that's the American way.

SINGLE-PAYER, NOT-FOR-PROFIT HEALTH CARE SYSTEM

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

Mr. KUCINICH. Mr. Speaker, I've listened to the health care debate, as all Members have, for the last few months. And what's very interesting about it is that in this debate, we've essentially talked past the single most effective way to reduce costs and to provide health care for all Americans, and that is to create a single-payer, universal not-for-profit health care system.

Such a system is envisioned in and provided for in H.R. 676, Medicare for All, a bill that I had the privilege of writing with JOHN CONYERS of Michigan, a bill that is supported by 85 Members of Congress, by hundreds of community organizations and labor unions, by over 14,000 physicians, and a bill which represents an idea whose time has come.

Some basic facts require discussion when we're speaking about our health care system. And that is that we spend about $2.4 trillion on health care in America, all spending. That amounts to about 16 to 17 percent of our gross domestic product. Clearly health care is a huge item in the American economy.

If all of that money, all of that $2.4 trillion went to care for people, every American would be covered. But today, not every American is covered. As a matter of fact, there are 50 million Americans without health insurance and another 50 million underinsured. Why is it in this country which has so much wealth in this country, which has given so much of its wealth to people at the top, we can have 50 million Americans without insurance? By and large, it's because people cannot afford private insurance.

Why not? Well, it's very simple. When you look at the fact that an individual can pay $300 to $600 a month or more for a premium, when you look at the fact that a family can pay $1,000, $2,000 a month or more for a health care premium, when you consider that a family budget cannot in any way countenance the kind of health care expenses that most families can run into, when you understand that any family can lose its middle class status with a single illness in that family, you come to understand the dilemma that we have in America.

Why isn't health care a basic right in a democratic society? Why do we have a for-profit health care system? I will tell you why. Because out of that $2.4 trillion that is spent every year in health spending, $1 out of $3, or $800 billion a year, goes to the activities of the for-profit system for corporate profits, stock options, executive salaries, advertising, marketing, the cost of paperwork; 15 to 30 percent in the private sector as compared to Medicare's 3 percent.

This is what this fight is about in Washington. This is why the insurance industry is hovering around Washington like a flock of vultures. $800 billion a year is at stake. And so they will do anything that they can to be part of this game so that the government can continue to subsidize insurance companies one way or another.

One out of every $3 goes for the activities of the for-profit system. If we took that $800 billion a year and put it into care for everyone, we'd have enough money to cover every American. Not just basic health care, with doctor of choice, but dental care, mental health care, vision care, prescription drugs, long-term care, all would be covered. Everything.

People say how is that possible? It's because we're already paying for the universal standard of care. We're just not getting it.

GET 'ER DONE

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

Mr. LATOURETTE. I thank the Speaker for the recognition and thank the minority leader for this hour.

I'm going to be joined by my good friend, Mr. NUNES, from California and Mr. MCCOTTER, who is on his way.

I want to talk tonight, Mr. Speaker—most folks in America recognize the picture to my left. It's Larry the Cable Guy. And if you watch Larry the Cable Guy, his line is get 'er done. And get 'er done is a good way to entertain somebody in a movie. I would suggest it's not such a good way to run the United States of America.

Sadly, since the beginning of this year, we have had a majority in this House and in the other body and at the other end of Pennsylvania Avenue that has taken the attitude of just get 'er done. And that can lead sadly to some unfortunate consequences.

The first get 'er done was we were told we had to have an economic stimulus package spending $789 billion of taxpayer money by President's Day. It was very important that the President of the United States have the opportunity to sign this bill by President's Day. So the White House's message to the Congress was get 'er done. And the leadership of this House got it done.

Sadly, they were embarrassed because included—and we're going to talk a little bit later in the hour—in the bowels of that stimulus package, which, by the way, was 1,100 pages long and Members of the House got 90 minutes to read it so I doubt many people read it—so people were embarrassed because they didn't read the bill to find out that in the bill was an authorization to give the insurance company AIG, which has received more, billions and billions of dollars, from the taxpayer, bonuses totaling $173 million.

Well, then the next get 'er done came along—and everybody knows we have a problem with the automobile industry in this country. And rather than wrapping up their affairs and going through a bankruptcy the old fashioned American way, the message from the White House was we gotta get 'er done in 40 days. Can you imagine a 40-day bankruptcy for Chrysler, the third largest automobile manufacturer in this country and for General Motors, the largest.

And the get 'er done there has been a lot of collateral damage. We have seen plants all across the country closed; we have seen about 50,000 auto workers about to be thrown out of their jobs. We have seen parts suppliers not get paid for manufacturing and making the parts that go into the cars. And we will talk a little bit later about the car dealers. Some brainiac decided that car dealers were a problem in this country and so therefore we have had to get 'er done; we had to close about 3,000 auto dealerships in this country, and we're going to talk about that, too.

□ 1500

But, again, just like the economic stimulus bill, get 'er done is not really a good way to run the country because the other collateral damage that has occurred here recently is there are about 50,000 people that didn't work for General Motors, worked for companies like Delphi, that had their health insurance through General Motors, and guess what? Nobody cared at all about what happens to their health care. So while some of the UAW members that work for General Motors and Chrysler are now secured by stock ownership in the new companies, these 50,000 workers don't have any health care.

Then we came along to what at least in my State is a pretty controversial issue, the cap-and-trade legislation. Some folks on my side called it the ''cap-and-tax'' legislation. And basically, when fully implemented, I believe it will drive any job that's left in the State of Ohio out of the State of Ohio.

But, again, there's a way to do things here. I've been here for 15 years, and the way legislation usually works is somebody has an idea. We talk about it. We have hearings. They bring it to the floor. Members who have other good ideas have the opportunity to amend that legislation, and then we vote on it. Well, cap-and-trade, sadly, came to the floor, and at 3 o'clock in the morning—I think we voted on the bill on a Friday, and at 3 o'clock Friday morning, in a 1,200-page bill—which, again, nobody had read. They put in 309 new pages at 3 o'clock in the morning, and then we voted on the bill later in the day. And, again, get 'er done.

But we were told we had to get it done by July 4. So the White House called up the House, said get 'er done. Leadership said to their troops, get 'er done, and they got it done. But just like in the stimulus bill, people are embarrassed, because in those 309 pages,

which nobody read, they have found out that this cap-and-trade legislation, aside from dealing with carbon emissions and setting up a whole new speculative system, derivative system to trade carbon credits, it regulates water coolers.

If you have one of those water coolers in your house or at the office with the big jugs you've got to tip over, that's going to be subject to regulation. If you have a hot tub or spa outside your house, that's regulated under the cap-and-trade legislation. And people were really surprised that Christmas lights are regulated under the cap-and-trade legislation.

Now, listen, all of us want to deal with climate change, but you're going to have to go a long way to convince me that Christmas lights are somehow leading to global warming. So that's in the cap-and-trade bill. So get 'er done isn't really a good way to run the country.

And now this week, thankfully, they were not able to get 'er done on health care. The proposal going through the committees of this House—again, the White House said we've got to get 'er done by August 1, which is tomorrow. Everybody began moving around. But a funny thing happened on the way to get 'er done. Some conservative Democrats, Blue Dog Democrats, said, We don't think the government should be in the business of running the health care system and we should have a United States health care policy in this country.

And the previous speaker, Mr. PRICE, was talking. This bill, again, get 'er done won't take care of it because there are some scary things in this legislation. One piece of it is, for the first time in our Nation's history under the national policy, end-of-life counseling will be available. Well, that's good. I happen to be a big supporter of hospice and all the wonderful work they do at the end of a person's life.

But the problem with end-of-life counseling in this bill is that to get the cost savings that they want to achieve, you have to control cost. And so many of the models are taken from Great Britain and Canada, and in those systems there is a board, as the President wants to set up, that determines what procedures are covered, what drugs are covered, and what are not. And just by way of example, the same board over in the United Kingdom, it's called NICE. So who could be against something nice?

But NICE doesn't cover drugs for people with Alzheimer's, doesn't cover drugs for people with breast cancer, doesn't cover some drugs for people with prostate cancer. And the best one was macular degeneration, which is a degeneration of the eye and can lead to blindness. They won't approve the most effective drug. They approve the second-most effective drug, but this NICE board has determined that you can only get treatment in one eye. And so if you go to Great Britain in about 5 years, you're going to see a bunch of folks running around that look like pirates with eye patches because the NICE board is only going to let them take care of one eye.

I will yield to my friend from California.

Mr. NUNES. I thank the gentleman for yielding.

I know my friend has spent a lot of time on these issues. We were involved in the first bailout back in the day, and I remember when you and I were very concerned about the country, where we were heading with the debt piling up. And then we got into the new administration with the stimulus bill, and keeping with get 'er done, they actually got that done, borrowed almost $1 trillion, and now they have very little of that money spent, out the door.

Unemployment was only supposed to go to 8 percent. Now unemployment is at 10 percent. In my home State of California, it is well over 10 percent. In my district, it's almost 20 percent. So they got it done, but really nothing got done.

And when you look at the cap-and-trade bill or the cap-and-tax bill, that was another example of getting it done and really getting nothing done, because ultimately, in their bill, if it becomes law, it won't take any CO_2 out of the air because you're going to have China and India continuing to build coal-fired power plants. In fact, your home State of Ohio I know pays 3 cents a kilowatt for its electricity because you use one of the greatest resources in America, which is coal.

And if you look at California today, in California we've passed, basically, cap-and-trade legislation through the State legislature. And I don't know if the gentleman knows this already, but in California we're paying 17 cents a kilowatt for electricity. So it's no wonder that California's unemployment rate continues to go up, costs to Americans continue to go up.

And so the Democrat Congress definitely is trying to get something done, but in the process of getting legislation passed out of this House, it's legislation that, at the end of the day, is going to hurt America.

And just to finish up on this health care debate, we were told numerous times by the Speaker that she had the votes. The majority leader said they had the votes. And now, here we are today. They don't even have the votes in the Energy and Commerce Committee, which is still meeting today in committee, and it seems like they're not getting it done—and thankfully. We don't want them to get this done because we don't want the government to take over our health care system, which the gentleman, I think, was pointing out.

Mr. LATOURETTE. I thank my friend very much. You make a great point, and I think I want to reinforce that point.

There have been some speakers that have come to the floor during the last few days saying that somehow Republicans are the Party of No and we don't want to reform health care and we're blocking this great health care proposal that they have. Well, that's not true. There are 178 Republican Members of the House of Representatives, 247 Democratic Members of the House of Representatives, and they can do whatever they want, whenever they want.

Mr. NUNES. Just to correct the gentleman, 256 Democrats, I believe.

Mr. LATOURETTE. Well, they got more.

Mr. NUNES. And how many votes does it take to pass a bill out of the House?

Mr. LATOURETTE. That would be 218. So 47 people can leave the reservation and you still have a piece of legislation.

So we're not preventing them from doing anything. As a matter of fact, we have four or five good pieces of legislation on health care that solve the problems of the doughnut hole and Medicare part D, take care of the uninsured in this country that don't have insurance.

And not only that, it's a sad situation that leads to a lot of cost shifting for people who do have insurance, deals with making sure that you can't be excluded from health care if you have a preexisting condition. But nobody will talk to our side of the aisle. And the attitude since the beginning of this year has been, we've got 258 votes, and we're going to do what we want when we want, and when we want your ideas, we'll ask you. And it's unfortunate that we haven't been asked.

But we are certainly not blocking what it is they're attempting to do. They are, at the moment, having a fight amongst themselves. You have conservative Democrats versus liberal Democrats, and they can't figure it out. And once they're all on the same page, they can pass it, and pass it in the Senate, and the President clearly wants to sign it.

Mr. NUNES. And if the gentleman would yield again, we've heard several times from the White House and from the Democrat leadership and this Congress blaming the Republicans for not having a plan. And as the gentleman pointed out, first of all, they've never wanted to work with us. Second of all, they've never asked us for our plans. And third, the Republicans have very good plans, some plans that myself and Paul Ryan from Wisconsin have worked on and we're going to continue to work on over the break.

The good thing, the best thing about the plan that we've put together, that the Republicans have put together, is that we deal with the Medicaid problems in this country. And one thing we have to look at over the long run is that debt continues to pile up. And we have three major problems in this country that no one wants to talk about, and that's the unfunded liabilities that this country has. We have

the unfunded liabilities of Medicaid, unfunded liabilities of Medicare, unfunded liabilities of Social Security.

The sad part about the Democrat plan is that they want to put more and more people on Medicaid. And now in my district, only 22 percent of the doctors will see Medicaid patients. And so the Republican plan that we've put forward actually deals with the Medicaid problem that we have in this country and actually gives people better health care. And that is, I think, something that needs to be done.

Mr. LATOURETTE. I thank the gentleman.

And the gentleman is hiding his light under a bushel basket because the other thing that his piece of legislation does that this piece of legislation that's being debated now does not do is that you bend the cost curve.

Two of the reasons that we're having a health care debate in this Congress are, one, to get better quality health care and take better care of people in this country, but two is to rein in the cost.

Now, one of the reasons that we don't have a bill this week and that they couldn't get 'er done was that the Congressional Budget Office came back and scored it, at one point, that this didn't save money. It was actually going to add $1.6 trillion to the debt. And to be completely bipartisan, because my friend brought up the Wall Street bailout, that was George W. Bush. That was Hank Paulson, his Treasury Secretary, that came to Capitol Hill with a three-page bill—can you imagine, a three-page bill—and said, you've got to give us $700 billion to go to Wall Street or the world is going to come to an end. So you take that $700 billion, you take the $700 billion—

Mr. NUNES. But I will add, if the gentleman will yield for a second, I will add that this was a bipartisan bailout that was passed.

Mr. LATOURETTE. Right.

Mr. NUNES. So it was the White House working in conjunction with the Democrat-controlled House that passed the first bailout. And I think one of the things we're going to talk about later, as we transition into, I think, some of the things we want to talk about is AIG.

Mr. LATOURETTE. I do.

Mr. NUNES. I think you really have to look at where that money that went first to AIG and then somehow got to, guess where? Goldman Sachs.

Mr. LATOURETTE. Right. The gentleman is absolutely right. But if you take the $700 billion from the Bush administration, $789 billion from the stimulus package, you take the auto bailout—which is tipping $60 billion, $70 billion—you take the budget that the President sent up here that the majority passed of $3.5 trillion, you really are talking real money.

And a lot of folks come to the floor and talk about, well, this is a debt that's going to be passed on to our children and our grandchildren. That's true. But even those of us in our middle age are going to have a problem with this because we have to borrow it, and you have to borrow it from places like China, and you borrow it at higher and higher interest rates. And so it's not only a debt that needs to be repaid some day, the interest on the debt is eventually going to strangle this budget.

Mr. NUNES. And if the gentleman would yield again, I want to make one important point back to the point that you're making, and that is that the Congress, for many years, has spent too much money. There is no question about that, Republicans and Democrats have spent too much money. But if you look at the budgets that have been put forward with the stimulus bill and the bailouts and the government takeover of companies, you look at the unfunded liabilities, the Obama administration potentially could triple or quadruple the debt by the time President Obama is out of the Presidency. That doesn't include that the Obama administration could pile up more debt than all previous Presidents combined.

Mr. HOEKSTRA. Would the gentleman yield?

Mr. LATOURETTE. I would be happy to yield to my friend from Michigan.

Mr. HOEKSTRA. We're from Michigan. We think in smaller numbers. And I know that my colleague has been very interested in what's been happening with dealers, automobile dealers. But as we talk about a $787 billion stimulus plan, as we talk about the bailout, as we talk about the cap-and-trade bill—I'm not sure exactly how big that is going to get in new taxes—and then you talk about there are folks here who want this government to take over health care, $1.6 trillion.

Can I just share with you two examples of what happens when we try to do a $1 billion program? Will the gentleman continue to yield?

Mr. LATOURETTE. I'm happy to yield to the gentleman.

Mr. HOEKSTRA. This Cash for Clunkers program, I've talked with four of my dealers in the last couple of hours, they've sold a total of about 150 cars over the last 5 days. And all we're doing is processing a rebate, right? It's either a $3,500 check or a $4,500 check. Out of those 150 sales, zero, exactly zero rebates have been approved, although the paperwork has been filed. Some of the paperwork has been filed three times.

The paperwork is 21 pages—this is from one of my dealers. They sent in 21 pages, and here's what the sales guys wrote: Each of these pages have to be scanned in and must be saved with the attached file names, and each page must be uploaded separately. You cannot save anything until the end. So if the Web site crashes, you get to start over.

□ 1515

If the Web site works, it takes approximately 1 hour per deal?

Mr. LATOURETTE. Wow.

Mr. HOEKSTRA. That's the paperwork.

Mr. LATOURETTE. Reclaiming my time, it's my understanding that the Web site has crashed at least twice.

Mr. HOEKSTRA. Yes. And it crashed again this morning.

Then they get the rejection notice. And to one of my dealers, I said, Well, you know, you file it the first time, you get a rejection, and it comes back, and you fill it out appropriately the second time like it's filling out taxes, these 21 pages.

And he said, Pete, I've had a number of these things come back for a third time. He said, I've just had one come back.

This is what happens from the people who want to run our health care system, The voucher you have submitted with invoice number da da da has been rejected for the following reason: No reason provided.

The next line says, The voucher can be resubmitted if the reason for rejection can be corrected.

Now, what is this dealer supposed to do? Go back and submit exactly the same 21 pages that he did before? Because the reply came back and said, The reason you've been rejected is ''no reason provided.'' Under this program before you file, you've already destroyed the car. You've had to ruin the engine, and the guys are now riding around in their new car. The dealer can't get their rebate check. So we can't even handle a billion-dollar program.

The consumers love this program.

Mr. LATOURETTE. It's a great program.

Mr. HOEKSTRA. Consumers love it. It's a program that has been well intentioned. It's driving car volume. But it's driving our dealers absolutely nuts, and they are already under a tremendous amount of stress and strain. And, remember, these folks can't implement a $1 billion program that all it does is provide a rebate. That's all it does, is it provide a rebate. And they want to run our health care system.

And I asked him how hard is it to do a rebate through Ford or GM or Chrysler? He said, That's not a problem at all. They handle it just like that. They send it in, and we get it done just like that.

These guys can't process a voucher, and then we're asking them to plan wages, plan salaries, and all these other kinds of things.

Mr. LATOURETTE. I thank the gentleman. Reclaiming my time, the gentleman has just indicated why they can't ''get 'er done.'' They want to get all these things done, but the fact of the matter is they're not getting them done. And the figures that I saw, there are 16,000 dealers across the country that have entered into this program; so you're not talking about millions of applications that need to be processed. You're talking about 16,000 dealers, and even if the entire billion was exhausted, that's 200,000 cars, and they can't get it done.

So if this health care thing gets out of here where the government runs health care, I really don't want to have any heart problems, because you might wind up with a '57 Chevy engine in your chest.

Mr. HOEKSTRA. The reason for your denial of care is ''no reason provided,'' but you're not getting it.

Mr. LATOURETTE. That will be comforting.

I want to get back to AIG for just a second because that was the first ''get 'er done,'' the stimulus package. Folks were embarrassed that they actually found out that they had authorized, by voting for the stimulus bill, these exorbitant bonuses going to AIG executives. And just a week ago Saturday, it's been like 3 weeks now, this was the headline in the Washington Post: ''AIG Plans Millions More in Bonuses. Troubled Insurer is in Talks With U.S. Over Another $250 Million in Bonuses to Their Executives.''

And why it's important that we follow things like regular order, and people say nobody pays attention to process here, but why you can't have an 1,100-page bill filed at midnight and expect people to know what's going on and why goofy things happen is because that's not the way we are supposed to govern. ''Get 'er done'' is not a way to govern.

So in the stimulus bill, this chart shows the paragraph that was included in the stimulus bill that specifically, these 40 or so words, specifically said that any bonus that was agreed to before February 11 of this year, which was the day the stimulus bill passed, was protected. And then the $173 million in bonuses were paid to AIG, and I saw the President on television. He said, I'm shocked. We had people on the floor on this side of the aisle, I'm shocked.

Well, you shouldn't be shocked. If you had done the bill in the way that the Founding Fathers intended it to be done and if you gave people more than 90 minutes to read 1,100 pages, they wouldn't have been shocked. They would have known and they would have had a choice: Do you want to authorize $173 million for bonuses? If you do, vote ''yes.'' If you don't, why don't you fix the thing?

Mr. NUNES. Will the gentleman yield for just a point of clarification?

Mr. LATOURETTE. Sure.

Mr. NUNES. For the folks who don't quite understand this, this clause that you have in front of you was in the stimulus bill, and this basically approved the bonuses to AIG.

Mr. LATOURETTE. Yes.

Mr. NUNES. I just have a question for the gentleman. Do you know how many Republicans voted for the stimulus bill?

Mr. LATOURETTE. No Republicans voted for the stimulus bill, and 11 Democrats also did not vote for the stimulus package.

But it's worse than that because when the bill left the House, it didn't have this paragraph in it. When it left the Senate, it didn't have this paragraph in it. As a matter of fact, the Senate bill on the stimulus package had an amendment that was adopted the old-fashioned way, in a bipartisan fashion, with a Democratic Senator from Oregon, Mr. WYDEN, and a Republican Senator from Maine, Ms. SNOWE. And they drafted legislation because nobody liked this, handing out billions of dollars to AIG and Wall Street and seeing these executives who have failed. I never understood a bonus. A bonus is supposed to be because you did a good job. I have yet to meet anybody in any of the jobs that I had that said, Steve, you did a really crappy job; here's a bonus.

I yield to the gentleman.

Mr. NUNES. Another clarification. During the bailout and before the bailout, how much money had AIG already received from the Federal Government?

Mr. LATOURETTE. I stopped counting it at about $125 billion. It may be more.

Mr. NUNES. A hundred and——

Mr. LATOURETTE. A hundred and twenty-five billion dollars.

Mr. NUNES. So then we went on to award bonuses.

Mr. LATOURETTE. We went on to award bonuses, and here's how it happened: The Snowe-Wyden language was in the Senate bill that said no bonuses. You know this and the Speaker knows this, that we pass the bill, they pass the bill; when it doesn't match up, we have to have a conference to try to work things out. So they appointed conferees. The Senate sent some guys and gals over; we sent some people over. No Republicans were included, by the way. And they said, Let's resolve these two bills. Well, by resolving the two bills, the Snowe-Wyden language was taken out, I mean physically taken out, and this new paragraph protecting the bonuses was put in by somebody.

We are talking a little bit about Larry the Cable Guy and ''get 'er done.'' This was one of my favorite games when I was growing up, the game of Clue, and with apologies to Hasbro, the problem is we have asked, since that news came out, who put that paragraph in? It shouldn't be that hard. Who put that paragraph in? Nobody will own up to it. But it didn't, you know, come from the heavens. Obviously somebody took a pencil or an eraser and took out the Senate language and put in that offending paragraph, but nobody will tell us who did it. And we've asked and asked and asked.

So here's Clue, and basically we think that we have it narrowed down to these folks. If you played Clue, you know you have to figure out what room it takes place in, what the weapon is, and who's the perpetrator. We know that the weapon was a pen. It might have been a computer, but I'm going to say it was a pen. And these are the rooms here in the United States Capitol, the Banking Committee, the Speaker's office, the Senate Leader's office, the conference room where these folks met, the lobby—I don't think it happened in the lobby—the Ways and Means Committee, the lounge, library, and the Appropriations Committee.

Now, we've been asking this since March of this year, and since March of this year, we have excluded the gentleman down here in the lower corner. That's CHARLES RANGEL, Democrat of New York, who's the distinguished chairman of the Ways and Means Committee. He actually emerged from this conference and sort of threw up his hands, according to press reports, and said, The government's being run by three people, and I'm frustrated. And he left. So we don't think Charlie Rangel did it.

Mr. NUNES. But that could be an important clue. I'm on the Ways and Means Committee, and we did not put that language in there. So Mr. RANGEL claimed that there were three people that were writing the bill.

Mr. LATOURETTE. Basically. That was his quoted statement in the press.

So the other folks, and we know this individual was in the room. This is Rahm Emanuel, our former colleague from Illinois who now serves as the President's Chief of Staff. This is Mr. Orszag, who is the OMB Director. Mr. DODD, Senator from Connecticut who is the chairman of the Banking Committee. At the top the honorable Speaker of the House, Ms. PELOSI of California; and Senator HARRY REID of Nevada, who is the leader over on the other side.

And I put the question mark down there, and this really angers me, because somebody had to authorize it, but some of the statements have been that staff did it. Listen, there's something seriously wrong if a nonelected official or appointed official in the case of the OMB Director can change legislation. So they clearly had to have authorization. A lot of eyes were on Senator DODD and the Department of the Treasury.

But here's what's frustrating. We're asking that question, and it's a pretty simple question: Who did it? And maybe you had a great reason for it. Just tell us why you did it. But they won't. So we have had to go to not only come talk about it on the floor, but we have had to take other action here since March to try to figure it out. So I filed something known as a resolution of inquiry, which asked the Department of the Treasury, Hey, who said take out the one and put in the other? Just tell us who it is. That's a pretty simple question.

And I'm going to say something about the chairman of Financial Services, BARNEY FRANK of Massachusetts. He took the resolution of inquiry. They got more votes than we do. He could have killed it. He did not. He voted it out of his committee 63 or 64–0, and it's been sitting at the Speaker's desk since the end of April, the beginning of May.

Now, again, the Speaker knows this, but the way the legislation gets to the floor is that the majority has to schedule it. And for whatever reason, the distinguished majority leader, Mr. HOYER of Maryland, has chosen not to schedule this piece of legislation for floor activity. So even all of the Democrats on Financial Services that want to know the answer to the question will not get the answer to the question because we can't get the bill to the floor. So we've gone a step further.

There is a provision in the House rules that if they won't act, you can file something called a discharge petition. We filed the discharge petition. It's right over there by the attractive lady in the tan suit. And we have asked Members to sign it so we can bring it to the floor and talk about it. To date, every Republican has signed it, and we don't have yet a Democratic Member who has signed it, but that's the only way we're going to get to it.

But Chairman FRANK did something else commendable. He called up the Treasury and he said, Quit horsing around. Just tell us who did it. And he set up a number of meetings with the Treasury Department. My staff went to the meetings. I went to the meetings. The last contact that we have had from the Department of Treasury, and I just want to get it because it really is remarkable, we got a call, the banking staff got a call from a fellow who's in Government Relations at the Treasury Department and said that, Well, you know, we really didn't like that meeting because it was too political and we think our lawyer has said we can't answer your question.

Now, what the heck? It's not like we are dealing with somebody from the mob and the lawyer says take the fifth. We are talking about the United States Department of the Treasury, which is responsible for administering these billions and billions of dollars, and they're telling the United States Congress that a lawyer has said they can't tell us who authorized $173 million in bonuses for people who work at AIG?

And then they tried to compound the crime because, as I said, a lot of people were embarrassed. They went home to their districts. Even Senator DODD, there was a news article about people screaming at him at a town meeting, How could you do that? How could you do that?

Mr. NUNES. If you would yield just for clarification, because I know that there are folks just now coming in. They are here on their vacations and they may have missed the beginning of this. But what we are talking about here is that well over $100 billion has been given to AIG. We had the House bill that every Member of Congress admitted that they didn't read. As a matter of fact, Mr. BOEHNER sat right there where you are, Mr. LATOURETTE, and asked if anyone had read it, and no one said they had read it. He dropped the bill right there on the floor. And the language that you talked about that awarded the bonuses was not in the bill at that time.

Mr. LATOURETTE. Right.

Mr. NUNES. So the Senate bill and the House bill come together, and suddenly that's put in its place, and now we are sitting here with legislation. After giving well over $100 billion to AIG, now we are going to give these folks bonuses, millions of dollars in bonuses, and no one knows who's done it.

Mr. LATOURETTE. Right. That's a fair summation of where we are. And that's troubling to me.

Mr. NUNES. Just for clarification again, Larry the Cable Guy didn't do it, right?

Mr. LATOURETTE. Larry the Cable Guy didn't do it. He's not on the chart.

But, again, this goes back to Larry the Cable Guy, however. That's why ''get 'er done'' cannot be the way to run the United States of America, because people get embarrassed. People will not have the opportunity to read things. You and I each represent about 700,000 people, you in California and I in Ohio. I had no input in this bill, not because I didn't want to. I'll bet you had no input in this bill. It's just not the way to run the thing.

□ 1530

And when you run it this way, you get embarrassed, and when you get embarrassed, you should own up to it.

That is where I was going next. Rather than owning up to it and saying take the language out, let's not permit this to happen, it was a mistake, the majority, rather than bringing the resolution of inquiry to the floor, brought a bill to the floor to tax these bonuses which they authorized at 90 percent.

I have to tell you, I don't think these people should have gotten these bonuses. But when you begin to use the Tax Code to punish people that you don't like and say, you know, today it is the AIG guys, we are going to tax you at 90 percent; tomorrow it could be truck drivers, we are going to tax you at 90 percent; we don't like the guys that do talk radio, we are going to tax you at 90 percent, it is a very dangerous precedent; and it is not only dangerous, it is stupid. And it is stupid because the head guy, the biggest bonus-getter, the biggest bonus-getter at AIG got $6.4 million.

Now, if you don't think you should get a bonus, why do you let him keep 10 percent? And 10 percent is $640,000. It takes 16 years for somebody in Ohio making $40,000 a year to make $640,000. So, again, it is not only a misuse of the Tax Code; it is stupid. It was a fig leaf, because people were embarrassed, and, sadly, sometimes when people get embarrassed around here, rather than doing the right thing, they do the politically expedient thing.

So they all went home. And, thank god, the Senate didn't pass that bill, and thank goodness President Obama said—he didn't say it was stupid, but he pretty much said it was stupid.

Mr. NUNES. If the gentleman will yield, he has done that recently.

Mr. LATOURETTE. Yes, well, he has done that.

Mr. NUNES. If the gentleman will yield again, you have a long history before you came to Congress. You worked for the people of Ohio. You were involved as a district attorney, and I know that you had prosecuted many people and upheld the law. And so as we are beginning to go through this and beginning to look at who is out there, who possibly did it, we still, here we are, what, almost 6 months after we passed the stimulus bill, and no one knows where this language has come from.

Mr. LATOURETTE. We can't get an answer, which is really shocking, that the United States Congress can't get an answer to a pretty simple question, Who did it?

I want to move on, with my friend's permission, to the get 'er done and the car companies. We were told we had to have an expedited bankruptcy proceeding, first with Chrysler and then with General Motors because that was going to save the car industry in this country and we have to move forward.

As a matter of fact, on April 30, the President gave a press conference when Chrysler went into bankruptcy, and this is his exact quote, that nobody should be confused about what a bankruptcy process means. It will not disrupt the lives of the people who work at Chrysler or live in the communities that depend on it.

Now, I was pretty heartened by that, and I was heartened because in Twinsburg, Ohio, we have for the moment, won't have soon, a stamping plant for Chrysler. About 1,200 people work there.

In the days leading up to the bankruptcy announcement, the company went to the Chrysler employees, the UAW employees, and said, In order to make this work, you have to enter into a new contract and you have to give up some stuff. You have to give up wages, benefits, some health care, some vacation.

The day before the bankruptcy announcement, the auto workers in Twinsburg, Ohio, went to their union hall and cast their ballots on giving up stuff, and 80 percent of them, over 80 percent of them, said, We are going to do it so we can keep our jobs, and we are going to do it so we can make sure that the company we work for continues to survive.

That took place all across the country. And the contract, not surprisingly, was approved.

Well, then a funny thing happened, and the funny thing that happened was that afternoon, when all the documents were filed in the bankruptcy case, there is an affidavit from a guy, his name escapes me, Robert, I will think of it in a minute, but that basically indicates that no, no, no, there are going to be disruptions. We are closing plants. We are throwing people out of work.

Specifically, eight plants, eight plants in cities all across America were

told, Hey, auto worker, even though you voted to give up some stuff to stay employed, we are shutting you down. Nationwide, it was close to 10,000 people were told they weren't going to have jobs anymore.

The interesting thing is before the President went to the microphones, he went to talk and give this press conference at noon on April 30. At 11 o'clock that morning the White House was very helpful in setting up a conference call with Members of Congress, Governors, other people that were interested in this issue, and with his task force, his unelected auto task force.

The task force members got on and said, This is a great day. This is a great day. We have saved Chrysler, or will through this bankruptcy. Jobs won't be lost. As a matter of fact, because Chrysler is going to enter into a deal with Fiat, the Italian car manufacturer, we have great news: we think Fiat is going to bring 5,000 more jobs to the United States.

So, silly me, I got off the call and watched the President of the United States. And then there is another call. When the President was done, we had another conference call with the guy that was the head of Chrysler then, Robert Nardelli.

Mr. Nardelli was basically reiterating the things that occurred during the course of the President's announcement, and then he took questions, which was nice. And the very first telephone call that he took was from Governor Granholm of Michigan, the Democratic Governor of Michigan. Obviously in Michigan they have got a lot of concern about auto manufacturing.

And she said, you know, Great job. Way to go. But I just have to ask you a question. The President in his announcement said this deal will save 30,000 jobs. I just want to make sure that that wasn't code for something else, because there are 39,000 people in the country that work for Chrysler.

Mr. Nardelli said no, no, no, no, he was just rounding down and there aren't going to be any difficulties, which, of course, wasn't true.

Later in the call, one of our colleagues from Wisconsin, GWEN MOORE, Democrat from Milwaukee, she had, used to have, an engine plant in a town called Kenosha, Wisconsin. And she specifically asked, she said, 800 people work there. Where in your restructuring do you envision the Kenosha plant being?

She was told, We love Kenosha. Kenosha is safe. Kenosha is going to be fine. Those 800 people don't have to worry.

So, silly me and silly Representative MOORE and silly Governor Granholm, we all sent out press releases praising the President, praising the task force and the work that they were doing, only to find out that my plant was closed and Ms. MOORE's plant in Kenosha, Wisconsin, was closed.

Now, obviously that caused some concern with the folks in Wisconsin and the folks in Ohio, so the Governor of Wisconsin, Ms. MOORE also and the mayor of Kenosha, sent a letter to Mr. Nardelli and said, Why did you do that?

Madam Speaker, I include the letter for the RECORD.

CHRYSLER LLC,
Auburn Hills, MI, May 7, 2009.

Hon. Governor JIM DOYLE,
East State Capitol,
Madison, WI.

DEAR GOVERNOR DOYLE: I want to start by expressing my sincere apologies about the confusion surrounding comments I made on a conference call with you and other elected officials about the Kenosha Engine Plant on April 30, 2009.

In response to a question from Congresswoman Moore regarding the future of the Kenosha Plant, I mistakenly conveyed the status of the Phoenix investment in Trenton, MI. The facts I described were accurate for Trenton and not Kenosha, WI. I recognize this has added further confusion to an already difficult situation.

I would like to take this opportunity to clarify the Phoenix Engine Program production status.

In 2006, DaimlerChrysler started a program for a new V6 engine family. Based on industry volumes and forecasted demand, the initial planning volumes were 1.76 million units. In order to achieve this level of production, a site selection process was initiated that included four new locations in Michigan, Ohio, Wisconsin and Mexico.

Before site selection was finalized, the engine volume planned for the combined company was reduced when the common engine program with Daimler was redefined as a Chrysler only engine. This reduced the number of production sites to three.

These three sites would have the capability of producing 1.3 million V6 engines. Early in 2007, for a variety of reasons, the Corporation was required to reduce its capital investments in all programs which required a new production strategy for the Phoenix engine. Therefore, Chrysler decided to reduce the number of greenfield plant locations to two. In May and June of 2007 the Company chose those two sites and announced the greenfield investments of $730 million in Trenton and $570 million in Saltillo and broke ground on the construction of the facilities. The greenfield decisions were based on the adjacency of the proposed plants to the point-of-use assembly locations.

In February of 2007, Chrysler notified the State of Wisconsin and Kenosha officials that a greenfield site was no longer viable, but rather that a retool of the existing Kenosha Engine Plant was under consideration. The Kenosha retooling plan resulted in necessary capital savings; however, it required the Kenosha site to continue to produce its current engines through 2013.

In late 2007 and 2008, deterioration in industry volume resulted in a drop of the 1.3 million unit demand to 880,000. This reduction in volume and the need for Kenosha to produce its current engines resulted in the company deciding to defer the retooling strategy.

Chrysler kept Kenosha Area Business Alliance updated on the status of the retool through 2008. As the market began to collapse through late 2008 and 2009, a decision was made to idle the Kenosha Engine Plant in December of 2010. This and other restructuring actions were included in the Chrysler LLC February 17, 2009 Viability Plan submission to the United States Treasury and the President's Auto Task Force. The specific plant actions, including Kenosha Engine Plant, were not made public because it would have been presumptuous to assume that the plan was going to be approved and inappropriate to communicate prior to thorough discussion with the United Auto Workers union.

On April 3, 2009, Chrysler officials met with the Kenosha Task Force and reiterated the need to defer the Phoenix Program. Upon emergence from Chapter 11, plans are to continue to produce the current engine families through December of 2010 at the Kenosha Engine Plant in order to support our current products. The Trenton Engine site has been completely facilitized and will launch when we exit from Chapter 11. The Saltillo Engine site has also been facilitized and is scheduled to launch mid-to-late 2010.

We would have hoped to have been able to convey this information to you and the community in a more timely fashion, but circumstances simply did not afford us an opportunity to do so. It is expected that virtually all employees associated with Kenosha and the other closures announced in our Chapter 11 filings will be offered employment with the new company.

While the company continues to address difficult market conditions, we expect that the Chrysler Fiat alliance will ultimately provide customers and dealers a broader competitive line of fuel-efficient vehicles and technology, and will result in the preservation of more than 30,000 jobs in the United States along with thousands of employees at dealers and suppliers.

Again, please accept my sincere apologies for the confusion. We will continue to work with the people of Kenosha to ensure an orderly transition.

Sincerely,

BOB NARDELLI,
Chairman and CEO.

The response they got back, Madam Speaker, on May 7 he wrote to Governor Jim Doyle and he said, I know I said Kenosha was safe, but I just need to tell you I was confused. I thought Kenosha, Wisconsin, was Trenton, Michigan.

Now, if I had a nickel for every time I got in the car and tried to go to Kenosha, Wisconsin, and ended up in Trenton, Michigan, that would be something.

Mr. NUNES. If I remember my geography correctly, there is a lake that separates Wisconsin and Michigan, correct?

Mr. LATOURETTE. Now the gentleman is nitpicking.

Mr. NUNES. Maybe they were going to take a boat.

Mr. LATOURETTE. Even the day before, and now I remember the guy's name, His name is Robert Manzo, Robert Manzo is the consultant that Chrysler hired to help sort of take them through this thing. The day before the filing, he sent this email exchange, which has been in all the newspapers, to the President's task force saying, Maybe we don't have to go this way. Maybe there is another way. Basically he said, I hope you think it is worth giving this one more shot, that is, to not have all these horrible things happen through the bankruptcy.

And here is the response from Mr. Feldman, the attorney on the unelected task force, who basically said, We are done, and indicated that he wasn't going to be treated to another terrorist like Lauria.

Now, I should explain. Lauria is the lawyer who represented the bondholders. These are people that invested

in Chrysler, and they were told that they had secure creditor status, and it was $27 billion.

Mr. Lauria represented some of them, and the some of them that he represented was the Teachers Retirement System of Indiana. So people who had taught the children of Indiana for years and had retired, in order to maximize their retirement fund they had invested in Chrysler, which was once a pretty safe investment, and they were told that they were secure, which means they get paid before anybody else gets paid.

Mr. Lauria was advocating on behalf of the teachers of Indiana and saying, You cannot just get rid of us. You have to compensate these people who have invested $27 billion in Chrysler. But the response from the task force is that these people were acting like terrorists.

Mr. NUNES. If the gentleman will yield for another point of clarification, you referred several times to this unelected task force, auto dealer or auto company task force. And we have seen these czars that have been appointed by the President. We have 30-some or 40-some czars, I don't know. Every day we add a new czar.

Is there a difference between the czars and the automotive task force? Was there a czar of the auto task force?

Mr. LATOURETTE. There was a czar. The President of the United States appointed the auto czar, the head of the task force. He has recently gone back into private business. It is now headed by a fellow by the name of Ron Bloom, whom we will get to in just a second.

But, you know, a funny thing happened on the way to the task force too, because when they began making these decisions, people began to say, Well, who are these folks and what is their background? Were they in the manufacturing business? Did they make cars? Did they sell cars? Did they manufacture parts for cars? And The Wall Street Journal actually did a study of the members of the task force and found that most of them don't even own cars, and those that do own cars own foreign cars, the majority of them.

Mr. NUNES. How many people were on the task force?

Mr. LATOURETTE. I think it was 12 or 16. And then we also had one of our colleagues from Ohio, Mr. JORDAN, who serves on the Judiciary Committee, and the Judiciary Committee had a hearing with a panel that asked that question, How many people on the task force have any experience at all in the car industry? And the answer was none. Nobody. But despite that fact, they have made decisions.

Now, the second decision I want to talk about is the decision that they made that somehow we needed to close car dealerships all across America, and in Chrysler's case it was 789 and General Motors it is about 2,600.

According to the National Association of Automobile Dealers, about 60 people work at each dealership. So if you multiply that by the number of dealerships that were instructed to close, you are north of 200,000 people; 200,000 people. And let's get this straight about car dealers. Most of them own their own buildings, they do their own finance plan, floor plan, they do their own advertising.

The cost to the automobile company is pretty minimal. But, again, this nonelected task force that doesn't know anything about the car industry said, You know what? Toyota sells an awful lot of cars in this country and they don't have as many car dealers as Chrysler or General Motors, so therefore the car dealers must be the problem. They are the ones that are creating this problem.

So they basically gave—we had a car dealer from Michigan, I think it was, just at Chrysler's direction, was told to put $7 million into his building to make it attractive and all this other stuff. He didn't get paid for that. He got a letter saying, You are no longer a Chrysler dealer.

The car dealers basically came to town, and there were pretty amazing stories about some of these car dealers and the way they were treated.

□ 1545

But, you know, it's not just the 3,000 men and women that own these auto dealerships, it's the 200,000 people, the mechanics, the salespeople, the clerks, they're out of a job. So I don't know how you recover the economy by having less stores.

Mr. NUNES. If the gentleman would yield, one of the important points here that you've made is that this task force, this unelected task force that has no experience in running anything to do with cars—in fact, some of them don't even own cars—have now made this unilateral decision to close these dealerships, and the way that they were able to do that is because the government has now taken over ownership of the car companies.

Mr. LATOURETTE. The gentleman is absolutely right.

I will tell you that initially the auto task force ran from this dealer issue like a scalded cat, and they were really quick to put out a press release saying, We're not micromanaging the car companies. We don't know enough to run Chrysler and General Motors. This was the car companies. This was General Motors, and this was Chrysler. They made the decision. They are the bad ones who decided they were going to throw all of these people out of work.

A couple of things run counter to that. The first was, just like I think it's an interesting business model that you are going to sell more cars with less dealers, the auto task force in the Chrysler bankruptcy, according to an article in the Automotive News, didn't want Chrysler to advertise their cars during the pendency of the bankruptcy. When somebody, apparently, told them how stupid that was, they said, Okay, you can spend half of it. It was $134 million. So, again, this unelected task force apparently thinks that you can sell more cars if you don't advertise and if you have 3,000 less stores across the country.

The other thing that sort of gets in their way is Fritz Henderson, who is the president and the CEO of General Motors, old and new, gave an affidavit to the bankruptcy court in New York.

I would like to insert that into the RECORD as well.

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK, IN RE GENERAL MOTORS CORP., ET AL., DEBTORS

AFFIDAVIT OF FREDERICK A. HENDERSON, PURSUANT TO LOCAL BANKRUPTCY RULE 1007–2

State of New York, County of New York

Frederick A. Henderson, being duly sworn, hereby deposes and says:

1. I am the President, Chief Executive Officer, and a Director of General Motors Corporation, a Delaware corporation (''*GM*''), which together with its wholly-owned direct subsidiaries, Chevrolet-Saturn of Harlem, Inc. (''*Chevrolet-Saturn*'') and Saturn, LLC (''*Saturn*''), and GM's wholly-owned indirect subsidiary Saturn Distribution Corporation (''*Saturn Distribution*''), are the debtors in the above-captioned chapter 11 cases (collectively, the ''*Debtors*''). I submit this affidavit (the ''*Affidavit*'') pursuant to Rule 1007–2 of the Local Bankruptcy Rules for the Southern District of New York (the ''*Local Rules*'') to assist the Court and other parties in interest in understanding the circumstances that compelled the commencement of these chapter 11 cases and in support of (i) the Debtors' petitions for relief under chapter 11 of title 11, United States Code (the ''*Bankruptcy Code*''); filed on the date hereof (the ''*Commencement Date*''), (ii) the relief requested in the motions and applications that the Debtors have filed with the Court, including, but not limited to, the ''first day motions,'' and

* * * * *

93. The Company, however, is not assuming and assigning to New GM all of its existing dealer franchise agreements. The Company's vast dealer network, consisting of approximately 6,000 dealerships, developed over an extended time period in which the Company's market share was growing and was far greater than it is now, and when there was far less, or even no meaningful foreign competition. Consequently, and precisely because there are now far more dealerships than the Company's market share can support, including, in some cases, multiple dealers in a single contracting community and dealerships that have become poorly situated as a result of changing demographics, the Purchaser is not willing to continue all dealerships. Among the dealerships the Purchaser is not willing to continue, for example, are those approximately 400 dealers who sell fewer than fifty cars per year, and those approximately 250 dealers who sell fewer than 100 cars per year. Approximately 630 other dealerships are not being continued because they are dealers who, in whole or substantial part, sell brands that are being discontinued.

94. Notwithstanding the foregoing, the 363 Transaction does not contemplate an abrupt cutoff of nonretained dealerships. In pursuit of the maximization of New GM's ability to, among other things, maintain consumer confidence and goodwill, provide ongoing warranty and other services, and preserve resale and trade-in values, the Company not only is giving approximately 17 months notice, but also will offer to enter into, and New GM will assume ''deferred termination agreements''

with most of the dealers whose franchise agreements are not being assumed, which should have the additional benefit of easing the hardships attendant to the dealership closings.

Mr. LATOURETTE. Madam Speaker, could you tell us how much time we have left?

The SPEAKER pro tempore (Ms. EDWARDS of Maryland). The gentleman from Ohio has 11 minutes remaining.

Mr. LATOURETTE. I thank the Chair very much.

In this affidavit, Mr. Henderson indicates that the idea of shutting all these dealerships—in their case, 2,600—wasn't his idea. The purchaser rejected their plan. Does the gentleman know who the purchaser of General Motors is? It's the United States Government.

Mr. NUNES. It's us. It's the people.

Mr. LATOURETTE. It's the task force. So they rejected Chrysler's plan. They rejected General Motors' plan. They said, Go back to the drawing board. Mr. Rattner, who was the head of the task force, said, You have got to come up with a new plan; and Mr. Bloom testified in front of the Senate that they rejected the plans because they didn't find the car companies' plans to be aggressive enough when it came to shutting down plants, throwing people out of work, and closing car dealerships. So again, just like when people were shocked about the AIG bonuses, people running around town here saying, I'm shocked. Well, you shouldn't be shocked. You told them what to do. You didn't say that you have to close 10. You didn't say that you have to close one in Cleveland and one in California; but you did say you have to close a bunch; and you can't walk away from that responsibility.

And now there's legislation. I thought that the gentleman from New York was still in the Chair. The gentleman from New York (Mr. MAFFEI) is the lead Democratic sponsor of a piece of legislation that says, You've got to deal with these people fairly, these 200,000 people that you've tossed out of work. So he has proposed legislation. I have proposed legislation. But Mr. Rattner, before he left, in response to the legislation, the administration opposes the legislation to force the reopening of Chrysler dealers and prevent General Motors from closing dealers. So I don't know how much more they could be involved.

That brings us to Clue, the Travel Edition. The task force has said that they're not responsible for 20 auto plants closing and about 50,000 auto workers being thrown out of work. They're not responsible for the 50,000 Delphi workers who don't have health insurance today. They're not responsible for the 200,000 people that work at the dealerships across the country that are now going to be out of business. So who is? Around this chart we have Mr. Bloom. This is the Secretary of the Treasury, Mr. Geithner; former President George W. Bush; the President of the United States; Larry Summers, the President's economic adviser; and down there is Robert Nardelli, the former head of Chrysler I was talking about.

Again, the same scenario. This is a pretty simple question: who decided to take the ax to those 20 plants, those almost 300,000 people and shut 'er down? I mean it's no longer get 'er done. It's shut 'er down. I think we should find out, but nobody will fess up. Nobody will say who did it.

Mr. NUNES. So nobody knows who did the AIG bonuses; no one knows who put that legislation in; and now no one knows who shut down the automotive plants, the auto dealers. We're sitting here with 300,000 people out of work in the largest democracy in the world, which is supposed to be a deliberative body where the Congress is supposed to make the decisions, and we have no answers.

Mr. LATOURETTE. The gentleman is correct. I just want to conclude, unless the gentleman has another thought.

Mr. NUNES. I just want to thank the gentleman for bringing this to the people's attention. This is really the only avenue that you now have is to come before the people, to come before the whole world, and you have laid out a very compelling case that, quite frankly, we're not getting anything done. In fact, we don't know who's doing what around here. I am troubled by this, what you've brought to the floor of the House; and I hope that you will continue your effort to figure out and get to the bottom of who did this.

Mr. LATOURETTE. Well, I will. And I thank the gentleman for participating in this. I want to thank Larry the Cable Guy for making a cameo appearance during the course of this. We want to be bipartisan. We want to get things here. But get 'er done by a date certain, no matter what the details are, when you drop 300 pages at 3 o'clock in the morning, when you drop 1,100 pages at midnight, when you work in private and in secret to draft legislation to do things like cap-and-trade and health care legislation, it really is not the way that the government is supposed to work.

We know, on our side of the aisle, as Republicans, that we did such a lousy job that the voters replaced us in 2006. We understand that. But by the same token, there are a lot of bright people on our side, a lot of bright people on that side; and I would believe that we could come together on all of these important issues and give the American people some legislation that they can have confidence in because Members of both parties participated. People are very suspicious of Washington. They say, It's so partisan. They're always fighting with each other. A giant step toward solving that would be to work these things out in a bipartisan way.

I thank the gentleman, I thank the Chair, and I yield back the balance of my time.

ISSUES FACING AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 60 minutes as the designee of the majority leader.

Mr. BLUMENAUER. Thank you, Madam Speaker.

I always enjoy listening to my good friend, the gentleman from Ohio, with whom I have worked on a number of projects. I have the greatest respect for him. But I don't always agree with his analysis. It's interesting to listen to people who are claiming that they're concerned that they've been shut out of the process or that they are irrelevant. I do think there is some real question about the relevance of some of my friends on the other side of the aisle, but that is a decision that they and their leadership have made consciously.

Now I don't think that my good friend from Ohio falls into the description of what his fellow Ohioan has declared that Republican legislators should be. Minority Leader BOEHNER has said, They shouldn't be legislators, they should just be communicators, because their job is more of a political one, not being involved with the process. That is why their budget plan was not a budget plan, but it was a press release. In fact, I was kind of embarrassed for them when they announced it with great fanfare and the press asked, Well, where are the details? You're giving us a press release. Sadly, sitting on the Budget Committee, we found that our Republican friends were not involved with a serious alternative that would deal with our Nation's problems.

We have enacted, for the first time in history, a significant, comprehensive piece of legislation that's passed the House to deal with carbon pollution, climate change, global warming, and the fact that the United States simply can no longer continue to waste more energy than any other country in the world. The Republican response, the tone has sort of in part been set by the Senator from Oklahoma who has declared that global warming is a hoax. We have not seen a Republican response that puts forth a comprehensive effort. In fact, the previous 8 years of the Bush administration, Republican control, were characterized by global warming denial, interference with States that were trying to do something. Remember the State of California and nine other States who wanted to put in place more effective energy protections for automobiles, higher standards? California has this right under the law. It requires a waiver for the Federal Government, waivers that Republican and Democratic administrations alike have always granted, except for the Bush administration and the Republicans in the latest round over the last 8 years. They denied that right for the people in California to move forward and deal with it. Denied

the opportunity to save energy, to create new jobs. It's I think, frankly, embarrassing.

Most recently we've had a chance to watch up close and personal the debates that are taking place dealing with health care. Frankly, I have got some personal experience with this because I tried to do exactly what my previous two friends were talking about, and that was to have serious efforts for bipartisan legislation to improve America's health care. You know, you wouldn't know it, listening to some of the rhetoric that comes from leadership; but there are actually areas of broad bipartisan agreement. One deals with the notion that our senior citizens and people and their families who are facing extraordinarily difficult circumstances, dealing with end-of-life situations, that these citizens and their families ought to be able to have their doctor help them understand what they're facing, what their choices are; and most importantly, have them be able to tell their family and their doctor what they want done. Sadly today, Medicare, although it will pay for all sorts of tests and procedures, 7,000 different categories, I think is the count, it won't pay for a senior's doctor or nurse or some other trusted health professional to sit down and have that conversation with them. Madam Speaker, when we worked on the Ways and Means Committee, we found that Republicans and Democrats alike agreed that that was wrong, agreed that this was an area, when we were talking about health care reform, that we should change. We should have Medicare and any reform effort that we brought forward help seniors and their families prepare for the most difficult decision any of us will face.

We had bipartisan legislation. I am proud to say that we discussed it extensively in committee. In fact, some of the most heartrending stories for the need for this legislation did not come from our witnesses. They came from members of the committee, including Republican members, who talked about why this legislation was important. Well, that is why I was proud that this legislation we've been working on, that I cosponsored, that I have had Republicans join me in cosponsoring, was incorporated into the House reform legislation, House bill 3200.

□ 1600

But, you know, people who've watched C–SPAN and the news over the course of the last week, people who've read news accounts, would see that this bipartisan, humane, important legislation giving more choice to seniors and their families for being able to make sure that their needs are met the way they wanted, that was hijacked.

We saw, sadly, on the Web page of the Republican minority leader that they're claiming that this is somehow leading us down the path of euthanasia. We heard a Republican on the floor this week claim that their approach is better because it would protect senior citizens from the government taking their life. Absolutely outrageous and shameful, inaccurate statements designed to inflame, confuse and, frankly, gum up the works.

I find no small amount of irony, because what my Republican friends were claiming they wanted to be involved, they were involved. They agreed with it. And yet we're finding people, for political purposes, trying to mislead and scare families across America.

It's ironic, because the only provision that I know that would have been mandatory was actually offered up by a Republican Senator, who's a friend of mine, from Georgia, who had offered the proposal. It wasn't accepted. It was later withdrawn, but the proposal was that before somebody enroll in Medicare, that they have to fill out a form telling people what they want rather than having people guess about it. Not a bad idea to consider.

But in this climate where people are trying to poison the discussion, stifle the debate, and prevent us moving towards health care reform, it would have, sadly, been toxic. It's ironic that I had one of my Republican doctor colleagues tell me that he has conversations like this often, but he said that he wishes that it wasn't in the last hours before a major operation or before it was too late; that people ought to think about it, and we ought to do it in reasonable fashion, like we proposed under our bipartisan legislation.

Madam Speaker, this is an example of where I think our Republican friends really need to take a deep breath and decide whether they are going to be communicators or they're going to legislate, whether they're going to join us in trying to solve these problems. There are amazing opportunities.

One of the things that has been interesting, even the most hardened C–SPAN junkies of late have probably been a little embarrassed when they hear Republicans coming to the floor braying like donkeys asking, ''where are the jobs?'' interrupting otherwise semicoherent speeches with a refrain over and over again, ''where are the jobs?'' like somehow the Democrats and President Obama have taken them and hidden them. But I give them credit for finally asking an important question; although, without any context and without any answer, looking as though they had no clue.

Next, to national security and the health of our communities, the record of job creation, how many, what kind, and for whom is one of the most fundamental issues that government will face in tough times of high unemployment and job insecurity. It can, in fact, sometimes feel like it crowds everything else out, and no wonder. Americans want economic security for themselves, their family, and ultimately for the country. If we're not economically secure, we can't deal with cleaning up the environment, with education and health care.

Unfortunately, my Republican colleagues are losing an opportunity, not just to ask themselves a question, but to deal with these critical, long-term economic questions because, in a dynamic, free market economy like the United States, the job creation process is a continuous one.

Every day in America jobs are being created and jobs are being lost. The real question is what is the balance between job growth and job loss. What's the nature of the jobs, and how do we improve it for the future. I understand my Republican friends starting to pay more attention to this because, candidly, the Republican record, since 1940, is not exactly stellar in this regard.

Since 1940, Republicans have been in charge of the United States more years than Democrats, 36–33. But, despite that fact, in terms of actual job creation, you can go back and look at the Department of Labor's statistics, for those 33 years, Democrats created 64.2 percent of the jobs in this country. Republicans were responsible for 35.8 percent of the jobs.

Now, I'm not saying this was all President Kennedy or President Johnson or President Truman, and I'm not saying that there weren't things that President Eisenhower and President Reagan did that were important and useful. It isn't always the partisan makeup that is determinative. But there is a very interesting pattern that should count for something.

When my Republican friends come to the floor braying, ''where are the jobs?'' they ought to look at the record, and the record is that Democrats have a better history of job creation. And you don't have to go back to Truman and Eisenhower to look at that. It has, in fact, been a rather dramatic difference just in the period of time that I've been in Congress. We've had 16 years, 8 years of the Clinton administration, 8 years of Bush, where there's a pretty stark difference.

The Clinton administration produced 22 million jobs in the period of time. They averaged 237,000 jobs per month, despite the predictions of some of my Republican friends, many of whom actually are still in Congress, that the policies, the economic policies, the tax policies of the Clinton administration were going to destroy the economy. 237,000 jobs per month created. And that's more than the 150,000 jobs that a dynamic American economy needs to sort of keep in balance.

What was the record under the Bush administration where the Republicans were actually in control, almost absolute control of Congress, and they were in control of the White House? The Bush, the second Bush administration, created only 58,000 jobs per month. It's the lowest average monthly job creation rate since the Eisenhower administration when the country was almost half as small. It was the lowest average yearly job creation since Herbert Hoover. And it got worse as it went along.

The economy lost half a million net jobs in 2008. Now, remember, this is an administration, 5 million jobs in the Bush administration, 22 million jobs in the Clinton administration, and those are just private sector jobs.

In the Bush administration, 2½ million people were added to unemployment, and there were a smaller proportion of Americans who were working when Bush left office than when Clinton left office. But that trend was actually quite disturbing because, for 10 consecutive months as the Bush administration was wrapping up, we were seeing job loss. And they continued early in the new year.

Now, I think even my most partisan Republican friends would agree that you don't take a massive economy like the United States and turn it on a dime. The fact that Barack Obama became President January 20 didn't turn around. The jobs that were being shed and lost were a result of the previous 8 years of activity. And so, much of the last 10 months of job loss, plus what has happened earlier in this year is certainly not the fault of the Obama administration.

The Obama administration has inherited the worst financial collapse in American history since the Great Depression, with the effects that are still being felt on the State and local level and will continue to ripple throughout the economy even after it's turned around. It would be premature, at best, to render a verdict on the Obama administration, although I am actually pleased that my Republican friends who remained silent in the midst of the anemic job performance of the Republican administration under George Bush and actually went into negative areas, I'm glad that they've found their voice and are starting to speak out. Now it's time to engage their brains in these important long-term questions.

The fundamental nature of the job market is, in fact, changing in this country. Employers are slower to replace jobs. Assumptions about guaranteed employment and benefits are being challenged as economic models have been turned upside down. We ought to be working on two different levels.

One is to stop an economy in free fall, to strengthen opportunities to avoid future job reductions and strengthen underlying economic activity. The second is to deal with the nature of future jobs. It's even more important than the short-term strategy, because in a large and growing country, we need to be able to provide for the needs of workers, young and old, with a variety of interests and skills all across the country. This suggests that it is time for my friends on the other side of the aisle to reconsider their opposition to infrastructure investment and unyielding support for more and more tax cuts, especially for those who need them the least. That's the same formula that the Republicans were offering which, essentially, helped create the problem.

For 8 years, they had unprecedented control, not just of the executive but the legislative branch. They resisted robust infrastructure investment. Even when it appeared a year ago that the economy was teetering, when we were starting to see actual job loss, President Bush and his Republican allies would only agree to a tax cut-only solution.

We implored, we begged, put unemployment insurance into the equation, put food stamps into the equation. This is money that all the economists agree will have more stimulative effect. This is something that will help people most in need, and they'll spend it right away. These are people who are living on the edge. And for heaven's sake, work with us to spend a little money rebuilding and renewing America, because these not only create construction jobs, engineering jobs across America, but it also improves our long-term productivity by protecting the environment, by stopping congestion and pollution. They refused. The only thing they would agree to was a package of tax cuts, including tax cuts for many people who, frankly, didn't need them.

Well, that changed with the election of President Obama and strengthened Democratic leadership in Congress. We produced an economic recovery package, and it was passed in a few days in the new Congress, that met broad needs across the country. As a gesture to Republicans, as an effort to get Republican support, the largest single portion of that recovery package was tax cuts. Now, we're not hearing, as the Republicans come to the floor asking in a confused way, ''where are the jobs?'' they ignore the fact that an important part of this recovery package is their favorite solution, tax cuts, $288 billion.

□ 1615

Now, we limited the tax cuts to the bottom 95 percent. We're not giving it to the wealthiest Americans but to the Americans who need it the most. By the way, it fulfills a campaign pledge of President Obama's. Every working family in America who is in the bottom 95 percent has enjoyed a reduction in their tax rates and a reduction in their withholdings, which is having some effect on the economy. It was a gesture to the Republicans. Ironically, as for the Republicans who come to the floor who say they want to be involved, we put this in to address their concerns and to engage them.

How many Republicans in the House voted for the package? Zero. Even though almost half of the package was their favorite prescription and it was going to 95 percent of the American public, there was not a single Republican vote, and there were only three in the United States Senate.

We went beyond that. We added $144 billion to State and local fiscal relief. I don't know what it's like in your community, but I'll tell you that, if our State legislature hadn't received several billion dollars for Health and Human Services, a half billion dollars for education, over a third of a billion dollars for transportation infrastructure, the unemployment rate in my State would be even higher, and our legislature would tie itself in knots trying to figure out what to do.

You know, it's interesting. Some of the Republican Governors made a big show that they weren't going to accept this money for unemployment insurance. Hello. They had to be forced in States like Texas and in South Carolina by Republican legislators to stop grandstanding and accept money to help the poor and unemployed in their States.

Mr. Speaker, it's interesting all of those people who voted against the economic recovery and who voted against the infrastructure. It's interesting looking at a list of them who are showing up to be on the platform when the ribbon is cut when the projects are announced. I find it ironic that the Republican leaders who voted against it are claiming credit in their press releases for important projects that are being funded in their States. They're communicating, but it's a curious communication—claiming credit, blaming Democrats because it doesn't happen instantaneously, not being part of formulating the solution.

It is, I think, frankly, embarrassing watching the spectacle. The most embarrassing thing about what's going on in South Carolina is not whether some politician was hiking the Appalachian Trail or not but the fact that it took their legislature to take a State that has one of the highest unemployment rates in the Nation and accept money to help impoverished people. That's what's embarrassing.

Well, I am pleased that we actually did enact this. I'm sorry that Republicans decided not to support it. I'm sorry that they are attacking and distorting. I'm sorry that they, in the past, haven't been concerned about job creation. It has not been an issue until recently when they've thought they could make political mileage out of it.

Mr. Speaker, this is serious business, and the American public deserves a Congress that will treat it seriously, not one that comes to the floor, braying ''Where are the jobs?'' or one that ignores legislation that they have before them that talks about what investments have been made in health care, in education and in infrastructure.

In fact, just this week, we had over 60 Republican legislators vote against filling a hole in the Highway Trust Fund. If they'd had their way, it would have meant that we would have stopped issuing important transportation projects this summer, which make a difference all over America.

Mr. Speaker, I will conclude by just making some reference to job intensity. We've had a program that speaks to job creation and to trying to keep

the jobs that we've got. It speaks to trying to help State and local governments and the private sector move forward. Our energy legislation that passed the House, if it were to pass in the Senate and be enacted into law, would make a huge difference for jobs in the future within the energy business—everything from wind and solar to more energy-efficient construction. It is time for us to use the tools to develop more and better jobs and to think about how we spend dollars that will create the most jobs: job intensity.

Many of the smaller-scale projects in transportation, in community livability and in rehabilitation carry multiple benefits. Last Sunday's New York Times was filled with stories of decayed roads in the metropolitan New York area, in Connecticut, in New York, and in New Jersey. Yet these articles could have been written about places all across the country—from Detroit, to Decatur, to Davenport, to Denver—where investment, if it happens at all, really hasn't been invested in the ways that will create the most jobs.

Going out to some suburban area and building a new road in a newly developed area rather than fixing decayed existing infrastructure does not create as many jobs as fixing it first. Fixing it first is a winner because it will help to restore damaged communities. It will not add an inventory of more and more roads that will have to be maintained when we can't even maintain our roads, bridges and transit systems right now. Fixing it first is much more labor-intensive. There are more jobs to be created in fixing existing infrastructure that is falling apart than in making new infrastructure that will have to be maintained in the future.

It also strengthens mature cities. Many in America are concerned about the vitality of their inner cities. It's not just older industrial cities that one thinks of, like Detroit or Buffalo, but cities around the country, from Cincinnati to my hometown of Portland, Oregon. People are concerned about what's happening in the inner cities. You know, it's not just the inner city. It's that first and second tier of suburbs around them. We need to be thinking about these metropolitan areas, about making strategic investments that are going to strengthen local economies and are going to create more jobs, which will enable us to revitalize the neighborhoods that Americans live in.

There is also a question about what we're going to do with jobs for the future. Even if we're able to get the auto industry back on its feet—and some of my friends have heard our colleagues recently talking about their concerns about whether or not the auto bailout was effectively targeted. Well, I think we don't want a collapse of the American automobile industry in the United States. It would not just affect the upper Midwest. It would send a ripple effect across the country, affecting all of those dealerships and the many auto suppliers. Even if it works, it's very unlikely that we're going to have the high level of automotive activity that we've had in the past. We've got a lot of inventory. Things are being scaled down.

What will be the source of new job growth in the future if we're able to hold onto the auto industry that we have?

Another area that we've had has been the homebuilding and development industry that, since World War II, has been a source of dramatic growth and activity, especially in the last 20 years. Its construction, finance and home sales have employed all sorts of people all along the food chain, which has propped up the economies in southern California, Florida, Las Vegas, and Phoenix. Now these same boom areas are in a collective swoon, and look to have significant development over supply for years to come.

We're going to see a rebalance in the future in the type of housing. Smaller families are going to be the norm. By 2040, there will be more single-person households than families with children. With another 100 million Americans, who will be here by the mid-century, we are going to be changing dramatically—where we live, how we live, how we move. We're going to move forward in restructuring communities.

We also need to think differently about job creation. We need, as I say, to be looking at the job density for the rehabilitation and for the location of infrastructure. There's going to be an explosion of needs to upgrade our infrastructure for sewer, for water, for the smart grid.

Future jobs will focus on enhanced efficiency, on new energy supplies, on being able to clean up after ourselves. Tens of millions of acres that the United States owns have been polluted by unexploded ordnance and by military toxins because of years—actually, centuries—of military training and activity in the United States. Maybe we should start cleaning that up and putting people to work repairing the environmental damage and then recycling that land for park and open space, for housing and industrial development.

We've got lots of opportunities, Mr. Speaker, to be able to redirect the economy—to deal from health to energy. That is what the administration and the leadership in Congress are attempting to do.

The bottom line is that we are going through a major restructuring. It's hard. The administration has inherited the most damaged economy since the Depression. It's not going to turn on a dime. It's going to be a struggle for the next year or two, but it's going to be redirected faster. We're going to recover faster, and it's going to be sustainable if we are able to move in the right direction for the future.

I've talked about energy, about renewable resources, about using Federal resources more wisely, about being able to invest in critical infrastructure. I'm hoping that this is one area in which our Republican friends will join us to reverse the policies of the Bush administration, which have, frankly, prevented us from passing the transportation reauthorization for 2 years. We had 12 short-term extensions, and we were forced to accept a funding level that even the Bush Transportation Department said was almost $100 billion lower than what we needed.

We have got an opportunity to rebuild and to renew America. We have got an opportunity to work together. I am hopeful that the American public will weigh in on these issues. Nothing is more critical, and nothing will bring about, I think, a little more grown-up behavior here on the floor of the House than if the American public indicates that they're watching and if they ask the hard questions.

As Members of Congress return to their districts this next month for meetings and for townhalls with business, with media, with students, with churches, and with civic organizations, having Americans asking these pointed and direct questions will help us get on track.

I am convinced that, ultimately, with the help of the American public, a new administration and a Congress that is focusing on what is most important, we will be able to deliver on this promise: That we will have a better Federal partnership, that we will strengthen the livability of our neighborhoods and that we will make our families safer, healthier and more economically secure.

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

□ 1640

THE PEOPLE'S WORK

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Texas (Ms. JACKSON-LEE of Texas) is recognized for 22 minutes as the designee of the majority leader.

Ms. JACKSON-LEE of Texas. Thank you very much, Mr. Speaker, and I thank my good friend from Oregon for giving such a detailed presentation of the enormity of the work that we have generated in collaboration with this administration and what ''change'' actually means.

Sometimes the television news bites and other activities that, by the very nature of our Nation, which is so diverse, may draw upon our thinking, we don't get to the bottom line of the kinds of opportunities that we've seen over the past 8 months, 7 months, of hard work from the time that President Barack Obama was sworn in as President of the United States and Congress was sworn in for the 111th Congress. Our work is not yet finished. And we want to continue that work in dialogue with our constituents.

So I wanted to speak today some with a little lightheartedness and some

with enormous sincerity and seriousness.

I want to acknowledge the passing of the mother of the mayor of Acres Home, Willie Baker in my congressional district. I offer them my deepest sympathy. I rose to the floor yesterday to acknowledge the passing of Vermel Cook. A pioneering surgical nurse who worked with Dr. Michael E. Debakey and Dr. Michael Cooley. These are issues that members address as Federal Representatives in the people's House.

So to those families, the Cook and Baker families, I offer my deepest sympathy.

It seems then relevant to suggest that in addition to the many issues that we confront, I had the privilege of joining the Senate in having passed today by unanimous consent H.J. Res. 12, which, for many of my colleagues, 61 of them who cosponsored, many of them recognized the cultural richness of America, particularly in music which I happen to be a fan of and I believe it's so much a part of the American character whether it's country western or whether it's jazz, whether it's pop or whether it is gospel.

So H.J. Res. 12 acknowledged today along with the United States Senate that we would designate September 2009 as Gospel Music Heritage Month and it would honor the gospel music for its valuable and longstanding contributions to the culture of the United States. I hope that those who are members of various faiths throughout this Nation will take the time during their religious services to celebrate gospel musicians, gospel singers, gospel producers, gospel writers, and their own church choir or their place of faith's church choir, wherever they are practicing their faith. If there is a choir and it draws the kind of celebratory respect for their faith, I hope they will celebrate it.

So I am very pleased to have done this for a second time and to recognize the importance of the many artists and the many different influences, including country western music on gospel music. To recognize Thomas Dorsey, and Mahalia Jackson, the Stamps Quartet, the Statesmen, The Soul Stirrers, James Cleveland, Ray Hearn, Rex Humbard, the Mighty Clouds of Joy, Kirk Franklin, the late Brenda Waters and Carl Preacher and Shirley Joiner, The Winans, and Kathy Taylor, and so many others.

And then those who went on from gospel like Al Green and Elvis Presley and Aretha Franklin, Alan Jackson, Dolly Parton that had a gospel influence.

So in this place that is the people's House, we likewise attempt to be sensitive to items of joy, and I'm very proud that we will have an event in September, on September 12, at the Kennedy Center honoring gospel music heritage, and I hope my friends will do so.

But as we do that, we recognize that there are painful experiences so many of our constituents are having. So I rise today to thank my colleagues for joining me in sponsoring H.R. 3450. That is the Automobile Dealers Fair Competition Act of 2009.

We expect that because of the bankruptcies of GM and Chrysler that we are in direct line of losing some 200,000 jobs—I believe some 40,000, some 10,000 in the State of Texas—from the closing of automobile dealerships. Not only that, we realize that automobile dealerships, many of them, were the anchors of our community, the supporters of little leagues. Some of them, of course, gave us the best deals of our life. Maybe some of them didn't give you the best deal or the deal you wanted, but they are your neighbors.

Dealerships in the 18th Congressional District hire people. They're like family. They provide cars for our law enforcement, our city government. They make a difference. And by the closing, we know that they're closing small businesses. According to estimates, all termination actions combined could lead, as I said, to the loss of 200,000 direct jobs and many, many productive small businesses will be destroyed.

We also know that this termination has been in contrast to the contractual relationship called a franchise that the different dealerships had with GM and Chrysler.

So what does H.R. 3450 do? The bill deals with automobile dealers by giving them, if you will, the ability to have antitrust protection. They can now have the right to protect themselves by asking the question, Is the closing of automobile dealerships anticompetitive?

So in this bill, the bill will provide enforcement teeth to this right by giving dealers in an expedited court process to enforce the restraint of trade rights.

The bill is, in essence, giving them the right to protect themselves by going to court. This would deem decisions by auto manufacturers, specifically the Automobile Dealers Fair Competition Act of 2009, would deem decisions by auto manufacturers not to grant franchise extensions to old GM and Chrysler dealers provided they can demonstrate that they are still operating as a viable operation, that they can provide or they can show that that is an illegal restraint of trade.

In addition, the bill will provide enforcement teeth to this ride by giving dealers an expedited court process to enforce the restraint of trade rights. If new GM or Chrysler doesn't grant a replacement franchise to a growing concern within 90 days, the dealer can petition to Federal court, district court and ask the court to refer the case to a special master who will be required to hear the case and make a ruling within 90 days.

We don't want these dealerships to be closed, particularly those that are viable and are working in our community, as many have been, who have provided an economic engine to the community. It is our belief that there is empirical evidence and quantitative analysis that can be done to determine the impact of GM's mass dealer terminations to GM's market share.

If you close dealerships and you leave open Honda and Toyota and Lexus and other foreign-made car dealerships, are you impacting the competitive nature of our manufacturers and car dealers by giving them a noncompetitive edge because you have shut down competitive dealerships trying to sell American cars and you're leaving the other guys—which we welcome here in the United States; we're open to opportunity—but you let the foreign-made cars have the higher number of dealerships and therefore you deny jobs, you deny the manufacturers a forum for selling their cars. It's just not right.

So I ask my colleagues to join me in supporting H.R. 3450 to provide for the Automobile Dealers Fair Competition Act of 2009. It is H.R. 3450. We're delighted to already have a number of sponsors. It is bipartisan. We believe it can be another legislative initiative, and I am on many, to protect and provide for automobile dealers and say to the car manufacturers, our good friends in GM and Chrysler, we care about the suppliers, the car dealerships, and all of the workers that may now look to unemployment because those dealerships are closing. Those are good, good-paying jobs, and we want them back.

So, Mr. Speaker, I'm hoping that my colleagues, as they return from the August break working in their districts, will look at H.R. 3450 so we can likewise move that forward as quickly as possible.

Now, Mr. Speaker, I would like to emphasize the importance of good health care: health care for all America, health care with a public option. And for some reason, we think that this is something strange, but every single policy that has asked the question, Would you favor or oppose creating a public health insurance option to compete with private health insurance, not closing down private health insurance, you can see the increasing strong numbers: 65 percent, 83 percent, 76 percent and 72 percent.

One of the highest, I believe, indicated that this would not close anyone's private health insurance. In fact, it said: public plan option creating a new public health insurance plan that anyone can purchase. Some of the other polls say: ensuring that you can continue in your own choice.

And so I'm very proud that I support the public health insurance option that allows people to have insurance to stay where they are, but it allows all the small businesses to be able to provide themselves with insurance so they can do their business right.

What about leaving a job, getting fired and wanting to be a sole proprietor? You won't have to worry about being covered with good quality health insurance. Preexisting disease, you

won't have to be worried about being covered by good health insurance. The idea that you're not old enough for Medicare, you won't have to worry about good public insurance.

Let me give you an example—and this is happening in districts around America. In the 18th Congressional District, for example, up to 14,600 small businesses could receive tax credits to provide coverage to their employees; 5,300 seniors would avoid the doughnut hole in Medicare part D, 480 families would escape bankruptcy each year due to unaffordable health care costs; health care providers would receive payment for $49 million in uncompensated care each year. Ask your hospitals. They do not get reimbursed when they are the Good Samaritans and take people into their emergency rooms or take people who are sick. Once they're in the emergency room, they admit them.

Uncompensated care in my district alone will get $49 million and 184,000 uninsured individuals would gain access to high-quality health care.

How can we beat this? Help the small business, individuals who have ideas, want to get out and show their entrepreneurship, want to be a sole proprietor. Maybe they have two employees or 10 employees. You will get a public option. Don't let those scare tactics of you lose your insurance or it will accelerate beyond belief, because we have cost control in this bill.

In addition, don't let anyone misdirect their anguish at physician-owned hospitals. They are valuable. Do you realize that doctors come together and save hospitals from closing? They do that in Texas with Saint Joseph's Hospital. They want to do that in my district with ATH Heights Hospital. Some of my colleagues have told me about rural hospitals that are closing but doctors who care about the Hippocratic oath believe that they're there to be caregivers, and they run and they provide the saving grace by putting money into investing in those hospitals and saving them and keeping them from closing.

□ 1645

They, too, should be allowed to take in patients under this health care reform. And I'm fighting to make sure that that happens because they're not double-dipping. We want the quality to be high. We want to regulate it. But anyone that knows a doctor that has interest in a hospital by way of ownership, small amount kept regulated, you know that that hospital, if it's a general acute hospital, can give good care, if it's a specialty hospital, can give good care. And so I am looking forward to the opportunity to again begin this debate because I believe it is important.

Mr. Speaker, I also want to acknowledge the critics that say that the stimulus package has not worked. Well, I will tell you that Houston Metro in Houston, Texas, as a new start transportation system, is going to be eligible for stimulus dollars as we move forward. I only use the 18th Congressional District because it is right at my fingertips.

But there are jobs being created. Just alone in my district, housing and urban development, we've had $13.6 million in stimulus dollars; education, $42.5 million in stimulus dollars. And we want to continue to raise a question for our Governor to take out the $3.2 billion that is in the Rainy Day Fund in the State of Texas and utilize those stimulus dollars to put teachers back to work.

We were able to ensure that every teacher in Texas will get an $800 salary increase the day they start work when the new school year starts. Those are stimulus dollars that came through the working of the Democratic Congressional delegation of the State of Texas, $800 increase in their salary. $22 million in Social Security, and Small Business Administration, $8.5 million. That means in loans to our small businesses that are receiving monies from this important generating of jobs.

And so we have been able to fix our courthouse with $807,000. We have been able to fix our Federal building with $109 billion. We have been able to work, if you will, with the Catholic Charities emergency food and shelter, $24,000. We have been able to reach the Community of the Streets Outreach with $25,000. We have been working with new Kid Care emergency food and shelter. They have received dollars. Northwest Assistance Ministries has received dollars.

This is one district, but multiply it for the needs across your community. We have been able to keep nonprofit workers to help those people who have been unemployed. I think that is a far cry. Cleme Manor Apartments, new construction, substantial rehabilitation. Garden City Apartments, new construction, substantial rehabilitation.

Mr. Speaker, we are putting people to work. They are working on the construction and rehab of those apartments where individuals live. They are giving individuals a cleaner, safer, better quality of life by improving their apartments.

What I would ask my colleagues to do and those who may be listening, go to your local city halls. It's public knowledge. Ask them to print out for you a list of the stimulus dollars that have already come. More are going to come. Those will be grant dollars. It means that any of the nonprofits in your States or cities or counties can apply for dollars that will put people to work.

Right now, we have the ability to utilize some $700 million in what we call ''green'' jobs. Of course, you can't see it overnight. You couldn't see it in March. You couldn't see it possibly in February. Maybe you didn't see it in April or May because, yes, processing is important, documenting your dollars, where are your tax dollars going, making sure we have the right report is correct.

In Houston, I am very proud to have worked on the stimulus dollar legislation providing language to ensure that minority- and women-owned and small businesses would be recipients of those dollars in the appropriate manner so that we don't leave out small businesses who would have the ability to legitimately be receiving stimulus dollars through a government process and work that they would be doing.

And construction dollars for all of the construction workers out there. Rehabilitation is a right way to work. I'm glad that the Houston Heights Tower received some $95,000—those are where a lot of my senior citizens live—for new construction and rehabilitation. I remember going to the Heights Tower during Hurricane Ike.

And so it is important to refute some of the negative commentary that the stimulus dollars don't work. They do. Settegast Heights, again, $877,000 have gone to my city of Houston in the 18th Congressional District alone; new construction, substantial rehabilitation. People will have a better quality of life.

Wesley Square Apartments, $508,000, new construction, substantial rehabilitation. Some of the homeless persons who have come upon hard times, many of them homeless veterans, will be able to have a better quality of life because stimulus dollars were utilized.

So, Mr. Speaker, I believe that we have come to the end of a portion of the 111th Congress, and I am very proud that we passed an SCHIP bill that enrolled more children in health care, that we increased the minimum wage, that we provided for parity for women in working, that their income or their salary is competitive with men, that, as well, we have begun to stand down in Iraq. And our Defense Appropriation bill speaks to helping move the defense of Iraq to the Iraqi National Forces.

I offer my deepest sadness and reflection on those lives that have been lost, our soldiers on the front line, those that are now being lost in Afghanistan, and we will work hard to stand down there to ensure that the country of Afghanistan can stand up. But we've been working hard to ensure that that happens.

I've been working hard to help the people of Pakistan. We passed a Pakistan relief bill, in essence, out of Foreign Affairs so that they can stand up, so they can help with social programs, they can help economically, that we can help those who are in the camps because of the violence that was perpetrated, that we can show the respect for the soldiers in Afghanistan, their own soldiers in Afghanistan, Afghanis and the Pakistanis, who have lost soldiers themselves fighting terrorism.

We passed H.R. 2200, the bill I authored, helping to secure transportation—airports, trains, busses—to emphasize more training for flight attendants, to provide more resources for the Transportation Security Administration, to ensure that America is safe.

And so this House has been busy. And as we go home to our districts, we will not run away from the idea of good health plans. Because, my friends, I don't know what my friends on the other side of the aisle have, a bunch of question marks about the health plan that my friends on the other side of the aisle have offered.

I want them to join us. I can articulate what we have done. I realize that we've made great strides. I know that the people want, if you will, good health care.

And so as I close, I want to thank the Speaker. And I just want to leave you with this forceful message: We're going to get the job done. We're going to get health care for all Americans, and the stimulus is going to work for you. And celebrate Gospel Music Heritage Month in September as we help our automobile dealers return to their jobs and to retain their jobs. You know we've been working.

HEALTH CARE IN AMERICA

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

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to be recognized here on the floor of the United States House of Representatives. And having had an opportunity to listen to some of the dialogue that went on previously, I'm glad that I have a chance to raise these issues.

On the front of everybody's mind in this country is the situation of our health care and our health insurance for 306 million people in the United States. And I would point out that if we look at the size of this economy and the size of this population, it is a huge endeavor to think that we would take 17.5 percent of the American economy, 17.5 percent of our gross domestic product and switch it over to a government-run plan, and do so in almost the blink of a legislative eye, and do so without the full deliberation of the floor of the House of Representatives or without the American people having an opportunity to weigh in.

I am glad that this process has been slowed down—however great the price has been—so that there is an opportunity now for some of the legislation that has been more closely refined, shall we say, in its 1,100 or so-page form to be available to the public, a public that has more access to this information that is going on in the House than ever before because of being able to access this information now by the Internet. And all of us in this Congress have Web sites, and I would think there is at least one link on every Member of Congress' Web site that will help you access this information on where we are with bills that are being deliberated here in this Congress.

And as I look at where we are today and what's out there, I'm very interested in the entire month of August and I'm very interested in the first week of September. Those are the times when the American people will have had a chance to read the bill, talk to the people within their profession or whatever their interest group is that have read the bill, weigh their ideas, do this across the backyard fence and do this at the coffee table at work, and be able to give us the benefit of the wisdom of the American people to weigh in on all the components that have been created here that are promised to come at us and perhaps have a vote on a final passage; not here, not any longer this week or next week or in the month of August, but perhaps in the first or second week in September, and something that—this will decide the fate, if it's passed, of the health care system of the United States, I believe, at least as far as we can look into the future. And it is a national health care plan. It is a government-run health care plan. It is a model that transforms the entire health care system in the United States.

Today we have more than 1,300 private health insurance companies competing for premium dollars, And they do so by providing the best value for the dollar and marketing that best value for the dollar and trying to adjust those policies to meet the demands of the American people. Over 1,300 private health insurance companies, and among them they offer, in the aggregate, perhaps as many as 100,000 different health insurance options. And the President of the United States has said he just wants to offer one more option, 100,001 policies now for everybody in America to choose from if this bill should pass.

And this extra government option that he would offer, as if there wasn't enough competition out there among the 1,300 health insurance companies and the roughly 100,000 policies that are there, how can anyone presume that one more policy that would just compete with the other policies out there would result in anything other than one one-hundredth more options for the people of the United States?

I would submit that there is a lot more afoot here, Mr. Speaker, there is a lot more afoot here. The people that are advocating for this public option, the people that are advocating that the Federal Government should run their own health insurance policy in order to compete against the private sector are the people who sometimes they will leak it into the media, sometimes they will shout it out in a private meeting, but in their soul they want a single-payer, government-run, socialized medicine, one-option government plan for everybody. And they want to run every private health insurance company out of business and take the 100,000 options that the American people have with them. That is their agenda.

And I can put together a string of quotes from the very liberal Members of this Congress that find themselves in powerful positions in this Congress, gavels in hand, that are determined to take away the private health insurance options and turn it into one government plan.

Even the President of the United States believes in that, however much lip service he has paid to the idea of telling the American people, well, if you like your health insurance that you have today, then you get to keep it. That's one thing that I cannot accept that the President believes when he says it. He is a very smart man. He's got to understand that if it says in the bill—and it does, section 102 of the bill—that every private health insurance policy has to be rewritten in the first 5 years of the passage of the legislation that's proposed, that means the American people's individual policies will all change within 5 years and they will have to accommodate themselves to the new qualifications that will be written by a health insurance czar to be appointed by the President later, and regulations that are not in the bill, but regulations that would grant that health insurance czar the power and the authority to set the standard.

So he might rule that every health insurance policy in America has to pay for abortion. He might rule that everyone has to pay for mental health. He might rule that everyone has to pay for all pharmaceuticals, or maybe only generic pharmaceuticals.

□ 1700

Whatever he may decide, he'll be looking at the costs of the premium, the percentages of copayments, and the regulations will be written so that the public option, which is so carefully defined and that language that's determined to be defended by the Democrats in this Congress—so that the public option can compete with all of these 1,300 private health insurance companies that have competed in the marketplace for years and found their niche in the market and done it the American way.

Now, if somebody thinks that there's too much money in the health insurance business, why don't they get in that business and provide that health insurance and lower the premiums and cut down on the administrative overhead and take some money and take some profit out of it?

That's how this works in the free market system. If there's something out there in the marketplace that has too much profit in it, you don't need government to come in and do it for you. You need to take a look and determine is it a monopoly? If it's a monopoly, then Teddy Roosevelt rides again. Let's bring him in and let's bust the trust. But if you have 1,3000 health insurance companies and 100,000 health

insurance policies, you don't have anything that looks at all like a monopoly. You see something that looks like the maximum amount, or nearly the maximum amount, anyway, of competition in the marketplace.

So that argument is specious, the idea that we need to create one more company, unless it is the intent of the proponents to create socialized medicine—one size fits all, take away the American people's individual policies and give them a government policy or a facsimile of a government policy that would be their former private health insurance company that has had to adapt to the new rules written by government and offer a qualified plan.

Now, why am I suspicious of this? I am more than suspicious. I'm convinced that this is the initiative: to wipe out all private health insurance and force everybody into a public policy and a public plan. One of the reasons is because there has been such an indignation about those of us who have said that this is a government-run health care plan that they're proposing.

They have tried to censor us here in the United States. They have actually effectively to a degree censored Members of Congress who wanted to simply mail out the flow chart, the schematic, if you will, of what this proposed health insurance plan or this health care policy looks like.

And I would take the people in this country back, Mr. Speaker, to this little chart right here. This is a chart that hung on my office for probably a decade starting in 1993, when Hillary Clinton came to town and became the secret master of the reform of the health care and the government takeover of health care in the United States. A lot of people remember, as I do, those were intense times. I was watching my freedom being marketed away day by day in secret meetings. I don't know if they actually kept minutes, but I know they weren't available to the public. I know the press wasn't allowed in the room. The public wasn't allowed in the room. There weren't Members of Congress representing their constituents. There were people like Ira Magaziner and others who were handpicked by Bill and Hillary Clinton to devise a plan.

And the idea of this was, put these smart people in a room, have them devise a plan, don't let anybody weigh in on that, no kibitzers on this plan, because if that happens, then the American people would start to grumble, and if they start to grumble, they might start to talk out loud, and if they talk out loud, they might start to yell, and if they start to yell, they might come to town and tell us that they don't want to have a government-run health plan in the United States, that they don't want to have their private plans taken over.

Well, that's what they finally did. They finally said they are not going to tolerate it, and the American people scared enough Members of Congress and enough United States Senators that they were going to lose their seat if they supported this monstrosity that this monstrosity finally was pulled down. This was a time when United States Senator Phil Gramm said that this health care policy will be over his cold, dead political body if they pass something like this. He stood there. He meant it. They held their ground. People in this House held their ground. And people like Dick Armey held their ground. In fact, Dick Armey was instrumental in helping to form this chart, this black and white chart that is the schematic that shows all the government agencies that are created by the old plan back in 1993, which I will at least give Bill Clinton credit for. He wrote a bill. He presented a bill to Congress, and he asked Congress to pass the Hillary plan. And, of course, Congress liked their job. They didn't pass the Hillary plan.

And when I call it a ''schematic,'' I don't know that one might think today that that's pejorative, but in here they actually do call their own plan a ''scheme.'' Someplace in this chart it addresses at least some of the components in it as a ''scheme.'' Well, I call it a ''schematic'' or maybe more appropriately a ''scheme-attic,'' Mr. Speaker.

But it has here an ombudsman who is supposed to broker the deals between government because people can't get through government bureaucracy; so you create an ombudsman. Well, we have to change the name of that because now people know what an ombudsman is. We have the HMO provider plan that doesn't show up in the other chart that I can see. HMOs have slid down in their popularity.

Here we have the global budget. In 1993 a global budget for a health care plan. All of these squares and boxes are created as new affiliations with the exception of the executive office of the President. A few others, but generally speaking, this scheme, and they call it a ''scheme,'' does scare the American people.

Now, Mr. Speaker, I would point out that as scary as this chart looks, we have another chart here that is far more scary. This is the color-coded, modern-day, software-driven, packaged-up plan that is a very accurate facsimile of what actually is taking place in the Democrat bill here in the House of Representatives. This is 31 new agencies, and there are subagencies and other responsibilities that are behind it.

But just to look at the chart, Mr. Speaker, one can look at all these white boxes here. If they're not colored, if they're white and they have black letters in them, they're existing government agencies. These are already hoops that people have to jump through. And then when you look at the colored boxes, the orange and yellow and the green and the blue and the purple, those are all new agencies. These are all new hoops for the American people to jump through. These are untried. They are untested.

When you create new government agencies, you run a little beta test because you don't know how it's going to act, how it's going to function, and you don't know how people are going to react. All you can do is guess how people will react. And you don't know if you can actually manage this.

But I will suggest this: We don't do that good a job of managing the health care that we pay for out of this Federal Government today. Right now the Federal Government is paying 80 percent of what the cost is to deliver Medicare services. And if I look at my State, where we have a high percentage of Medicare patients because we have a very high percentage of senior citizens, then the percentage of that Medicare that they're providing is less than 80 percent, and one of the reasons is because we have some of the highest-quality care. In the State of Iowa, if people go there, Mr. Speaker, they can expect that they will receive quality care in the top five of all of the States in the country year after year after year. And with that high-quality care, Iowa sits at the lowest Medicare reimbursement rate.

So we're looking at this and wondering if it is the majority's, and that means the Democrats' and that means the President's idea, that we are going to fund the cost of this $1 trillion to $2 trillion health care ''scheme-attic'' that we have here, and we're going to fund it, in part, by reducing the funding that is going to Medicare by roughly $500 billion when Medicare funding that is already inadequate at best pays 80 percent of the costs, and they're going to cut these costs and fees going into the States to come up with enough money to pay for this?

So what it means is, Mr. Speaker, is this: If you take $500 billion out of Medicare in order to fund a national health care plan, that means you're taking it right out of the health care for the senior citizens in the United States of America across the board. The health care access for senior citizens will be diminished. The services will be diminished. Presumably the quality will be diminished because the doctors and nurses and providers will have to spend less time per patient, accelerate their time with them, and that means less quality care. And it means fewer services to our seniors.

So this $500 billion, a half-trillion dollars, taken out of Medicare, right out of the Medicare services, the health care services for our senior citizens, in order to find a way to do a pay-for for a $1 trillion to $2 trillion National Health Care Act. And President Obama has said we're going to pay for all of this. We're going to find a way to pay for it. Well, that's the problem that CHARLIE RANGEL has run into in the Ways and Means Committee. But it looks like some of it comes out of not the pockets of our senior citizens that

are accessing their health care; it comes out of services to them.

And the arguments I've heard were behind closed doors, the derogatory comments that have been made about doctors and nurses and providers and the allegations made, for example, by the President of the United States that we have doctors that are removing tonsils because it pays rather than because they need to be removed. I think that needs to be documented and it needs to be quantified. And, yes, there are people in every industry that don't meet the highest standards. But to paint the whole industry with anecdotes like that without any data to back it up just further clouds this debate and makes it harder for us to make progress.

This chart, by the way, this chart that we have called government-run health care, we have called this—well, it is. It's the organizational chart of the House Democrats' health plan, and this ''scheme-attic'' that has 31 new agencies, I would just direct, Mr. Speaker, your attention and the public's attention down to these boxes right here on the bottom:

This white box here that says ''traditional health insurance plans,'' that's where the 1,300 companies are. That's where the 100,000 policies are, in this square box right here; 1,300 companies, 100,000 policies in traditional health insurance plans. According to the bill, section 105, all of these plans, every single health insurance plan in America, would have to run through—they would be here in this white box. They couldn't function after 5 years unless they met the qualified health benefits plans here in this purple circle right here. In order to be qualified, they would have to meet the new government standards that are not yet written. These new government standards would be written by the Health Choices Administration right here.

Health Choices Administration would be run by the HCA, Health Choices Administration, Commissioner. Now, he's a commissioner, or she, because America is up to here with czars. We have 32 czars. We do have more czars than the Romanovs, and they're less accountable than the Romanovs. They're not held up to any kind of confirmation. They're not answerable to Congress. I don't know that we have subpoena power to even bring them before Congress to ask them what they did when they were managing the car industry, for example. We know we had a Car Czar that had never made a car nor sold one. I presume he'd driven one, probably never fixed one.

But he was running the car business in America and on the phone sometimes multiple times a day with President Obama's appointed CEO of General Motors. The Car Czar wasn't doing too well. He got replaced. Now we have a new Car Czar, and that new Car Czar says, well, the Federal Government would like divest themselves eventually of General Motors and perhaps the Chrysler stock, but there's no definitive plan, just kind of a general goal. Well, it looks to me like the general goal has been to nationalize huge industries in America rather than divest the Federal Government from those and let the free market prevail.

So if this bill passes, we will end up with a health insurance czar. He will be running the Health Choices Administration, and he will be called the Commissioner of the Health Choices Administration, but he'll be the czar. Commissioner. I don't call him commissar. Maybe I'll call him ''commi-czar-issioner,'' but he will be calling the shots for all of these 1,300 health insurance companies that exist today and writing the regulations so that they could become qualified health benefits plans coming out of there. So 100,000 qualified health benefits plans from 1,300 companies would have to qualify under new standards written by the new ''commi-czar-issioner'' of the Health Choices Administration.

Now, if you had a few million dollars invested in a health insurance company, Mr. Speaker, would you really be interested in investing more money in that company on the odds that that new ''commi-czar-issioner'' would write some regulation that lets you stay in business, when the people that are writing this regulation want to take you out of business and they say so, people like the chairman of the Financial Services Committee, BARNEY FRANK, who on tape says that he believes there has to be a public option? The public option is this purple circle right here, the public health plan. Chairman FRANK believes there has to be a public option.

□ 1715

This is because that public option is the path to a single-payer plan. A single-payer plan is code word for socialized medicine, one-size-fits-all, the government runs it all, and every one of these plans here that were in the private sector will all be swallowed up, they will all be squeezed out, and eventually this purple circle becomes the whole and everything else is swallowed up and diminished.

I think this happens if this bill happens, because it is the goal of the liberals in this Congress to end private health insurance and eventually end private health care and eventually have every doctor working for the government or else for a government prefixed price, and the nurses and the clinics doing the same thing. They might be billing fee-for-service or fee-for-patient, but they won't be running their own clinic; they won't be working competitively anymore.

When I look around the world, I will give you examples of why I believe this. The oldest example is Germany. Now, Germany has had its ups and downs over the last century, but the last century and a decade, about that far back, they passed their first national health care plan. That was back before we had modern medicine and certainly didn't have anything that looks like modern medicine today.

But the German plan was passed under Otto von Bismarck. And as I read history, he did so in order to consolidate a political base in order to expand his political power. But it got established then.

Of course, there will be Germans that will defend their policy. And it probably has helped and it has no doubt helped millions of them, and other millions have stood in line and they probably at this point don't have a concept of what it is like to have the freedom we have to go out and purchase a policy or be an employer to negotiate and select from the policies we want and do the best we can working with our employees and being an agent for our employees to put the best packages together, or for individuals to purchase individual policies.

In Germany it works this way: you can buy a private plan there. They are pretty proud of being able to have private plans in Germany, even after more than a century of socialized medicine. But today it is this, Mr. Speaker: ninety percent of the plans in Germany are the public option. Ninety percent. And the 10 percent are the private options.

Now, the private options, they only exist as the company is functioning and selling health insurance in Germany in order to cater to those people who are reasonably well off, those that believe they can get a little bit better quality of care, even though they have to pay a premium for that better quality care, because they don't want to be in the government line. They want to try to find a way to take care of their care and health means too much to them to let the government run it.

That is the bottom line in Germany. Ninety percent on the pubic option, 10 percent on the private option, mostly self-employed and independently wealthy people. Not regular common people, very rare, not people that are generally working for someone else for a wage, not punching the time clock, not paid a salary so much. It is self-employed people and often independently wealthy people that carry their private health insurance in Germany. That is about 10 percent. Ninety percent the public plan, 90 percent socialized medicine. That is Germany.

The United Kingdom passed their National Health Care Act in 1948. There they were recovering from the Second World War. They were a nation that was nearly broke. Nobody had any money, their industrial base had been destroyed by the bombing from Germany, and they had used all of their resources to save their country.

God bless them, they were a great ally and it is a great thing for the world that the Allied Powers were successful in World War II and we turned back the level of tyranny that was threatening to swamp the world.

But Great Britain was broke post-World War II, and they were looking

for anything that provided them security, and they believed that they could manage health care in Great Britain if they just took it over and they could do better in government.

If we remember, this nation was in peril in World War II, and we grew government in a great big way. There was a threat to take over the steel industry in that era as well. We managed to provide private sector industry that turned out bombers and battleships and the things that we needed to be successful in that war.

But if our industry had been destroyed, if the spirit of the people had been hammered as hard as it was on a percentage of its population as it was in Great Britain, we might have been looking for security. We might have decided that we needed to do something with government to supplant what was being so efficiently provided in the private sector.

For whatever the reason, Great Britain passed their National Health Care Act in 1948. And I read, Mr. Speaker, through a whole stack of Collier's magazines from that era, and each of them featured the socialized medicine that was being implemented in the United Kingdom at that time. And they showed pictures of long lines at the doctors' offices, lines that went outside the clinic, and they interviewed doctors and showed doctors that were haggard and frazzled and tired, and they lamented that they could not do that doctor-patient relationship in the fashion that they had before, that they had to limit the time per patient and they had to move from room to room and they had set up more rooms so they could get the patients in the room and get them ready for exams so they could walk in, do the exam, order what was to happen and go on to the next one.

And doctors that are hurried like that make mistakes. So does any human being. But a human being should not be treated like they are on an assembly line. That was already what was taking place in the United Kingdom in 1948.

The stories that are in those Collier's magazines from that era are the same stories that we hear in the modern version of socialized medicine that exists in the United Kingdom today. They are not a lot different than the stories you read and hear about in other countries in the European Union, including Germany.

For example, I ran into an immigrant from Germany, actually it was in a Menards Store some months ago, and he told me that he had a hip replacement done. It had gotten very bad and he could hardly walk, and he had to wait, and he waited a long, long time in line. Finally he decided that he would try to get himself in more than one line so that he had the best chance of getting it over with so he could get on with his life. And so he got in a line, and the shortest line that he could get into was the line in Italy.

So he queued himself into the line for a hip replacement in Italy, and some months later he was able to go to Italy to have the surgery to replace the hip. And now, good surgery, good job, he is healthy, moving around and enjoying life.

But to have to go to another country to have the surgery done, it begs the question. It must be a lot of what it is like to be a Canadian, to go to another country to get your surgery done. And thinking of the Canadians and those kinds of surgery, I could give an example on that.

We had a presentation done that was a little over a week ago by a doctor from Michigan, and this was at the Policy Committee on a Thursday night, a week ago last Thursday, if I recall.

He has practiced medicine in Canada and in the United States. In one of his earlier forays into providing medicine and services in Canada, he was working in the emergency room and a patient came in, a younger man, who had torn up his knee playing sports. He had a torn meniscus, a torn ACL, an anterior cruciate ligament, and his knee was a mess. This doctor in this emergency room in Canada examined the knee and said, You need surgery and you need it right away. I will schedule you for surgery in the morning.

Apparently the doctor wasn't familiar with the standards of qualifying for reconstructive surgery care, and he found out after he made that promise to the patient that he had to first get him scheduled for the specialist who approved the surgery. So he did his best to get that patient covered, because the patient was in a lot of pain. They had to put him in a knee brace. He was on crutches. And they scheduled him finally to be examined by the specialist who approves for the surgery, and he was examined 6 months later.

He was not operated on the next day, not operated on 6 months later, but on crutches and with a knee brace on, unable to work, 6 months later examined by the surgeon, the specialist, who approved the surgery. The surgery was approved. Well, that was an obvious thing to the doctor who looked at him the first night, and 6 months later they did the surgery.

Now, Mr. Speaker, I have to go back and reiterate, because it sounds implausible. A young man with the knee torn up, a torn meniscus, a torn ACL. He needed surgery the next day. In the United States of America he would have had surgery the next day. Instead, the exam to approve his surgery, which is required in Canada, took place 6 months after the injury, and the surgery itself took place 6 months after the exam.

Almost a year to the day the surgery took place to reconstruct the knee. And we know what happens. He lost more than a year's work because the rehab was another couple of months, and that leg will atrophy because you are not using it, and all of that loss of quality of life, the things he could have been doing, his entire lost productivity gone, because bureaucracy is calling the shots, not the doctors, in Canada.

Now, that sounds like anecdote. Well, it is a real live human being case, and I am confident that I could trace that back and name the individual, and I am confident I am likely to get that individual to come here and try to talk to the thicker skulls that exist on this side of the aisle.

But suffice it to say that here is the data that supports this individual that some might allege is an anecdote. And it is this: the average waiting time for hip surgery to replace a hip in Canada, the average waiting time is 196 days. Once you are approved for surgery, you wait in the line, in the queue, 196 days. A lot of people with bad hips are on crutches—196 days.

If you are waiting for a knee replacement, Mr. Speaker, you wait for 340 days on average in Canada. Outrageous delays, loss of human productivity. And there isn't anybody's chart that calculates the loss to the GDP, the gross domestic product of Canada, lost work time, the loss to their economy, because people who would otherwise be productive are hobbling around on crutches or sitting in a wheelchair because they can't get the services until that delay is over.

Mr. Speaker, that is what goes on in Canada.

Furthermore, there are companies in Canada that when they offer their employment, they set it up as part of the employment package that the worker has an opportunity to come to the United States if he needs reconstructive surgery.

If, let's say, for example, it is heart surgery that would be necessary, it is written into the policies. In some of the policies in Canada, if you have a good job and you have a good benefits package, they will have it set up so they will package it up. Say you need bypass surgery, they can put you on a plane, fly you to Houston for heart surgery, and give you the heart surgery, get you back on the wellness side of this thing, get a little rehab, and then send you back home again and set that all up, and it is turnkey. It is turnkey provided there because they know that people can't wait in line in Canada. Everybody is not going to be alive at the end of their waiting period.

But in the United States, it is a different story. We get people in immediately. We bring them in immediately because it is lifesaving. In Canada they make provisions to get out of the country and come to the United States.

There are companies that are set up in Canada for the very purpose of packaging up health care access into the United States. And so let's presume this, and this is not a documented story, but let's just presume it this way.

Let's say you live in Toronto and you need hip surgery and you don't want to wait the 196 days. You want it done. You want to get on with your life. So

let's just say travel agency companies are a natural to tie up together with health care providing companies, people that know things about health care.

You might be able to go into a company in Canada and contract to come down to, let's say, the Mayo Clinic at Rochester, Minnesota, and they will turnkey that. They will say, we have got you an airplane ticket. Here is the hotel you go to. Here is the shuttle bus, the transportation from the airport to the hotel. You will up show up at the clinic tomorrow morning or on the morning following your flight. You will be examined that morning. If it is what I think it is, you will go right into surgery the same day or the next day.

They will give you the rehab that you need, take care of you to get you back out to the airport, fly you back home to Toronto. All of that for, write one check, hand over your debit card or your credit card, and have access to the best health, reconstructive surgery in the world, right down here in the United States of America.

Why is that? Do the people on the other side that propose this scary schematic, this color-coded, it will be quotas. There will be 31 new agencies, do they think that the best health care in the world that brings people from not just Canada, but all over the world to access this best health care, do they think that it just kind of randomly spawned itself out of American society? Or do they think that there is real reasons that we have the best health care system in the world? I think there are reasons for that.

One is health care is important to us and the American people are willing to pay for high-quality health care because our health is the most important thing that we can protect with the capital that we have in this country.

□ 1730

We're a country that's comparatively very, very wealthy. We've demonstrated our commitment to health care by committing a lot of our wealth to health care. We should not begrudge the people that are making our lives longer and more enjoyable for making a profit at it. We should not begrudge them for that. If we think they're making too much money, we should get in the business, compete against them, gather in some of that profit, and then lower our prices. Competition lowers prices. That, we know. Adam Smith wrote about that in 1776 in Wealth of Nations; and it's been true well before he recognized it; and it's been true every day since; and it always will be true.

This schematic, by the way, that is here is not something that the Democrats in this Congress want to see out in the public eye. It's something that they want to censor, in fact. Here's the model of what they have done. This chart shows 31 agencies. It shows how every American who has a health insurance policy will have to watch as that policy submits to the new regulations that are written by the health insurance czar and qualify under new rules that will be written by that Health Choices Administration commissioner. They will watch every policy change in America or else watch the qualifications be adapted to a few policies in America that the Federal Government wants to allow to compete. People understand this chart.

But here's what's going on over the head of the Franking Commission, I believe. It's been prohibited for Members of Congress to send this chart out in our mail to the American people, Mr. Speaker. I don't think there's ever any comparable job of censoring Members of Congress than what's going on here. They have decided this chart can't go out in the mail, paid for under the franking privilege that any other chart can go out. We saw mail go out under President Obama's stimulus plan that advocated in a partisan way for how the stimulus plan was going to solve our economic problem. Democrats in this Congress used the franking privilege to try to convince the American people that the stimulus plan was the only way to go, and it's clear to everybody in America today that the stimulus plan has failed, with the exception of the gentlelady from Texas who I heard a little bit ago say that it had succeeded, and it had created jobs. She hasn't shown me where they are yet. So I will reserve my judgment on the accuracy of that statement until I actually see some jobs created by the stimulus plan.

Mr. Speaker, my point is, in a partisan fashion, Democrats in this Congress used the franking privilege to put the virtual stamps on their mail to tell the American people that the stimulus plan was necessary or the economy was going to collapse. That went on. This chart is not pie-in-the-sky threats that scare people. This chart is just stompdown accurate, and it has withstood the test of the criticism of even the Democratic staff in the Ways and Means Committee, the Energy and Commerce Committee and the Joint Committee on Taxation. They've tried to blow holes in it, and yes, there's a little tweak there, but it's not substantive. It's simply specious to make that single little point, and it doesn't change the score of this bill.

Bottom line—31 new agencies, other obligations that are behind these squares, added to all of these white boxes that are existing programs or agencies, it creates all these hoops that the American people would have to jump through, and Democrats don't want this chart shown to the American people. So I thought, Okay, if they don't want us to show this chart, there must be a lot of truth here that they surely don't want to have to face, and they surely don't want to see the American people come to their town hall meetings and fill up that room and ask them how they're going to defend swallowing up 17.5 percent of America's gross domestic product, our health care, and turning it into government run.

Have we done that good a job with Fannie Mae and Freddie Mac? Have we done that good a job running General Motors and Chrysler? Have we done that good a job with anything the government is doing other than, let's just say, our military, for example, who's done a great and fantastic and noble job and has achieved victory in Iraq? Does anybody have confidence that the Federal Government can run health care better than the American people, working with their private health insurance companies, negotiating for their own policies? I say not, Mr. Speaker. I think the American people understand what this is. I think they understand that when something is censored, it's not profane. Democrats want to fund the National Endowment for the Arts, which is funding millions of dollars to produce profanity in America. They're not offended by all of the profanity that goes out from the National Endowment for the Arts. They're offended by the truth about their bill about health care; and so they censor it because they have the majority here in this Congress, and they decide which staff people get a paycheck and which ones don't, in some cases. They also have the benefit of the President, I believe; and there are people in this Capitol building and in this complex of offices around who are more interested in pleasing the President, I think, than they are in preserving the fundamental integrity of the franking privilege or objective debate. This is objective debate.

Here are some of the subject matters that the Democrats don't want us to use when we describe this national health care plan. Mr. Speaker, these are all objectionable phrases, the seven dirty words or phrases you're not supposed to use to describe the leading Democratic health care proposal. It says, ''you can't use,'' but I'm going to use them. These are the words that, in part, brought about the censorship of this color flow chart of the 31 new agencies that swallow up people's private health care in America. We can't call it a government-run plan. They want to amend that. They have another word for that. I think it is the public option, rather than the government-run plan. It is a government-run plan. I will submit, Mr. Speaker, that you could walk down the streets of America, and you could ask those good, well-educated, commonsense people that I have the privilege to represent in western Iowa and in many places across this country, and go to them a month ago and say, Explain to me with regard to health insurance what is a public option. I can only imagine what kind of answers we would get if we asked people what that meant. But I will suggest that most of those answers would not have been accurate. They would not have said, Oh, a public option. Let me see. That's what President

Obama wants to make sure everybody has. That would be government-run health care. If they were going to describe what a public option is, a regular man or a woman on the street with common sense couldn't describe what a public option was, if they understood what it was, without describing it as, Oh, government-run health insurance. They would have to describe it as government-run or they couldn't even describe it at all. This phrase is far more descriptive and honest than public option. Public option is Orwellian gobbledygook for the eventual Federal Government monopoly on health insurance. We just say government-run. The President wants us to say public option. They want to censor government-run. I say, I'm going to say it over and over again. It's government-run. Don't say single payer. A single-payer system means socialized medicine. So we can't say single payer. How do you describe that? Ask a commonsense person on the street, What is a single payer for a health insurance public option? Well, let's see. They would have to say, A single payer is when only one entity pays for all of the health care that an individual might receive. So let me describe how that works. Mr. Speaker, let's use that hip replacement because that's an easy thing to describe. Somebody went into the clinic and said, I'm in terrible pain here. I don't think I can hobble along any longer. What can you do, Doc? A doctor would do that examination. He would likely do an x-ray. He would evaluate the x-ray. If he was satisfied that he knew what was there, he might prescribe that there be reconstructive surgery done that would put a new hip joint in that individual, put him through some rehabilitation and hand him a cane that could be handed away later on and get him back out to the square dance. All of those things are going to take place. There would be billing that would come from the clinic, billing that would come for the service of the surgery, billing for the anesthesiologist, the operating room, the hospital bed, the gauze, the Tylenol, and whatever else there might be. Who would pay for all of that? Well, it might be the patient today, and it might be Medicare, and it might be a private health insurance company. But when they say single payer, that's code for—the only entity that ever pays for it all—I shouldn't actually say that because there are private individuals that will pay for it all out of their pocket. So the entity they're talking about is the Federal Government paying for all of the health care services. That is socialized medicine. That's taxpayer-funded government doing it all single payer. But if you're not versed in the vernacular of the Orwellian gobbledygook, when they use the term single payer, you might think something entirely different. I don't think a normal person on the street can describe what a single payer means. We say single payer. Democrats think it's pejorative, that it is biased against the single-payer plan, for example. So using the terms that describe what they want to do is pejorative, and they are, presumably, forbidden, and it shouldn't show up on a color chart. We shouldn't send it out and can't send it out on our frank mail, otherwise they will bill us back for the costs out of our own pockets. We can't say socialized medicine. I already slipped into that in describing single payer. Socialized medicine does describe what they're talking about, maybe not in the first phase because they won't do like Canada eventually did and outlaw the health insurance policies of everyone in America. If you apply the Canadian plan today, the Canadians outlawed private health insurance. They did so incrementally in the provinces over the years, and then they did so in a Federal fashion. I would have to guess, but I think the year was 1964 when that happened. It may have been after that. So Canadians have socialized medicine. They have single payer. They have government-run.

We know what's going on up there, don't we? There is a 196-day wait for a hip, 340-day wait for a knee. They have government-run, single-payer socialized medicine. They just don't have ObamaCare. You can't say ObamaCare because that aligns the President with a policy that is becoming ever more unpopular. We use shorthand around here to describe things, and this is why the American version of the English language has been such an effective language to communicate because it's fluid, and it picks up new meanings, and it conveys those meanings. I think that we can paint the picture of this society and this culture very effectively because our language adapts, it flows, and it moves. This is one of those words in our language that—back in 1993, everybody knew what HillaryCare was. HillaryCare was the black-and-white schematic that we had then. No one wondered. It wasn't pejorative then. This chart got mailed out by franking mail, by Members of Congress in '93. It was devastating to those that wanted socialized medicine. We just simply called it HillaryCare, and this chart was in the minds of millions of Americans as they went in and filled the offices of their Members of Congress and said, I don't want that. And I don't want this thing to be run over the top of Senator Phil Gramm's cold, dead, political body either. I don't know who has put a stake out there in the United States Senate that's taken that kind of stand, that's gotten that much press out of it. But I hope they're there, and I hope they're strong, and I encourage them to speak up.

This was HillaryCare in 1993. We are not supposed to declare this to be ObamaCare in 2009 because this has been censored by the Democrats in this Congress who think that these terms that are on this chart are pejorative. Pejorative terms, government-run. What about a government-run United States Marine Corps? That makes me feel good. I like government-run Air Force. I like government-run Navy. I like government-run Army. We cover those four branches. Government does some things good. Government-run is not pejorative. But it tells you what is going on if they are going to run health care. Single payer—hmm. Single payer does tell you that government will be calling all the shots because of the golden rule. Whoever has the gold makes the rules. The government will have all the gold, and they will write all the rules for everybody's health insurance policy in the United States of America. That's in the flow chart that's behind here that's been censored. And if it's single payer, it is socialized medicine. To declare it to be ObamaCare, it is pretty accurate. I haven't heard whether the President disagrees with the liberals in this Congress or the liberals in the United States Senate. I have heard the President talk about all kinds of socialized medicine programs. All he has said that defends the private market is if you like your policy, you get to keep it. That is simply not true, Mr. Speaker. When you look at the chart, when you look at the language, and you understand that every single policy would have to qualify under rules yet to be written by President Obama's appointee, the health insurance, czar-issioner.

□ 1745

Would we get rationed care? Indeed. We're only paying 80 percent of the Medicare today of what it costs to deliver it.

They propose to take $500 billion out of the Medicare funds that are streaming there now. How are they going to do that? They're going to have to cut down on services, cut down on surgeries for seniors, cut down on access to health care in order to come up with the $500 billion. All of that spells rationed care.

Care has been rationed in every Nation that has a single-payer, socialized medicine, government-run plan. We can't believe it's anything else. It will be rationed care. ObamaCare will be rationed care. We're on a path, if we pass this, to single-payer, socialized medicine, because there will be government-mandated care for everybody, whether you can hang on to your private plan or whether you can't.

Government-mandated care is another term that we're not supposed to use because they think it's pejorative, but this chart, the color-coded chart of the 31 new agencies schematic is full of all kinds of government mandates. That's what they are. They're mandates, Mr. Speaker, almost all of them. You're not even supposed to say keep your change care. Well, I don't know that you get to keep your change. I don't use that phrase very much, but it's one of the things that they've raised as objectionable.

So in the end, in real summation of this issue of the national health care

plan that is almost completely crafted here in the House of Representatives and probably poised to go before this House on a vote sometime after Labor Day, presuming that there are enough Members of Congress still standing after the public shows up at their town hall meetings, at their offices, at their house, wherever they might be able to encounter their Member of Congress or their staff, presuming that there are enough Members of Congress still willing to walk this path, we're likely to see a vote here on the floor, and the result will be all of these things that we're not supposed to say now.

If it passes, it will be a government-run, single-payer, socialized medicine, ObamaCare, rationed care, government-mandate care. If not the first day, it will be over time when everybody's health insurance has to requalify and be run through the qualifications that will be drafted by the new health insurance czar, the commissioner, the comiczarissioner of health insurance in America. That's where we are, Mr. Speaker.

And so I will quote Congressman JOHN SHADEGG who articulated this as well as anyone in this Congress when he said, if you like your health insurance that you have today, get ready to lose it. That's what will happen. The American people understand that it is their freedom, that their discretion is at risk, and there are people who want to create a complete nanny state, who have privatized—excuse me—who have nationalized eight huge entities here and moved us on a leftward lurch off the abyss into socialism in the private sector; three huge investment banks, AIG, Fannie Mae, Freddie Mac, General Motors, Chrysler, all now under the control of the White House. And this White House now wants to take over all the health care in America, eventually. And we understand that was President Obama's original policy. He has just moved to try to set up health insurance in such a way that he can promise you you get to keep it.

And I promise you that it will not look like anything you have today if the government's going to write new regulations that it has to qualify for. And I will submit that Republicans have good solutions to this. I'll submit also that what we're trying to fix here is this. Here's where I agree, Mr. Speaker.

I believe that we have a very, very difficult economic situation to work our way out of. I believe that it may be as serious as anything that we have seen since the Great Depression, but I'm not certain of that because I lived through the eighties during the farm crisis and the other, the housing crisis that we had and the banking crisis that we had during that period of time. We lost 3,000 banks in the eighties. Those were tough times. I want to measure this after it's over and look back before I would commit that this is the worst time since the Great Depression. But it's not a very good time. It's a bad time.

And we have our challenges ahead of us, and we have to fix this economy. With that, I agree with the President. But the President says that health care in America is broken. I don't agree. I don't believe it is broken. I believe that we can improve it, and we should. But the President declares that we can't fix the economy without first fixing health care.

Now, if health care—and that encompasses health insurance and the health care that's provided through our clinics and our hospitals and the whole breadth of the health care that we have. If health care is broken, there must be a service out there that's not adequate compared to some other country in the world.

I'll submit health care is not broken. We have the best health care in the world. It costs too much money. I'll agree with the President on that. About 14½ percent of our GDP, and some of the costs that you see in the rest of the industrialized world are around 9½ percent of GDP. They ration health care. They have socialized medicine. They don't have the research and development that we have. We have the best in the world.

We lead the world in development of pharmaceutical and surgery techniques, and we lead the world in survival after cancer diagnosis. And we also lead the world, I believe, in the diagnosis of cancer itself. All of those things are at risk today. But if we have to, according to the President, change 100 percent of the health care system that we have in order to declare we have fixed it so we can declare we're fixing the economy, I will submit that that statement cannot be valid. It cannot be defended or sustained in open public debate or any kind of analysis because they want to spend $1 trillion to $2 trillion.

Now, if we're spending too much money on health care in America, and we are, why do we need to dump another $1 trillion to $2 trillion into it to fix it? If we're going to fix it, we should be able to fix it and save money, not fix it and dump trillions of dollars into it and raise taxes and cut funding that goes into Medicare and deny health care services to our seniors, all of that wrapped up in the name of fixing something that's not broken, just changing and transforming America.

We socialized three large investment banks, AIG, Fannie Mae, Freddie Mac, General Motors and Chrysler. They're nationalized today. This is about the nationalization of the best health care system in the world, and 17½ percent of it, and taking away the freedom of the American people to go out and purchase a health insurance policy that they choose.

I want to expand the health savings accounts and I want to provide 100 percent deductibility for everybody's health insurance premium. And I want to reduce the medical malpractice liability that's out there by capping the liability claims so people get whole again but trial lawyers don't get rich. We can do all of those things and more, besides.

And by the way, there's only 4 percent of America that are chronically uninsured, 4 percent, 10 to 12 million people, depending on whose study you look at. That's 4 percent. And we would upset 100 percent of the health care system in order to fix an expensive health insurance program only if you compare to other countries that don't have the quality that we have. I think that would be a colossal mistake, and we could never get back from that colossal mistake because it creates 306 million people that would be dependent upon the government-run, single-payer, socialized medicine, ObamaCare, rationed care, government-mandate care. And I reject it. I hope the American people do.

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. KAPTUR) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Ms. LINDA T. SÁNCHEZ of California, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, 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. WOLF, for 5 minutes, today.

Ms. FOXX, for 5 minutes, today.

Mr. PRICE of Georgia, for 5 minutes, today.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. KUCINICH, for 5 minutes, today.

HOUSE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the following titles:

April 21, 2009:

H.R. 1388. An Act entitled The Edward M. Kennedy Serve America Act, an Act to reauthorize and reform the national service laws.

May 7, 2009:

H.R. 1626. An Act to make technical amendments to laws containing time periods affecting judicial proceedings.

May 12, 2009:

H.R. 586. An Act to direct the Librarian of Congress and the Secretary of the Smithsonian Institution to carry out a joint project at the Library of Congress and the National Museum of African American History and Culture to collect video and audio recordings of personal histories and testimonials of individuals who participated in the Civil Rights movement, and for other purposes.

May 22, 2009:

H.R. 627. An Act to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of

credit under an open end consumer credit plan, and for other purposes.

June 2, 2009:

H.R. 131. An Act to establish the Ronald Reagan Centennial Commission.

June 19, 2009:

H.R. 663. An Act to designate the facility of the United States Postal Service located at 12877 Broad Street in Sparta, Georgia, as the ''Yvonne Ingram-Ephraim Post Office Building''.

H.R. 918. An Act to designate the facility of the United States Postal Service located at 300 East 3rd Street in Jamestown, New York, as the ''Stan Lundine Post Office Building''.

H.R. 1284. An Act to designate the facility of the United States Postal Service located at 103 West Main Street in McLain, Mississippi, as the ''Major Ed W. Freeman Post Office''.

H.R. 1595. An Act to designate the facility of the United States Postal Service located at 3245 Latta Road in Rochester, New York, as the ''Brian K. Schramm Post Office Building''.

H.R. 2675. An Act to amend title II of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to extend the operation of such title for a 1-year period ending June 22, 2010.

June 22, 2009:

H.R. 1256. An Act to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, to amend title 5, United States Code, to make certain modifications in the Thrift Savings Plan, the Civil Service Retirement System, and the Federal Employees' Retirement System, and for other purposes.

June 24, 2009:

H.R. 2346. An Act making supplemental appropriations for the fiscal year ending September 30, 2009, and for other purposes.

June 26, 2009:

H.J. Res. 40. A joint resolution to honor the achievements and contributions of Native Americans to the United States, and for other purposes.

June 30, 2009:

H.R. 813. An Act to designate the Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, as the ''J. Herbert W. Small Federal Building and United States Courthouse''.

H.R. 837. An Act to designate the Federal building located at 799 United Nations Plaza in New York, New York, as the ''Ronald H. Brown United States Mission to the United Nations Building''.

H.R. 2344. An Act to amend section 114 of title 17, United States Code, to provide for agreements for the reproduction and performance of sound recordings by webcasters.

July 1, 2009:

H.R. 1777. An Act to make technical corrections to the Higher Education Act of 1965, and for other purposes.

July 27, 2009:

H.R. 2632. An Act to amend title 4, United States Code, to encourage the display of the flag of the United States on National Korean War Veterans Armistice Day.

July 28, 2009:

H.J. Res. 56. A joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

SENATE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and a joint resolution of the following titles:

April 23, 2009:

S. 520. An Act to designate the United States courthouse under construction at 327 South Church Street, Rockford, Illinois, as the ''Stanley J. Roszkowski United States Courthouse''.

April 24, 2009:

S. 383. An Act to amend the Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343) to provide the Special Inspector General with additional authorities and Responsibilities, and for other purposes.

May 7, 2009:

S.J. Res. 8. A joint resolution providing for the appointment of David M. Rubenstein as a citizen regent of the Board of Regents of the Smithsonian Institution.

May 8, 2009:

S. 39. An Act to repeal section 10(f) of Public Law 93–531, commonly known as the ''Bennett Freeze''.

May 15, 2009:

S. 735. An Act to ensure States receive adoption incentive payments for fiscal year 2008 in accordance with the Fostering Connections to Success and Increasing Adoptions Act of 2008.

May 20, 2009:

S. 386. An Act to improve enforcement of mortgage fraud, securities and commodities fraud, financial institution fraud, and other frauds related to Federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes.

S. 896. An Act to prevent mortgage foreclosures and enhance mortgage credit availability.

May 22, 2009:

S. 454. An Act to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes.

June 30, 2009:

S. 407. An Act to amend title 38, United States Code, to provide for an increase, effective December 1, 2009, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, to codify increases in the rates of such compensation that were effective as of December 1, 2008, and for other purposes.

S. 615. An Act to provide additional personnel authorities for the Special Inspector General for Afghanistan Reconstruction.

July 1, 2009:

S. 615. An Act to award a Congressional Gold Medal to the Women Airforce Service Pilots (''WASP'').

ENROLLED BILL SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly an enrolled bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3357. An act to restore sums to the Highway Trust Fund and for other purposes.

SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 1107. To amend title 28, United States Code, to provide for a limited 6-month period for Federal judges to opt into the Judicial Survivors' Annuities System and begin contributing toward an annuity for their spouse and dependent children upon their death, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on July 31, 2009 she presented to the President of the United States, for his approval, the following bill.

H.R. 838. To provide for the conveyance of a parcel of land held by the Bureau of Prisons of the Department of Justice in Miami Dade County, Florida, to facilitate the construction of a new educational facility that includes a secure parking area for the Bureau of Prisons, and for other purposes.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, pursuant to House Concurrent Resolution 172, 111th Congress, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 54 minutes p.m.), the House adjourned until Tuesday, September 8, 2009, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

2978. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's ''Major'' final rule — Conservation Reserve Program (RIN 0560-AH80) received July 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2979. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID FEMA-2008-0020; Internal Agency Docket No. FEMA-B-1059] received July 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2980. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Prevention of Salmonella Enteritidis in Shell Eggs During Production, Storage, and Transportation [Docket No.: FDA-2000-N-0190 (Formerly Docket No. 2000N-0504)] (RIN: 0910-AC14) received July 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2981. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Department's final rule — Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations. (Amarillo, Texas) received July 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2982. A letter from the Acting Assistant Secretary for Export Admnistration, Department of Commerce, transmitting the Department's final rule — Addition and Removal of Certain Persons on the Entity List: Addition of Persons Acting Contrary to the National Security or Foreign Policy Interests of the United States; Removal of Persons based on ERC Annual Review and Removal Requests; and Entry Modified for Purposes of Clarification [Docket No.: 090414651-91046-01] (RIN:0694-AE59) received July 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2983. A letter from the Secretary, Department of Defense, transmitting the report on

Measuring Stability and Security in Iraq, pursuant to Section 9204 of the Supplemental Appropriations Act for 2008, Pub. L. 110-252 and Section 1508(c) of the Department of Defense Authorization Act for 2009, Pub. L. 110-417; to the Committee on Foreign Affairs.

2984. A letter from the Acting Senior Procurement Executive, GSA, Department of Defense, transmitting the Department's final rule — Federal Acquisition Regulation; FAR Case 2008-009, Prohibition on Contraction with Inverted Domestic Corporations [FAC 2005-34; FAR Case 2008-009; Item II; Docket 2009-0020, Sequence 1] (RIN: 900-AL28) received July 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2985. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Modification of the Yellowtail Flounder Landing Limit for the U.S./Canada Management Area [Docket No.: 080521698-9067-02] (RIN: 0648-XP50) received July 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2986. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Models Arriel 1E2, 1S, and 1S1 Turboshaft Engines [Docket No.: FAA-2008-0681; Directorate Identifier 2008-NE-13-AD; Amendment 39-15805; AD 2009-03-04] (RIN: 2120-AA4) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2987. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation, Maggie Fisher Memorial Great South Bay Cross Bay Swim, Great South Bay, NY [Docket No. USCG-2009-0302] (RIN: 1625-AA08) received July 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2988. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Harborfest 2009, Parade of Sail, Elizabeth River, Norfolk, VA [Docket No.: USCG-2009-0405] (RIN: 1625-AA00) received July 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2989. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Naval Training, San Clemente Island, CA [Docket No.: USCG-2009-0455] (RIN: 1625-AA00) received July 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2990. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Raritan River, Arthur Kill and their tributaries, Staten Island, NY and Elizabeth, NJ [Docket No. USCG-2009-0202] (RIN: 1625-AA09) received July 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2991. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Establishment of Suspension and Revocation National Center of Expertise [Docket No.: USCG-2009-0314] (RIN:1625-ZA22) received July 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2992. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation for Marine Event; Temporary Change of Dates for Recurring Marine Event in the Fifth Coast Guard District [Docket No.: USCG-2009-0252] (RIN: 1625-AA08) received July 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2993. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Consumer Price Index Adjustments of Oil Pollution Act Of 1990 Limits of Liability — Vessels and Deepwater Ports [Docket No.: USCG-2008-0007] (RIN:1625-AB25) received July 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2994. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Summer Marine Events, Coastal Massachusetts. [Docket No. USCG-2009-0448] (RIN: 1625-AA08) received July 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2995. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Access Destinations Fireworks Display, San Diego Bay, CA [Docket No.: USCG-2009-0513] (RIN: 1625-AA00) received July 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2996. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CF6-80A, CF6-80C2, and CF6-80E1 Series Turbofan Engines [Docket No. FAA-2008-0925; Directorate Identifier 98-ANE-49-AD; Admendment 39-15816; AD 2009-04-10] (RIN: 2120-AA64) Received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2997. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada PW206A, PW206B, PW206B2, PW206C PW206D, PW206E, PW207C, PW207D, and PW207E Turboshaft Engines [Docket No.: FAA-2007-0219; Directorate Identifier 2007-NE-46-AD; Amendment 39-15806; AD 2009-03-05] (RIN: 2120-AA64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2998. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — IRF Altitudes; Miscellaneous Amendments [Docket No.: 30653; Amdt. No. 479] received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2999. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA), Model C-212 DF Airplanes [Docket No.: FAA-2008-1360; Directorate Identifier 2008-NM-075-AD; Amendment 39-15791; AD 2009-02-01] (RIN: 2120-AA64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3000. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Models 182Q and 182R Airplanes [Docket No.: FAA -2008-1205; Directorate Identifier 2008-CE-062-AD; Amendment 39-15811; AD 2009-04-05] (RIN:2120-AA64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3001. A letter from the Program Analyst, Department of Transportation, transmitting the Department's ''Major'' final rule — Part 121 Pilot Age Limit [Docket No.: FAA-2006-26139; Amendment Nos. 61-123 and 121-344] (RIN: 2120-AJ01) received July 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3002. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Revision of class D and E Airspace; King Salmon, AK [Docket No.: FAA-2008-1162; Airspace Docket No. 08-AAL-33] received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3003. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, AND -145EP Airplanes [Docket No.: FAA-2008-0271; Directorate Identifier 2007-NM-267-AD; Amendment 39-15784; AD 2009-01-05] (RIN: 2120-AA64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3004. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited (Jetstream) Model 4101 Airplanes [Docket No.: FAA-2008-0644; Directorate Identifier 2007-NM-321-AD; Amendment 39-15659; AD 2008-18-02] (RIN: 2120-AA64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3005. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No.: FAA-2009-0130; Directorate Identifier 2008-NM-225-AD; Amendment 39-15817; AD 2009-04-11] (RIN: 2120-AA64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3006. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-9-14, DC-9-14, DC-9-15, and DC-9-15F Airplanes; and Model DC-9-20, DC-9-30, and DC-9-50 Series Airplanes [Docket No.: FAA-2008-0736; Directorate Identifier 2008-NM-102-AD; Amendment 39-15804; AD 2009-03-03] (RIN 2120-AA64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3007. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; BURKHART GROB LUFT — UND RAUMFAHRT GmbH & CO KG G103 Series Gliders [Docket No.: FAA-2008-1078 Directorate Identifier 2008-CE-051-AD; Amendment 31-15814; AD 2009-04-08] (RIN: 2120-AA64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3008. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-600, -700, -700C, -800, and -900 series airplanes [Docket No.: FAA-2008-1199; Directorate Identifier 2008-NM-207-AD; Amendment 39-15781; AD 2008-24-51] (RIN: 2120-AA64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3009. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CF6-80C2 and CF6-80E1 Series Turbofan

Engines [Docket No.: FAA-2007-28413; Directorate Identifier 2007-NE-25-AD; Amendment 39-15826; AD 2009-05-02] (RIN: 2120-AA64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3010. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300, A310, and A300-600 Series Airplanes [Docket No.: FAA-2008-0657; Directorate Identifier 2007-NM-296-AD; Amendment 39-15787; AD 2009-01-08] (RIN: 2120-A64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3011. A letter from the Assistant Secretary for Communications and Information, Department of Commerce, transmitting the Department's ''Major'' final rule — Broadband Technology Opportunities Program (RIN: 0660-ZA28) received July 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 2913. A bill to designate the United States courthouse located at 301 Simonton Street in Key West, Florida, as the ''Sidney M. Aronovitz United States Courthouse'' (Rept. 111–240). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 2053. A bill to designate the United States courthouse located at 525 Magoffin Avenue in El Paso, Texas, as the ''Albert Armendariz, Sr., United States Courthouse'' (Rept. 111–241). Referred to the House Calendar.

Mr. CONYERS: Committee on Judiciary. House Resolution 636. Resolution directing the Attorney General to transmit to the House of Representatives all information in the Attorney General's possession relating to the transfer or release of detainees held at Naval Station, Guantanamo Bay, Cuba, into the United States, adversely (Rept. 111–242). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 2651. A bill to amend title 46, United States Code, to direct the Secretary of Transportation to establish a maritime career training loan program, and for other purposes (Rept. 111–243). Referred to the Committee of the Whole House on the State of the Union.

Mr. GEORGE MILLER of California: Committee on Education and Labor. H.R. 2989. A bill to amend the Employee Retirement Income Security Act of 1974 to provide special reporting and disclosure rules for individual account plans and to provide a minimum investment option requirement for such plans, to amend such Act to provide for independent investment advice for participants and beneficiaries under individual account plans, and to amend such Act and the Internal Revenue Code of 1986 to provide transitional relief under certain pension funding rules added by the Pension Protection Act of 2006; with an amendment (Rept. 111–244, Pt. 1). Ordered to be printed.

TIME LIMITATION OF REFERRED BILLS

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 2868. Referral to the Committees on Energy and Commerce and the Judiciary extended for a period ending not later than September 30, 2009.

H.R. 2989. Referral to the Committee on Ways and Means extended for a period ending not later than October 16, 2009.

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. OBEY (for himself, Mr. ISRAEL, Mr. CHANDLER, Mr. KILDEE, Ms. SUTTON, and Mr. BRALEY of Iowa):

H.R. 3435. A bill making supplemental appropriations for fiscal year 2009 for the Consumer Assistance to Recycle and Save Program; considered and passed.

By Mr. CUMMINGS:

H.R. 3436. A bill to require chief executive officers of certain financial institutions that receive assistance under title I of the Emergency Economic Stabilization Act of 2008, under the 3rd undesignated paragraph of section 13 of the Federal Reserve Act, or from the Secretary of the Treasury or the Federal Deposit Insurance Corporation under any other provision of law to submit financial disclosures under the Ethics in Government Act of 1978 to the Secretary of the Treasury, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of Mississippi:

H.R. 3437. A bill to amend the Post-Katrina Emergency Management Reform Act of 2006 to direct the Administrator of the Federal Emergency Management Agency to develop lifecycle plans and tracking procedures for housing units provided to individuals and households to respond to disaster-related housing needs, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISSA:

H.R. 3438. A bill to amend title 5, United States Code, to establish a national health program administered by the Office of Personnel Management to offer Federal employee health benefits plans to individuals who are not Federal employees, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Georgia (for himself, Mr. DAVIS of Illinois, Mr. PASCRELL, and Mr. MORAN of Virginia):

H.R. 3439. A bill to amend the Internal Revenue Code of 1986 to impose an excise tax on certain proceeds received on SILO and LILO transactions; to the Committee on Ways and Means.

By Mr. PASCRELL (for himself, Mr. ROSKAM, Mr. ADLER of New Jersey, Mr. LANCE, and Mr. CANTOR):

H.R. 3440. A bill to amend the Internal Revenue Code of 1986 to allow dealers in real estate to use the installment sales method; to the Committee on Ways and Means.

By Mr. ARCURI (for himself, Mr. MAFFEI, Mr. SIRES, Mr. MASSA, Mr. BOCCIERI, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. KAGEN, Mr. MINNICK, and Mr. FILNER):

H.R. 3441. A bill to provide for automatic enrollment of veterans returning from combat zones into the VA medical system, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HODES:

H.R. 3442. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to establish discretionary spending caps for each of fiscal years 2011 through 2013; to the Committee on the Budget.

By Mr. CLEAVER:

H.R. 3443. A bill to amend the Internal Revenue Code of 1986 to modify the private activity bond rules to except certain uses of intellectual property from the definition of private business use; to the Committee on Ways and Means.

By Mr. FARR:

H.R. 3444. A bill to establish Pinnacles National Park in the State of California as a unit of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Ms. WASSERMAN SCHULTZ (for herself and Mr. MEEK of Florida):

H.R. 3445. A bill to amend the Internal Revenue Code of 1986 to allow baby formula to be reimbursed under a health flexible spending arrangement if the mother has had a mastectomy and is medically unable to breastfeed; to the Committee on Ways and Means.

By Ms. RICHARDSON:

H.R. 3446. A bill to provide for a competitive program making grants to seaport governing bodies for the acquisition of fuel efficient and low emission equipment and systems at port facilities; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. RICHARDSON:

H.R. 3447. A bill to amend the Internal Revenue Code of 1986 to implement on-going appropriations for withdrawals from the Harbor Maintenance Trust Fund, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PITTS (for himself, Mr. REHBERG, Mr. BACHUS, Mr. OLSON, Mr. CRENSHAW, Mrs. MYRICK, Mr. BARRETT of South Carolina, Mr. FLEMING, and Mr. PAULSEN):

H.R. 3448. A bill to establish an expedited schedule for the issuance of a Combined Construction and Operating License for nuclear reactors that meet certain conditions, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SHEA-PORTER (for herself, Mr. BRADY of Pennsylvania, Mr. WALZ, Mr. HOLT, Mr. COURTNEY, Mr. HALL of New York, Ms. SCHAKOWSKY, Mr. HONDA, Mr. MCGOVERN, Ms. WOOLSEY, Mr. SMITH of Washington, Mr. BLUMENAUER, Ms. BORDALLO, Mr. CARNAHAN, Ms. GIFFORDS, Ms. HARMAN, Mr. LOEBSACK, Ms. LORETTA SANCHEZ of California, Mr. ABERCROMBIE, Mr. MICHAUD, Mr. JONES,

Mr. HARE, Ms. TSONGAS, Ms. PINGREE of Maine, Mr. JOHNSON of Georgia, and Ms. WASSERMAN SCHULTZ):

H.R. 3449. A bill to mandate minimum periods of rest and recuperation for units and members of the regular and reserve components of the Armed Forces between deployments for Operation Iraqi Freedom or Operation Enduring Freedom; to the Committee on Armed Services.

By Ms. JACKSON-LEE of Texas (for herself, Mr. JOHNSON of Georgia, Ms. FUDGE, Ms. KILPATRICK of Michigan, Ms. CLARKE, Mr. HARE, Mr. POE of Texas, Mr. MASSA, Mr. COHEN, Mr. BERRY, Mr. FALEOMAVAEGA, Mr. TONKO, Mr. KUCINICH, Mr. REYES, Ms. CORRINE BROWN of Florida, and Mr. ROTHMAN of New Jersey):

H.R. 3450. A bill to prohibit certain restraints of trade adversely affecting automobile dealers; to the Committee on Energy and Commerce.

By Ms. WATERS:

H.R. 3451. A bill to amend the Real Estate Settlement Procedures Act of 1974 to require mortgagees for mortgages in default to engage in reasonable loss mitigation activities, and for other purposes; to the Committee on Financial Services.

By Ms. KAPTUR:

H.R. 3452. A bill to impose an additional tax on bonuses received from certain TARP recipients and deposit the tax revenue into the account funding Section 4 programs in the Department of Housing and Urban Development; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCALISE (for himself and Mr. CAO):

H.R. 3453. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to make improvements in the provision of Federal disaster assistance, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SULLIVAN (for himself, Mr. BOREN, Mr. COLE, Mr. LUCAS, and Ms. FALLIN):

H.R. 3454. A bill to amend title XVIII of the Social Security Act to reform payments and coverage for hospice care under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Ohio (for himself, Mr. MCCOTTER, Ms. SUTTON, Mr. BOCCIERI, Mr. KUCINICH, Ms. KILROY, Mr. WILSON of Ohio, and Ms. KAPTUR):

H.R. 3455. A bill to make available funds from the Emergency Economic Stabilization Act of 2008 for funding a voluntary employees' beneficiary association with respect to former employees of Delphi Corporation; to the Committee on Financial Services, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas:

H.R. 3456. A bill to designate the facility of the United States Postal Service located at 1900 West Gray Street in Houston, Texas, as the ''Hazel Hainsworth Young Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. ABERCROMBIE (for himself, Mrs. LOWEY, Mr. MICHAUD, and Mr. PERRIELLO):

H.R. 3457. A bill to amend the Truth in Lending Act to provide coverage under such Act for credit cards issued to small businesses, and for other purposes; to the Committee on Financial Services.

By Mr. MARKEY of Massachusetts (for himself and Ms. ESHOO):

H.R. 3458. A bill to amend the Communications Act of 1934 to establish a national broadband policy, safeguard consumer rights, spur investment and innovation, and for related purposes; to the Committee on Energy and Commerce.

By Mr. BAIRD:

H.R. 3459. A bill to provide comprehensive reform regarding medical malpractice; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILBRAY (for himself, Mr. INSLEE, Mr. DREIER, Mr. HUNTER, Mrs. DAVIS of California, Mr. CALVERT, Mrs. BONO MACK, Mr. ISSA, and Mr. TEAGUE):

H.R. 3460. A bill to amend the Clean Air Act to include algae-based biofuel in the renewable fuel program and amend the Internal Revenue Code of 1986 to include algae-based biofuel in the cellulosic biofuel producer credit; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER (for himself, Mr. MORAN of Kansas, Mr. ISRAEL, and Mr. HEINRICH):

H.R. 3461. A bill to amend title 23, United States Code, to provide grants and technical assistance to restore orphan highways; to the Committee on Transportation and Infrastructure.

By Mr. BRADY of Texas (for himself, Mr. CONAWAY, Ms. SUTTON, and Mr. CULBERSON):

H.R. 3462. A bill to amend the Internal Revenue Code of 1986 to encourage the use of corrosion prevention and mitigation measures in the construction and maintenance of business energy-related property; to the Committee on Ways and Means.

By Mr. BRADY of Texas (for himself, Mr. HERGER, Mr. SAM JOHNSON of Texas, Mr. RYAN of Wisconsin, Mr. CANTOR, Mr. LINDER, Mr. NUNES, Mr. TIBERI, Ms. GINNY BROWN-WAITE of Florida, Mr. DAVIS of Kentucky, Mr. REICHERT, Mr. BOUSTANY, Mr. HELLER, Mr. ROSKAM, Mr. BOEHNER, Mr. PENCE, Mr. THORNBERRY, Mr. PITTS, and Mr. LUCAS):

H.R. 3463. A bill to make the repeal of the estate tax permanent; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa (for himself, Mr. MANZULLO, Mr. LATHAM, Mr. BOSWELL, Mr. LOEBSACK, Mr. KING of Iowa, Mr. REHBERG, and Mr. KAGEN):

H.R. 3464. A bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization; to the Committee on Financial Services.

By Mr. BUTTERFIELD (for himself, Mr. MEEKS of New York, Mr. DAVIS of Illinois, Mr. THOMPSON of Mississippi, Ms. BORDALLO, Mr. RUSH, and Mrs. LOWEY):

H.R. 3465. A bill to direct Federal agencies to transfer excess Federal electronic equipment, including computers, computer components, printers, and fax machines, to educational recipients; to the Committee on Oversight and Government Reform.

By Mr. CAO:

H.R. 3466. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act; to the Committee on Transportation and Infrastructure.

By Mr. CARNEY:

H.R. 3467. A bill to amend title 38, United States Code, to provide for a monthly housing stipend under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs for individuals pursuing programs of education offered through distance learning, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CASTLE (for himself, Mr. GERLACH, and Mr. LOBIONDO):

H.R. 3468. A bill to amend the Internal Revenue Code of 1986, the Public Health Service Act, and the Employee Retirement Income Security Act of 1974 to promote the use of prevention and wellness programs; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CASTOR of Florida (for herself, Mr. BERMAN, Mr. BISHOP of New York, Mr. BOCCIERI, Ms. BORDALLO, Mr. BOREN, Mr. BOUCHER, Mr. BRADY of Pennsylvania, Ms. CORRINE BROWN of Florida, Mr. BUCHANAN, Mr. BURGESS, Mr. BUTTERFIELD, Mr. CARDOZA, Mr. CARNAHAN, Mr. CARNEY, Mr. CHILDERS, Mr. CLEAVER, Mr. CONNOLLY of Virginia, Mr. COSTELLO, Mrs. DAVIS of California, Mr. DELAHUNT, Ms. DELAURO, Mr. DONNELLY of Indiana, Ms. EDWARDS of Maryland, Mr. ELLISON, Mr. ETHERIDGE, Mr. FALEOMAVAEGA, Mr. FARR, Ms. FUDGE, Ms. GIFFORDS, Mr. GONZALEZ, Mr. GORDON of Tennessee, Mr. GRAYSON, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HARE, Mr. HILL, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOLT, Mr. ISRAEL, Mr. JACKSON of Illinois, Mr. JOHNSON of Georgia, Mr. KAGEN, Ms. KAPTUR, Mr. KENNEDY, Ms. KILPATRICK of Michigan, Mr. KISSELL, Mr. KLEIN of Florida, Mr. LANGEVIN, Ms. LEE of California, Mrs. LOWEY, Mr. LYNCH, Mrs. MALONEY, Mr. MARKEY of Massachusetts, Mr. MASSA, Ms. MATSUI, Mr. MCGOVERN, Mr. MCHUGH, Mr. MCINTYRE, Mr. MEEK of Florida, Mr. MEEKS of New York, Mr. MICHAUD, Ms. MOORE of Wisconsin, Mrs. NAPOLITANO, Mr. NYE, Mr. OLVER, Mr. ORTIZ, Mr. PAYNE, Mr. RAHALL, Mr. RODRIGUEZ, Mr. ROSS, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. RUSH, Mr. SARBANES, Mr. SCHIFF, Mr. SCOTT of Virginia, Mr. SIRES, Mr. SNYDER, Mr. SPACE, Ms. SUTTON, Mr. TAYLOR, Mr. THOMPSON of California, Mr. THOMPSON of Mississippi, Mr. WALZ, Ms. WASSERMAN SCHULTZ, Ms. WATSON, Mr. WEXLER, Mr. WILSON of Ohio, Mr. WU, and Mr. YOUNG of Florida):

H.R. 3469. A bill to amend title II of the Social Security Act to provide that disability determinations under such title on the basis of hearings by the Commissioner of Social Security are made on a timely basis and to require the Commissioner to establish a program for monitoring each year the number of disability determinations which are in reconsideration; to the Committee on Ways and Means.

By Mr. COHEN:

H.R. 3470. A bill to authorize funding for the creation and implementation of infant mortality pilot programs in standard metropolitan statistical areas with high rates of infant mortality, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COHEN (for himself, Mr. HODES, Mr. STARK, Mr. FILNER, Mr. KUCINICH, and Mr. GONZALEZ):

H.R. 3471. A bill to repeal title II of the REAL ID Act of 2005, to reinstitute section 7212 of the Intelligence Reform and Terrorism Prevention Act of 2004, which provides States additional regulatory flexibility and funding authorization to more rapidly produce tamper- and counterfeit-resistant driver's licenses, and to protect privacy and civil liberties by providing interested stakeholders on a negotiated rulemaking with guidance to achieve improved 21st century licenses to improve national security; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. DAHLKEMPER:

H.R. 3472. A bill to provide for health insurance coverage premium discounts for healthy behavior and improvements toward healthy behavior; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Alabama:

H.R. 3473. A bill to direct the Presidential designee under the Uniformed and Overseas Citizens Absentee Voting Act to carry out pilot programs to permit States to test the feasibility of using alternative methods, including the use of advanced electronic technologies and the Internet, to enable absent uniformed services voters to register to vote and vote in elections for Federal office, and for other purposes; to the Committee on House Administration.

By Ms. DELAURO (for herself, Ms. ROS-LEHTINEN, Mr. GRIJALVA, and Mr. SCOTT of Virginia):

H.R. 3474. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to prevent later delinquency and improve the health and well-being of maltreated infants and toddlers through the development of local Court Teams for Maltreated Infants and Toddlers and the creation of a National Court Teams Resource Center to assist such Court Teams, and for other purposes; to the Committee on Education and Labor.

By Mr. FORBES:

H.R. 3475. A bill to amend the Public Health Service Act to double the amount of funds authorized to be appropriated to the National Institutes of Health for medical research with the greatest potential for near-term clinical benefit; to the Committee on Energy and Commerce.

By Mr. GARRETT of New Jersey (for himself and Mr. CARNEY):

H.R. 3476. A bill to reauthorize the Delaware Water Gap National Recreation Area Citizen Advisory Commission; to the Committee on Natural Resources.

By Mr. GOHMERT:

H.R. 3477. A bill to direct the Architect of the Capitol to acquire and place a historical plaque to be permanently displayed in National Statuary Hall recognizing the seven decades of Christian church services being held in the Capitol from 1800 to 1868, which included attendees James Madison and Thomas Jefferson; to the Committee on House Administration.

By Mr. GOHMERT:

H.R. 3478. A bill to amend the Internal Revenue Code of 1986 to modify rules relating to health savings accounts, to provide payments for a health savings account and for a high deductible health plan instead of entitlement to benefits under Medicare, Medicaid, and SCHIP, to give more control and coverage to patients, to lower health care costs through increased price transparency, and to require immigrants to have a health savings account and high deductible health coverage at time of admission; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GORDON of Tennessee:

H.R. 3479. A bill to eliminate duplicative Government programs, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. GRIJALVA (for himself, Mr. CAMPBELL, Mr. FORTENBERRY, Ms. DELAURO, Mr. NADLER of New York, Mr. HINCHEY, Mr. VAN HOLLEN, Mr. GEORGE MILLER of California, Mr. DOYLE, Mr. HARE, Mr. PASCRELL, Mr. BLUMENAUER, Mr. GALLEGLY, Mr. BERMAN, Mr. LEWIS of Georgia, Mrs. CAPPS, Mr. FRANK of Massachusetts, Mr. HOLT, Ms. HIRONO, Mr. SERRANO, Mrs. MALONEY, Ms. LEE of California, Mr. COHEN, Mr. KUCINICH, Mrs. CHRISTENSEN, Mr. CONYERS, Ms. LINDA T. SÁNCHEZ of California, Mr. MARKEY of Massachusetts, Mr. SHERMAN, Mr. PRICE of North Carolina, and Mr. FARR):

H.R. 3480. A bill to conserve global bear populations by prohibiting the importation, exportation, and interstate trade of bear viscera and items, products, or substances containing, or labeled or advertised as containing, bear viscera, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Foreign Affairs, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA:

H.R. 3481. A bill to provide for the protection of the quality of water in the Lower Colorado River and the development and implementation of a comprehensive plan for the prevention and elimination of pollution in the Lower Colorado River and the maintenance of a healthy Lower Colorado River ecosystem; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HELLER:

H.R. 3482. A bill to make renewable energy production a priority on certain public lands for the purpose of responsibly producing clean, affordable power for the American people; to the Committee on Natural Resources.

By Mr. HELLER:

H.R. 3483. A bill to reform the medical liability system, improve access to health care for rural and indigent patients, enhance access to affordable prescription drugs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HERSETH SANDLIN (for herself and Mr. BOOZMAN):

H.R. 3484. A bill to amend title 38, United States Code, to extend the authority for certain qualifying work-study activities for purposes of the educational assistance programs of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. HIGGINS (for himself and Mr. CROWLEY):

H.R. 3485. A bill to amend title 38, United States Code, to provide that monetary benefits paid to veterans by States and municipalities shall be excluded from consideration as income for purposes of pension benefits paid by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. HIGGINS (for himself, Mr. MCHUGH, Ms. MOORE of Wisconsin, Mr. LEVIN, Ms. SLAUGHTER, Mr. PETERS, Mrs. DAHLKEMPER, Mr. LATOURETTE, Mr. MASSA, Mr. COSTA, Mr. KUCINICH, Mr. KAGEN, and Mr. POSEY):

H.R. 3486. A bill to amend the Internal Revenue Code of 1986 to exempt certain shipping from the harbor maintenance tax; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 3487. A bill to require the Secretary of State and the Attorney General to take certain actions against specified foreign nationals involved in actions relating to international child abduction, regardless of whether a country is a party to the Hague Convention on the Civil Aspects of International Child Abduction, and for other purposes; to the Committee on the Judiciary.

By Mr. ISRAEL (for himself, Mr. KIRK, Mr. SULLIVAN, Mrs. BONO MACK, Mr. BOREN, Mr. WEXLER, Mr. DELAHUNT, Mr. KLEIN of Florida, Mr. HIGGINS, Mr. BARTLETT, Ms. SCHWARTZ, Mr. MORAN of Virginia, Ms. MOORE of Wisconsin, Mr. LANGEVIN, Mr. HOLT, Mr. THOMPSON of California, Mr. SIRES, Mr. CARNAHAN, Mr. INSLEE, Mr. WELCH, Mr. TONKO, Ms. SUTTON, Mr. MASSA, Mr. SERRANO, Mr. SCOTT of Virginia, Mr. BISHOP of New York, Mr. WITTMAN, Mr. ENGEL, and Mrs. CAPPS):

H.R. 3488. A bill to direct the Secretary of Energy to carry out the Clean Cities program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. JACKSON of Illinois (for himself, Mr. WATT, Mr. CONYERS, Ms. ZOE LOFGREN of California, Mr. CAPUANO, Mr. GONZALEZ, Mr. DAVIS of Alabama, Ms. LEE of California, Mr. SCOTT of Virginia, Mr. NADLER of New York, and Mrs. DAVIS of California):

H.R. 3489. A bill to amend the Help America Vote Act of 2002 to prohibit State election officials from accepting a challenge to an individual's eligibility to register to vote in an election for Federal office or to vote in an election for Federal office in a jurisdiction on the grounds that the individual resides in a household in the jurisdiction which is subject to foreclosure proceedings or that the jurisdiction was adversely affected by a hurricane or other major disaster, and for other purposes; to the Committee on House Administration.

By Mr. JOHNSON of Illinois (for himself and Mr. ABERCROMBIE):

H.R. 3490. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for employer-provided wellness programs; to the Committee on Ways and Means.

By Mr. KAGEN (for himself and Mr. FRANK of Massachusetts):

H.R. 3491. A bill to amend title 38, United States Code, to establish a presumption of service connection for certain cancers occurring in veterans who served in the Republic of Vietnam and were exposed to certain herbicide agents, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KANJORSKI:

H.R. 3492. A bill to assure quality and best value with respect to Federal construction projects by prohibiting the practice known as bid shopping; to the Committee on Oversight and Government Reform.

By Mr. KANJORSKI:

H.R. 3493. A bill to amend title 5, United States Code, to limit the number of local wage areas allowable within a General Schedule pay locality; to the Committee on Oversight and Government Reform.

By Ms. KAPTUR:

H.R. 3494. A bill to amend title 10, United States Code, to authorize the availability of appropriated funds for international partnership contact activities conducted by the National Guard, and for other purposes; to the Committee on Armed Services.

By Ms. KAPTUR:

H.R. 3495. A bill to amend title XVIII of the Social Security Act to ensure access to quality home health services for all Americans, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATTA:

H.R. 3496. A bill to authorize and request the President to award the congressional Medal of Honor to Arthur Jibilian for actions behind enemy lines during World War II while a member of the United States Navy and the Office of Strategic Services; to the Committee on Armed Services.

By Mr. LEVIN (for himself, Mr. VAN HOLLEN, and Mr. MCDERMOTT):

H.R. 3497. A bill to amend the Internal Revenue Code of 1986 to provide that indebtedness incurred by a partnership in acquiring securities and commodities is not treated as acquisition indebtedness for purposes of determining the unrelated business taxable income of organizations which are partners with limited liability; to the Committee on Ways and Means.

By Mrs. LUMMIS (for herself, Mr. THOMPSON of Mississippi, Ms. SHEA-PORTER, Mr. SIMPSON, Mr. ADERHOLT, and Mr. PRICE of North Carolina):

H.R. 3498. A bill to amend section 119 of title 17, United States Code, and the Communications Act of 1934 to permit satellite carriers to retransmit the signals of certain noncommercial, educational broadcast stations outside their local markets, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MAFFEI:

H.R. 3499. A bill to amend the Trademark Act of 1946 to allow civil actions against persons who use trademarks that are misleading as to the origin of goods in certain cases; to the Committee on the Judiciary.

By Mr. MAFFEI:

H.R. 3500. A bill to amend the Internal Revenue Code of 1986 to extend and modify the benefits available in empowerment zones and other tax-incentive areas; to the Committee on Ways and Means.

By Mr. MCCOTTER:

H.R. 3501. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for pet care expenses; to the Committee on Ways and Means.

By Mr. MCDERMOTT (for himself, Mr. CONNOLLY of Virginia, Ms. WASSERMAN SCHULTZ, Mr. JOHNSON of Georgia, Mr. TIM MURPHY of Pennsylvania, Mr. ELLSWORTH, Ms. ESHOO, Mr. KIRK, Mr. ADLER of New Jersey, Mr. MCGOVERN, Mr. BOSWELL, Mr. THORNBERRY, Mr. VAN HOLLEN, and Mr. THOMPSON of California):

H.R. 3502. A bill to amend the Public Health Service Act to establish an Office of Mitochondrial Medicine at the National Institutes of Health, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCDERMOTT (for himself, Mr. PETRI, Mr. BLUMENAUER, Mr. GEORGE MILLER of California, Mr. MARKEY of Massachusetts, Mr. MORAN of Virginia, Mr. CONYERS, Mr. GRIJALVA, Mrs. CAPPS, Mr. FARR, Mr. OLVER, Mr. STARK, Mr. SCHIFF, Mr. KENNEDY, Ms. DELAURO, Ms. LEE of California, Mr. NADLER of New York, Mr. HONDA, Mr. BERMAN, Ms. NORTON, Mr. WEXLER, Mr. PAYNE, Mr. KILDEE, Ms. ESHOO, and Mr. GORDON of Tennessee):

H.R. 3503. A bill to ensure that proper information gathering and planning are undertaken to secure the preservation and recovery of the salmon and steelhead of the Columbia River Basin in a manner that protects and enhances local communities, ensures effective expenditure of Federal resources, and maintains reasonably priced, reliable power, to direct the Secretary of Commerce to seek scientific analysis of Federal efforts to restore salmon and steelhead listed under the Endangered Species Act of 1973, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Natural Resources, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of Florida:

H.R. 3504. A bill to provide for a 2 percent rescission of unobligated funds previously appropriated under the American Recovery and Reinvestment Act of 2009 to be used by the Secretary of Veterans Affairs to hire claims processors; to the Committee on Appropriations, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARY G. MILLER of California (for himself and Mr. ROONEY):

H.R. 3505. A bill to increase the supply of American made energy, reduce energy costs to the American taxpayer, provide a long term energy framework to reduce dependence on foreign oil, tap into American sources of energy, and reduce the size of the Federal deficit; to the Committee on Natural Resources, and in addition to the Committees on Ways and Means, Energy and Commerce, the Judiciary, and Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAULSEN (for himself, Mr. ROSKAM, and Mr. MOORE of Kansas):

H.R. 3506. A bill to amend the Gramm-Leach-Bliley Act to provide an exception from the continuing requirement for annual privacy notices for financial institutions which do not share personal information with affiliates, and for other purposes; to the Committee on Financial Services.

By Mr. PAULSEN (for himself and Mr. WALZ):

H.R. 3507. A bill to amend title 38, United States Code, to provide for an increase in the rates of survivors' and dependents' educational assistance payable by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. PAULSEN (for himself, Mr. AKIN, Mr. BOUSTANY, Mr. BROWN of South Carolina, Mrs. MCMORRIS RODGERS, Mr. BRADY of Texas, Mr. CONAWAY, Mr. FRANKS of Arizona, Mr. PRICE of Georgia, Mr. KIRK, Mr. ROSKAM, Mrs. BIGGERT, Mr. MCCARTHY of California, Mr. CASSIDY, Mrs. LUMMIS, Mr. ROONEY, Mr. DAVIS of Kentucky, Mr. LANCE, Mr. PENCE, and Mrs. BACHMANN):

H.R. 3508. A bill to amend the Internal Revenue Code of 1986 to provide for improved treatment of HSA account provisions, and for other purposes; to the Committee on Ways and Means.

By Mr. PETERSON (for himself, Mr. LUCAS, Mr. HOLDEN, Mr. GOODLATTE, Mr. ELLSWORTH, Mr. MORAN of Kansas, Mr. BOSWELL, Mr. SMITH of Nebraska, Mr. KRATOVIL, Ms. MARKEY of Colorado, Mr. CONAWAY, Ms. JENKINS, Mr. MURPHY of New York, Mr. KISSELL, Mr. ROGERS of Alabama, Ms. HERSETH SANDLIN, Mr. CASSIDY, Mr. WELCH, Mr. MASSA, Mr. BRIGHT, Mr. POMEROY, and Mr. CHILDERS):

H.R. 3509. A bill to reauthorize State agricultural mediation programs under title V of the Agricultural Credit Act of 1987; to the Committee on Agriculture.

By Mr. PRICE of North Carolina (for himself, Mr. CASTLE, Mr. VAN HOLLEN, Mr. MORAN of Virginia, Mr. SARBANES, Ms. BORDALLO, Mr. MCDERMOTT, Mr. CONNOLLY of Virginia, Ms. JACKSON-LEE of Texas, Mr. HODES, Ms. NORTON, and Mr. PLATTS):

H.R. 3510. A bill to establish a scholarship program to encourage outstanding graduate students in mission-critical fields to pursue a career in the Federal Government; to the Committee on Education and Labor, and in addition to the Committees on Oversight and Government Reform, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SABLAN:

H.R. 3511. A bill to authorize the Secretary of the Interior to establish and operate a visitor facility to fulfill the purposes of the Marianas Trench Marine National Monument, and for other purposes; to the Committee on Natural Resources.

By Mr. SCALISE:

H.R. 3512. A bill to amend title 18, United States Code, to prevent misrepresentation of their ages by on-line predators as a means for the enticement of children; to the Committee on the Judiciary.

By Mr. SCALISE:

H.R. 3513. A bill to amend title 18, United States Code, to strengthen penalties for child pornography offenses, child sex trafficking offenses, and other sexual offenses committed against children; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHRADER:

H.R. 3514. A bill to amend the Columbia River Gorge National Scenic Area Act; to the Committee on Natural Resources.

By Mr. SHERMAN (for himself, Mr. MANZULLO, and Mr. SMITH of Washington):

H.R. 3515. A bill to make improvements in the electronic filing of export data, to

strengthen enforcement authorities with respect to the Export Administration Regulations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SHERMAN (for himself, Ms. ROS-LEHTINEN, Mr. KIRK, Mr. AL GREEN of Texas, Mr. HOLT, Mr. KLEIN of Florida, Mr. ADLER of New Jersey, Mr. ENGEL, Mr. BURTON of Indiana, Mr. LOBIONDO, Mr. NADLER of New York, Mr. GRAYSON, Ms. BERKLEY, Mr. THOMPSON of California, Mr. HASTINGS of Florida, Mr. WEINER, Mr. COHEN, Ms. KILROY, and Mr. HALL of New York):

H.R. 3516. A bill to amend the Internal Revenue Code of 1986 to provide for rollover of gain from divesting certain qualified securities of business entities engaged in Iran or Sudan discouraged activities; to the Committee on Ways and Means.

By Mr. SIRES (for himself, Mrs. NAPOLITANO, and Mr. CARNAHAN):

H.R. 3517. A bill to amend titles 23 and 49, United States Code, to enhance employer involvement in transportation planning and to create and expand commuter benefit programs, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. SLAUGHTER (for herself, Mr. BLUMENAUER, Mr. CARNAHAN, Mr. CONYERS, Mr. HIGGINS, Mr. HINCHEY, Ms. KAPTUR, Mr. KENNEDY, Mr. KING of New York, Mr. MCHUGH, Mr. PASCRELL, Mr. RYAN of Ohio, Ms. SCHWARTZ, Mr. SERRANO, Mr. SESTAK, Mr. SIRES, Ms. SUTTON, Mr. THOMPSON of California, Mr. WU, Mrs. CHRISTENSEN, Mr. LANGEVIN, Ms. PINGREE of Maine, Mr. TONKO, Mr. CARNEY, Mrs. DAHLKEMPER, Mr. MCGOVERN, Mr. KILDEE, Mr. WELCH, and Mr. ARCURI):

H.R. 3518. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to provide grants for the revitalization of waterfront brownfields, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Nebraska (for himself, Mr. BOSWELL, Mr. BACA, Mr. CONAWAY, Mr. HOLDEN, Mr. LATHAM, Mr. LUCAS, Mr. LUETKEMEYER, Mr. MASSA, Mr. MCINTYRE, Mr. ROGERS of Alabama, Mr. SIMPSON, Mr. SCHRADER, Mr. WALZ, Mr. THORNBERRY, Mrs. LUMMIS, Mr. NEUGEBAUER, Mr. SCHOCK, and Mr. LATTA):

H.R. 3519. A bill to amend the National Agricultural Research, Extension and Teaching Policy Act of 1977 to establish a grant program to promote efforts to develop, implement, and sustain veterinary services, and for other purposes; to the Committee on Agriculture.

By Mr. SMITH of Nebraska (for himself, Mr. ROHRABACHER, and Mr. LANCE):

H.R. 3520. A bill to amend the Internal Revenue Code of 1986 to exclude capital gains on sales and exchanges of residences purchased in a foreclosure sale; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey:

H.R. 3521. A bill to encourage States to expand the protections offered to victims of sex offenses who are not in a familiar or dating relationship with the perpetrators of such offenses; to the Committee on the Judiciary.

By Mr. SPACE (for himself and Mr. RYAN of Ohio):

H.R. 3522. A bill to direct the Secretary of Veterans Affairs to provide grants and assistance to States to conduct outreach to veterans regarding hardship and priority under the Department of Veterans Affairs patient enrollment system; to the Committee on Veterans' Affairs.

By Mr. TEAGUE (for himself and Mr. BILBRAY):

H.R. 3523. A bill to direct the Secretary of Energy to provide for the establishment of accreditation standards relating to biofuel engineering, to provide support for undergraduate and graduate degree programs that create the engineering skills necessary to support biofuel production, and for other purposes; to the Committee on Science and Technology.

By Mr. THOMPSON of California (for himself and Mr. SALAZAR):

H.R. 3524. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from the gross estate for certain farmlands and lands subject to qualified conservation easements, and for other purposes; to the Committee on Ways and Means.

By Mr. THOMPSON of California (for himself and Mr. HELLER):

H.R. 3525. A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of bonds issued to finance renewable energy resource facilities, conservation and efficiency facilities, and other specified greenhouse gas emission technologies; to the Committee on Ways and Means.

By Ms. WATSON:

H.R. 3526. A bill to provide definitions of terms and services related to community-based gang intervention to ensure that funding for such intervention is utilized in a cost-effective manner and that community-based agencies are held accountable for providing holistic, integrated intervention services, and for other purposes; to the Committee on Education and Labor.

By Mr. WEINER (for himself, Mr. FRANK of Massachusetts, and Mr. GARY G. MILLER of California):

H.R. 3527. A bill to increase the maximum mortgage amount limitations under the FHA mortgage insurance programs for multifamily housing projects with elevators and for extremely high-cost areas; to the Committee on Financial Services.

By Mr. WEINER:

H.R. 3528. A bill to establish a grants program to assist States and units of local governments to establish and expand programs that employ global positioning system technologies as alternative sentencing options, and for other purposes; to the Committee on the Judiciary.

By Mr. WELCH (for himself, Mr. SHUSTER, Mr. MASSA, Ms. BORDALLO, and Ms. PINGREE of Maine):

H.R. 3529. A bill to amend the Small Business Act to increase the maximum loan amount under the Express Loan Program, and for other purposes; to the Committee on Small Business.

By Mr. WELCH:

H.R. 3530. A bill to amend the Internal Revenue Code of 1986 to provide a Federal income tax credit for the purchase of certain nonroad equipment; to the Committee on Ways and Means.

By Ms. WOOLSEY (for herself, Ms. CLARKE, Ms. KILPATRICK of Michigan, Mr. HONDA, Ms. ROYBAL-ALLARD, and Mr. POLIS):

H.R. 3531. A bill to provide protection for children affected by the immigration laws of the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WU (for himself and Mr. HONDA):

H.R. 3532. A bill to amend the Chinese Student Protection Act of 1992 to eliminate the offset in per country numerical level required under that Act; to the Committee on the Judiciary.

By Mr. ISSA (for himself and Mr. SMITH of Texas):

H. Con. Res. 174. Concurrent resolution expressing the sense of the Congress that the President should recognize the importance of auto dealerships to communities across the country by encouraging remedies for those franchises eliminated during recent car manufacturer bankruptcies; to the Committee on Energy and Commerce.

By Mr. DINGELL (for himself, Mr. BUYER, Ms. NORTON, Ms. KILPATRICK of Michigan, Mr. STUPAK, Mr. KILDEE, Mr. EHLERS, Mr. PETERS, Mr. CAMP, Mr. HOEKSTRA, Mrs. MILLER of Michigan, and Mr. ROGERS of Michigan):

H. Con. Res. 175. Concurrent resolution expressing the sense of the Congress that a postage stamp should be issued to commemorate the War of 1812 and that the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a stamp be issued; to the Committee on Oversight and Government Reform.

By Ms. ZOE LOFGREN of California (for herself, Mr. HONDA, and Mr. CARDOZA):

H. Con. Res. 176. Concurrent resolution expressing the sense of the Congress that secondary schools should begin the school day no earlier than 9:00 in the morning; to the Committee on Education and Labor.

By Mr. REICHERT (for himself and Mr. STUPAK):

H. Con. Res. 177. Concurrent resolution raising the awareness of the need for crime prevention in communities across the country and expressing support for designation of October 1, 2009, through October 3, 2009, as ''Celebrate Safe Communities'' Week, and October as ''Crime Prevention Month''; to the Committee on the Judiciary.

By Mr. VAN HOLLEN (for himself and Mr. HOEKSTRA):

H. Con. Res. 178. Concurrent resolution expressing the sense of the House of Representatives that we honor, commemorate and celebrate the historic ties of the United States and the Netherlands by recognizing the Quadricentennial celebration of the discovery of the Hudson River and the settlement and enduring values of New Netherland which permeate American society up until today; to the Committee on Foreign Affairs.

By Mr. FOSTER (for himself, Mr. DAVIS of Illinois, Mr. COSTELLO, Mr. SHIMKUS, Mr. LIPINSKI, Mr. JACKSON of Illinois, Ms. BEAN, Mr. JOHNSON of Illinois, Mr. KIRK, Mrs. BIGGERT, Mr. MANZULLO, Mr. ROSKAM, Ms. SCHAKOWSKY, Mr. QUIGLEY, Mr. HARE, Mr. SCHOCK, Mrs. HALVORSON, and Mr. GUTIERREZ):

H. Res. 703. A resolution congratulating Mark Buehrle of the Chicago White Sox on pitching a perfect game on July 23, 2009; to the Committee on Oversight and Government Reform.

By Mr. FILNER:

H. Res. 704. A resolution deploring the ongoing violence by Iraqi security forces against the residents of Camp Ashraf in Iraq; to the Committee on Foreign Affairs.

By Mr. MINNICK (for himself and Mr. WOLF):

H. Res. 705. A resolution condemning hard-labor prison camps in the Democratic People's Republic of Korea as an egregious violation of human rights; to the Committee on Foreign Affairs.

By Mr. ISSA (for himself, Mr. RAHALL, Mr. BOUSTANY, Mr. ACKERMAN, Mr.

CARNAHAN, Ms. KAPTUR, and Mr. DELAHUNT):

H. Res. 706. A resolution congratulating the people of Lebanon on successfully conducting free, fair, and democratic parliamentary elections on June 7, 2009; to the Committee on Foreign Affairs.

By Mr. POLIS (for himself, Mr. GUTHRIE, and Mr. ALEXANDER):

H. Res. 707. A resolution expressing support for designation of the week of September 13, 2009, as Adult Education and Family Literacy Week; to the Committee on Education and Labor.

By Mr. SCHOCK (for himself and Ms. SCHAKOWSKY):

H. Res. 708. A resolution congratulating Nancy Goodman Brinker for receiving the Presidential Medal of Freedom; to the Committee on Oversight and Government Reform.

By Ms. CASTOR of Florida (for herself, Mr. BURGESS, Mr. GENE GREEN of Texas, Mr. MCGOVERN, Ms. BORDALLO, Mr. GONZALEZ, Ms. NORTON, Mr. MASSA, Mr. KIRK, Ms. ROYBAL-ALLARD, Mr. SESTAK, Mr. RUSH, Mrs. CHRISTENSEN, Mr. GRIJALVA, Mr. BOSWELL, Ms. MCCOLLUM, Mr. MOORE of Kansas, Mr. HINOJOSA, Ms. DELAURO, Mr. TOWNS, Ms. SCHAKOWSKY, Ms. CLARKE, Mr. SARBANES, Mr. DAVIS of Illinois, and Ms. EDDIE BERNICE JOHNSON of Texas):

H. Res. 709. A resolution supporting the goals and ideals of National Immunization Awareness Month to raise awareness of the benefits of immunization; to the Committee on Energy and Commerce.

By Ms. CASTOR of Florida (for herself, Mr. ADLER of New Jersey, Mr. BOYD, Mr. BUCHANAN, Mrs. CAPPS, Mr. CASSIDY, Mr. CASTLE, Mrs. DAVIS of California, Mr. DELAHUNT, Ms. DELAURO, Mr. DICKS, Mr. FRANK of Massachusetts, Mr. HALL of New York, Ms. HARMAN, Mr. HOLT, Mr. KENNEDY, Ms. KOSMAS, Mr. LANGEVIN, Mr. LARSEN of Washington, Ms. LEE of California, Mr. LOBIONDO, Mrs. LOWEY, Mr. LYNCH, Mr. INSLEE, Mr. MACK, Mr. MARKEY of Massachusetts, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MELANCON, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Mr. PALLONE, Mr. PAYNE, Mr. PIERLUISI, Mr. POSEY, Mr. PUTNAM, Mr. ROONEY, Mr. ROTHMAN of New Jersey, Mr. SARBANES, Mr. SCHIFF, Mr. SCOTT of Virginia, Ms. SHEA-PORTER, Mr. SIRES, Ms. SPEIER, Mr. STARK, Mr. WITTMAN, Mr. WU, Ms. ROYBAL-ALLARD, Mr. SMITH of New Jersey, Mr. MEEKS of New York, Mr. BILIRAKIS, and Mr. SERRANO):

H. Res. 710. A resolution supporting the goals and ideals of ''National Estuaries Day''; to the Committee on Natural Resources.

By Mr. DAVIS of Illinois (for himself and Ms. JACKSON-LEE of Texas):

H. Res. 711. A resolution calling on the United States Government and the international community to address the human rights and humanitarian needs of Sri Lanka's Tamil internally displaced persons (IDPs) currently living in government-run camps by supporting the release of such IDPs, implementing and facilitating an independent oversight of the process of release and resettlement, and allowing foreign aid groups to provide relief and resources to such IDPs; to the Committee on Foreign Affairs.

By Mr. FILNER (for himself, Mr. GRAVES, Mr. WILSON of South Carolina, and Mr. DAVIS of Tennessee):

H. Res. 712. A resolution commending the people of Iraqi Kurdistan for reaffirming in the July 25, 2009, parliamentary elections the region's dedication to democratic ideals and congratulating all the political slates and candidates that participated in the elections, and for other purposes; to the Committee on Foreign Affairs.

By Mr. AL GREEN of Texas (for himself and Mr. HENSARLING):

H. Res. 713. A resolution recognizing the significant contributions of United States automobile dealerships, and expressing the sense of the House of Representatives that in the interest of equity, automobile dealers whose franchises have been terminated through no fault of their own be given an opportunity of first consideration once the auto market rebounds and stabilizes; to the Committee on Energy and Commerce.

By Mr. INGLIS (for himself, Mr. DEFAZIO, Mrs. BACHMANN, Mr. BILBRAY, Mr. LUETKEMEYER, Mr. CONAWAY, Mr. COBLE, Mr. RADANOVICH, and Mr. LAMBORN):

H. Res. 714. A resolution expressing the sense of the House of Representatives that any interest or dividends repaid to the government through the Troubled Asset Relief Program should be used solely for debt reduction, consistent with the authorizing legislation and Article One, Section Nine of the United States Constitution; to the Committee on Financial Services.

By Ms. KAPTUR:

H. Res. 715. A resolution recognizing the 70th anniversary of the Soviet and Nazi invasion of Poland and the pivotal role Poland has assumed at freedom's edge since gaining independence; to the Committee on Foreign Affairs.

By Mr. KENNEDY (for himself, Mrs. MCMORRIS RODGERS, Mr. WAXMAN, Mr. SCHIFF, Mr. SHERMAN, Ms. MATSUI, Mr. BERMAN, Mr. WEXLER, and Ms. DELAURO):

H. Res. 716. A resolution recognizing Gail Abarbanel and the Rape Treatment Center, and for other purposes; to the Committee on the Judiciary.

By Ms. LEE of California:

H. Res. 717. A resolution supporting the goals and ideals of ''National Passport Month''; to the Committee on Foreign Affairs.

By Ms. MATSUI (for herself and Mr. KING of New York):

H. Res. 718. A resolution recognizing September 11 as a ''National Day of Service and Remembrance''; to the Committee on Oversight and Government Reform.

By Mr. TIAHRT:

H. Res. 719. A resolution commending Russ Meyer on his induction into the National Aviation Hall of Fame; to the Committee on Transportation and Infrastructure.

By Ms. WATSON (for herself, Mr. ROHRABACHER, Ms. HIRONO, Mr. MCDERMOTT, Mr. DINGELL, Mr. FRANK of Massachusetts, Ms. ZOE LOFGREN of California, Ms. SCHWARTZ, Mr. GRAYSON, Mr. SCOTT of Georgia, Mr. BLUMENAUER, Mr. TOWNS, Mr. CONYERS, Mr. BACA, Ms. WOOLSEY, Ms. SHEA-PORTER, Ms. EDWARDS of Maryland, Mr. MOORE of Kansas, Mr. GARY G. MILLER of California, Mr. COSTA, Mr. JACKSON of Illinois, Mr. PALLONE, Ms. SUTTON, Ms. KAPTUR, Ms. ESHOO, Mrs. NAPOLITANO, Mr. SIRES, Ms. VELÁZQUEZ, Mr. DOGGETT, Mr. GEORGE MILLER of California, Mr. LEWIS of Georgia, Ms. SPEIER, Ms. CORRINE BROWN of Florida, Mr. ISSA, Mr. CUMMINGS, Mr. CLYBURN, Mr. DAVIS of Illinois, Mr. PAYNE, Ms. LEE of California, Ms. DEGETTE, Ms. BALDWIN, Ms. FUDGE, Mr. HONDA, Ms. JACKSON-LEE of Texas, Ms. KILPATRICK of Michigan, Ms. CLARKE, Ms. MOORE of Wisconsin, Mr. BISHOP of Georgia, Mr. BUTTERFIELD, Mr. KUCINICH, Mr. HOYER, Mr. HARE, Mr. CONNOLLY of Virginia, Mr. KILDEE, Mr. HASTINGS of Florida, and Ms. HARMAN):

H. Res. 720. A resolution commending Serena Williams for her victory in the 2009 Wimbledon Women's Singles Championship and the 2009 Wimbledon Doubles Championship; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 4 of Rule XXII, memorials were presented and referred as follows:

155. The SPEAKER presented a memorial of the Senate of the State of Tennessee, relative to SENATE JOINT RESOLUTION NO. 352 urging the United States Congress to enact H.R. 1633 of the 111th Congress, the ''Honor the Written Intent of our Soldier Heroes Act''; to the Committee on Armed Services.

156. Also, a memorial of the Senate of the State of Louisiana, relative to SENATE RESOLUTION NO. 145 memorializing the Congress of the United States to protect Louisiana consumers and competition by opposing efforts to interfere with free markets in order to artificially regulate payment system interchange fees; to the Committee on Financial Services.

157. Also, a memorial of the Senate of the State of Louisiana, relative to SENATE CONCURRENT RESOLUTION NO. 106 memorializing the Congress of the United States to consider appropriate legislation that would require the Federal Communications Commission to regulate auditory volume standards for commercial advertisements broadcast on television; to the Committee on Energy and Commerce.

158. Also, a memorial of the House of Representatives of the State of Texas, relative to H.R. No. 1085 urging the United States Congress to enact legislation facilitating the ability of cities to access appropriate financing for critically needed municipal projects; to the Committee on Oversight and Government Reform.

159. Also, a memorial of the General Assembly of the State of Indiana, relative to SENATE RESOLUTION SIXTY-TWO encouraging the Indiana Congressional Delegation and Senators to oppose legislation that would impede states' rights; to the Committee on the Judiciary.

160. Also, a memorial of the Senate of the State of Louisiana, relative to SENATE CONCURRENT RESOLUTION NO. 32 memorializing the Congress of the United States to review the GPO and the WEP Social Security benefit reductions and to consider eliminating or reducing them by enacting the Social Security Fairness Act of 2009 (H.R. 235 or R.S. 484) or similar instrument; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

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

H.R. 13: Ms. WATERS.

H.R. 39: Mr. KUCINICH, Mr. STARK, and Mr. PRICE of North Carolina.

H.R. 197: Mr. ROHRABACHER and Mr. DAVIS of Tennessee.

H.R. 204: Mr. JACKSON of Illinois, Mr. DELAHUNT, and Mr. DEFAZIO.

H.R. 211: Mr. TONKO.

H.R. 235: Mr. HEINRICH, Mrs. BACHMANN, and Mr. CASSIDY.

H.R. 270: Mrs. BLACKBURN.
H.R. 272: Mr. JOHNSON of Illinois.
H.R. 294: Mrs. BLACKBURN.
H.R. 303: Mrs. BLACKBURN, Mr. ROTHMAN of New Jersey, Ms. KAPTUR, and Mr. JOHNSON of Georgia.
H.R. 333: Mrs. BLACKBURN and Mr. AKIN.
H.R. 413: Mr. KING of New York, Mr. SULLIVAN, Mr. SHIMKUS, Mr. ROONEY, and Mr. ROGERS of Michigan.
H.R. 442: Mr. MARSHALL, Mr. BERRY, Mr. DAVIS of Tennessee, Mr. MARIO DIAZ-BALART of Florida, Mr. WALDEN, and Mr. TIM MURPHY of Pennsylvania.
H.R. 501: Mr. MCGOVERN.
H.R. 510: Ms. DELAURO and Mr. ENGEL.
H.R. 544: Mr. BILIRAKIS.
H.R. 571: Ms. TITUS, Mr. SIRES, Ms. SCHWARTZ, Mr. BISHOP of Utah, and Mr. LEE of New York.
H.R. 593: Mrs. BLACKBURN.
H.R. 606: Mr. BLUMENAUER.
H.R. 621: Mr. MELANCON, Mr. NADLER of New York, Mr. KING of Iowa, Mr. MCCLINTOCK, Ms. JENKINS, Mr. GARY G. MILLER of California, Mr. REICHERT, Mr. LUETKEMEYER, Mr. BROUN of Georgia, Mr. BILIRAKIS, Mr. BACHUS, Mr. THORNBERRY, Mrs. MYRICK, Mr. HENSARLING, Mr. NEUGEBAUER, Mr. OLSON, Mr. VISCLOSKY, Mr. THOMPSON of California, Mr. MCNERNEY, Mr. TIAHRT, Mr. ROGERS of Michigan, Mr. CONAWAY, Mr. BOCCIERI, and Mr. WITTMAN.
H.R. 644: Mr. HOLT and Mr. POLIS.
H.R. 646: Mr. GARY G. MILLER of California.
H.R. 658: Mr. MCCLINTOCK.
H.R. 666: Mr. BISHOP of New York.
H.R. 667: Mr. WU, Mr. MCCOTTER and Mr. BOSWELL.
H.R. 676: Ms. CHU.
H.R. 690: Mr. QUIGLEY and Mr. WELCH.
H.R. 708: Mr. TURNER and Mr. WITTMAN.
H.R. 718: Mr. BUTTERFIELD.
H.R. 744: Mrs. BLACKBURN.
H.R. 750: Mr. CARSON of Indiana.
H.R. 775: Mr. DAVIS of Illinois, Mr. DANIEL E. LUNGREN of California, Mr. AKIN, Mr. TONKO, and Mr. TIBERI.
H.R. 795: Mr. VAN HOLLEN and Mr. CONNOLLY of Virginia.
H.R. 802: Mr. PATRICK J. MURPHY of Pennsylvania.
H.R. 811: Mrs. BLACKBURN.
H.R. 836: Ms. KOSMAS, Mr. PETERSON, Mr. JACKSON of Illinois, Mr. DAVIS of Illinois, and Ms. JACKSON-LEE of Texas.
H.R. 847: Mr. COURTNEY.
H.R. 868: Mr. MOORE of Kansas and Ms. DEGETTE.
H.R. 953: Mrs. BLACKBURN.
H.R. 1020: Mr. SERRANO.
H.R. 1034: Mr. SHULER and Mr. PLATTS.
H.R. 1053: Mr. CANTOR.
H.R. 1074: Mr. MARIO DIAZ-BALART of Florida, Mr. WALDEN, and Mr. GOODLATTE.
H.R. 1075: Mrs. BLACKBURN.
H.R. 1079: Mrs. BLACKBURN.
H.R. 1103: Ms. BERKLEY.
H.R. 1117: Mr. INGLIS.
H.R. 1132: Mr. TANNER, Mr. HODES, Mr. BUTTERFIELD, Mrs. BACHMANN, Mr. BISHOP of Georgia, Mr. SKELTON, Mr. KILDEE, Mr. ELLSWORTH, Mr. MEEK of Florida, Mr. BUYER, Mr. HARE, Mr. HALL of New York, Mr. PETERS, Mr. BOEHNER, Mr. BARTLETT, Mr. DANIEL E. LUNGREN of California, Mr. TIBERI, Mr. CRENSHAW, Mr. LUETKEMEYER, Mrs. BONO MACK, Mr. BRIGHT, Mr. PENCE, Mr. PAUL, Mr. WALZ, Mr. NEAL of Massachusetts, Mr. ETHERIDGE, Mr. CONNOLLY of Virginia, Mr. KLEIN of Florida, Mr. FORBES, Mr. PERRIELLO, Mr. MCCARTHY of California, and Ms. FOXX.
H.R. 1162: Mr. HEINRICH.
H.R. 1179: Mr. RYAN of Ohio and Mr. WELCH.
H.R. 1194: Mr. LARSEN of Washington, Mr. BAIRD, Mr. BRADY of Pennsylvania, Mr. CARDOZA, Ms. FOXX, and Mr. SAM JOHNSON of Texas.
H.R. 1201: Mrs. HALVORSON.
H.R. 1203: Mr. LARSON of Connecticut and Mrs. BACHMANN.
H.R. 1204: Mr. BRIGHT.
H.R. 1205: Mr. PRICE of North Carolina, Mr. REICHERT, and Mr. CONNOLLY of Virginia.
H.R. 1207: Mr. OBERSTAR.
H.R. 1208: Mr. WOLF.
H.R. 1215: Ms. CHU.
H.R. 1250: Mr. SOUDER, Mrs. BONO MACK, Mr. DUNCAN, Mr. WAMP, and Mr. SAM JOHNSON of Texas.
H.R. 1283: Mr. WATT.
H.R. 1289: Mr. HODES.
H.R. 1302: Mrs. BLACKBURN.
H.R. 1321: Ms. HERSETH SANDLIN.
H.R. 1326: Mr. ARCURI.
H.R. 1346: Mr. MARIO DIAZ-BALART of Florida.
H.R. 1351: Ms. LEE of California, Mr. BOUCHER, Mr. FILNER, and Mr. BARTLETT.
H.R. 1352: Mr. ARCURI and Mr. PLATTS.
H.R. 1362: Mr. LANGEVIN, Mr. LIPINSKI, and Mr. LINCOLN DIAZ-BALART of Florida.
H.R. 1428: Ms. SHEA-PORTER, Mr. EDWARDS of Texas, Mr. MITCHELL, and Mr. GUTIERREZ.
H.R. 1441: Mr. ADLER of New Jersey.
H.R. 1454: Mr. ARCURI.
H.R. 1470: Ms. SPEIER.
H.R. 1478: Mr. SHERMAN, Mr. HOLT, and Mr. JOHNSON of Illinois.
H.R. 1490: Mr. ELLISON, Mr. SHERMAN, and Mr. HARE.
H.R. 1526: Mr. BRALEY of Iowa.
H.R. 1551: Mr. BRALEY of Iowa and Mr. HIGGINS.
H.R. 1608: Ms. PINGREE of Maine.
H.R. 1616: Mr. LANGEVIN.
H.R. 1618: Mr. LATOURETTE.
H.R. 1646: Mr. AKIN, Mr. JOHNSON of Illinois, and Mrs. DAHLKEMPER.
H.R. 1670: Mr. DOGGETT.
H.R. 1681: Mr. DEFAZIO.
H.R. 1684: Mr. MARIO DIAZ-BALART of Florida.
H.R. 1686: Mr. MASSA, Mr. HOLDEN, and Ms. ROYBAL-ALLARD.
H.R. 1700: Ms. FUDGE and Ms. CASTOR of Florida.
H.R. 1740: Mr. COOPER, Mr. GUTHRIE, and Mr. BLUMENAUER.
H.R. 1774: Mr. WEXLER.
H.R. 1791: Mr. QUIGLEY.
H.R. 1800: Ms. ZOE LOFGREN of California.
H.R. 1815: Mr. BROUN of Georgia.
H.R. 1826: Mr. RANGEL and Mr. TONKO.
H.R. 1829: Mr. CONNOLLY of Virginia.
H.R. 1831: Ms. TITUS, Mr. VAN HOLLEN, Mr. GRIFFITH, Mr. DAVIS of Tennessee, Mr. LUJÁN, Mr. LEE of New York, Mr. SAM JOHNSON of Texas, Mr. LUETKEMEYER, and Ms. SPEIER.
H.R. 1835: Mr. BONNER.
H.R. 1844: Mr. ALEXANDER and Mr. COURTNEY.
H.R. 1846: Mr. ORTIZ.
H.R. 1849: Mr. HILL, Mr. ARCURI, Mr. WEXLER, Mr. JOHNSON of Georgia, Ms. RICHARDSON, Mr. BUTTERFIELD, Ms. CASTOR of Florida, Ms. FUDGE, Ms. KILPATRICK of Michigan, Ms. CLARKE, Mr. DAVIS of Illinois, Mrs. CAPPS, Ms. WOOLSEY, Mr. CHANDLER, Ms. WASSERMAN SCHULTZ, Mr. COHEN, Mr. CAPUANO, Mr. SHULER, Mr. TANNER, Mr. MORAN of Kansas, Mr. MILLER of Florida, Mr. DAVIS of Tennessee, Mr. GRAYSON, Mr. MELANCON, Ms. ZOE LOFGREN of California, Ms. VELÁZQUEZ, Ms. BALDWIN, Mr. LANGEVIN, Mr. HIGGINS, Mr. CONNOLLY of Virginia, Mr. DRIEHAUS, Mrs. CAPITO, Mr. WAMP, Ms. FALLIN, Mr. BRALEY of Iowa, and Mr. POMEROY.
H.R. 1881: Ms. LEE of California.
H.R. 1894: Mr. DEFAZIO.
H.R. 1908: Mr. KLINE of Minnesota.
H.R. 1925: Mr. HEINRICH.
H.R. 1956: Mr. PETERSON.
H.R. 1977: Mr. HOLT.
H.R. 1987: Mr. MCCOTTER.
H.R. 2000: Ms. KAPTUR, Mr. CARNAHAN, Mr. OBERSTAR, Mr. ETHERIDGE, Ms. PINGREE of Maine, Mr. KENNEDY, Mr. MILLER of North Carolina, Mr. CLYBURN, Mr. MOORE of Kansas, Mr. MATHESON, Mr. LANCE, Mr. SCOTT of Virginia, Ms. LINDA T. SÁNCHEZ of California, Mr. WATT, Mr. ROSS, Mr. BISHOP of Utah, and Mr. GEORGE MILLER of California.
H.R. 2006: Mr. KUCINICH.
H.R. 2024: Mr. FILNER.
H.R. 2054: Mrs. MALONEY and Mr. KENNEDY.
H.R. 2055: Mr. KIND, Mr. HONDA, and Ms. BORDALLO.
H.R. 2057: Ms. FUDGE, Mr. PERRIELLO, and Mr. SIRES.
H.R. 2058: Mr. TERRY, Mr. ISSA, and Mrs. BLACKBURN.
H.R. 2067: Mr. FATTAH and Mr. ENGEL.
H.R. 2089: Mr. TONKO.
H.R. 2095: Mr. MOORE of Kansas.
H.R. 2102: Mr. HEINRICH.
H.R. 2106: Mr. JOHNSON of Illinois.
H.R. 2125: Mr. ADERHOLT.
H.R. 2139: Mr. LEWIS of Georgia.
H.R. 2149: Mr. ROGERS of Kentucky.
H.R. 2190: Mr. DELAHUNT and Mr. HINCHEY.
H.R. 2193: Mr. ALEXANDER.
H.R. 2194: Mr. CRENSHAW, Mr. BRIGHT, Ms. KILROY, and Mr. CHANDLER.
H.R. 2195: Mr. PAULSEN, Ms. NORTON, Mr. AL GREEN of Texas, Mr. DEFAZIO, Ms. RICHARDSON, Mr. BARTLETT, Mr. Austria, Mr. CAO, and Mr. MASSA.
H.R. 2213: Mr. CONNOLLY of Virginia.
H.R. 2222: Mr. TONKO.
H.R. 2243: Mr. SCHRADER, Mr. ROGERS of Michigan, Mrs. BLACKBURN, and Mr. HEINRICH.
H.R. 2246: Mr. TONKO and Mr. PERLMUTTER.
H.R. 2248: Mr. MORAN of Kansas.
H.R. 2254: Mr. MANZULLO, Ms. JACKSON-LEE of Texas, Mr. GUTIERREZ, Ms. SHEA-PORTER, Mr. BURGESS, Mr. JONES, Mr. LINCOLN DIAZ-BALART of Florida, Ms. KAPTUR, Mr. CONAWAY, and Mr. KUCINICH.
H.R. 2256: Mr. CULBERSON and Mr. MITCHELL.
H.R. 2258: Mr. LATHAM.
H.R. 2259: Mr. BRIGHT.
H.R. 2266: Ms. MARKEY of Colorado, Mrs. BIGGERT, and Mr. CARNAHAN.
H.R. 2267: Ms. MARKEY of Colorado, Mr. CARNAHAN, and Mr. PASCRELL.
H.R. 2269: Mr. CARSON of Indiana.
H.R. 2275: Mr. CAPUANO, Ms. SCHAKOWSKY, Mr. YOUNG of Florida, Mr. OLVER, Mr. MEEKS of New York, and Mr. WU.
H.R. 2287: Mr. ALEXANDER and Mr. ROYCE.
H.R. 2288: Mr. PERLMUTTER.
H.R. 2296: Mr. ROYCE, Mr. MARIO DIAZ-BALART of Florida, Mr. JONES, Mr. FORBES, Mr. DAVIS of Tennessee, Mr. GOODLATTE, Mr. TIM MURPHY of Pennsylvania, Mr. WALDEN, Mr. TIAHRT, Mr. MCHENRY, and Mrs. BIGGERT.
H.R. 2305: Mr. DEFAZIO.
H.R. 2329: Mr. SMITH of New Jersey.
H.R. 2345: Mr. LEE of New York, Mr. GEORGE MILLER of California, and Mr. GUTHRIE.
H.R. 2350: Ms. ROYBAL-ALLARD, Ms. SPEIER, and Mr. LARSEN of Washington.
H.R. 2360: Mr. QUIGLEY.
H.R. 2382: Mr. BRADY of Pennsylvania, and Mr. TONKO.
H.R. 2396: Mr. ROHRABACHER.
H.R. 2408: Mr. HALL of New York, Mr. MCMAHON, Mr. ARCURI, Mr. SERRANO, Mr. ACKERMAN, Mr. CROWLEY, Mr. KING of New York, Mr. NADLER of New York, Mr. ENGEL, and Mr. MURPHY of New York.
H.R. 2413: Mr. COURTNEY.
H.R. 2419: Mr. ROTHMAN of New Jersey, Mr. LEVIN, Ms. SCHAKOWSKY, Mr. CARNAHAN, Mr. PAUL, Mr. SCHIFF, Mr. HOLT, and Mr. STUPAK.

H.R. 2420: Mr. ROSKAM.
H.R. 2452: Mr. SALAZAR, Mr. KLEIN of Florida, Mr. CAMPBELL, Mr. BISHOP of Utah, Ms. TITUS, and Mr. HONDA.
H.R. 2456: Mr. BOSWELL.
H.R. 2483: Mr. PATRICK J. MURPHY of Pennsylvania and Mr. CALVERT.
H.R. 2492: Mr. KILDEE, Mr. FRANK of Massachusetts, and Mr. VAN HOLLEN.
H.R. 2493: Mr. GARRETT of New Jersey.
H.R. 2517: Mr. TONKO.
H.R. 2519: Ms. KILROY.
H.R. 2520: Mr. SESSIONS and Mr. SHIMKUS.
H.R. 2542: Mr. FATTAH and Mr. BOUSTANY.
H.R. 2553: Mr. SMITH of New Jersey.
H.R. 2556: Mr. CHAFFETZ, Mr. FRELINGHUYSEN, Mr. MCHENRY, and Mrs. MCMORRIS RODGERS.
H.R. 2561: Mrs. BLACKBURN and Mr. CARSON of Indiana.
H.R. 2563: Mr. DAVIS of Tennessee.
H.R. 2579: Mrs. DAVIS of California.
H.R. 2586: Mrs. BLACKBURN.
H.R. 2593: Mr. COSTELLO, Mr. RODRIGUEZ, Mr. REYES, Mr. GONZALEZ, and Mr. CARTER.
H.R. 2607: Mr. ROGERS of Alabama.
H.R. 2614: Mrs. BLACKBURN.
H.R. 2626: Mr. BLUMENAUER.
H.R. 2669: Mr. LIPINSKI.
H.R. 2676: Mr. SHULER.
H.R. 2690: Mr. MCGOVERN.
H.R. 2698: Mr. PETERSON.
H.R. 2699: Mr. PETERSON.
H.R. 2709: Ms. CHU.
H.R. 2727: Mr. JOHNSON of Illinois.
H.R. 2733: Mr. TERRY.
H.R. 2737: Mr. ABERCROMBIE, Mr. BLUMENAUER, Mr. COBLE, Mr. EHLERS, Mr. FATTAH, Mr. FORTENBERRY, Mr. JOHNSON of Georgia, Mrs. BONO MACK, Mr. MCCOTTER, Mr. WOLF, Mr. WU, Mr. SCHOCK, Mr. RAHALL, Mr. ROTHMAN of New Jersey, and Mr. POE of Texas.
H.R. 2743: Mr. JOHNSON of Illinois and Mr. CHAFFETZ.
H.R. 2746: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ACKERMAN, Mr. COHEN, Mr. BOSWELL, Mr. JACKSON of Illinois, Mr. CARNEY, Mrs. CAPPS, Mr. MCINTYRE, Mr. HOLT, and Mr. CAPUANO.
H.R. 2759: Mr. KUCINICH.
H.R. 2781: Mr. BLUMENAUER, Mr. WU, and Mr. DEFAZIO.
H.R. 2785: Mr. FRELINGHUYSEN.
H.R. 2786: Mr. FRELINGHUYSEN.
H.R. 2802: Ms. TSONGAS.
H.R. 2818: Mr. LARSEN of Washington.
H.R. 2819: Mr. CONNOLLY of Virginia and Mr. KUCINICH.
H.R. 2824: Mr. REICHERT.
H.R. 2842: Mr. REHBERG.
H.R. 2855: Mrs. NAPOLITANO and Mr. AL GREEN of Texas.
H.R. 2857: Mr. MCCARTHY of California.
H.R. 2894: Ms. SCHWARTZ, Mr. BRALEY of Iowa, and Mrs. DAHLKEMPER.
H.R. 2932: Mr. LEWIS of Georgia.
H.R. 2935: Mr. ROSKAM, Mr. JOHNSON of Georgia, and Mrs. BLACKBURN.
H.R. 2941: Mr. MITCHELL and Mr. ALEXANDER.
H.R. 2942: Ms. JENKINS and Mr. MORAN of Kansas.
H.R. 2964: Mr. ALEXANDER.
H.R. 2969: Mr. FARR.
H.R. 2974: Mrs. BLACKBURN and Mr. BILIRAKIS.
H.R. 2992: Mr. PETRI and Mr. WOLF.
H.R. 2999: Mr. JOHNSON of Illinois.
H.R. 3017: Mr. PRICE of North Carolina, Mr. KLEIN of Florida, and Mr. WALZ.
H.R. 3025: Mr. FOSTER.
H.R. 3033: Mr. QUIGLEY.
H.R. 3039: Mr. FILNER.
H.R. 3042: Mrs. CAPPS, Mr. KUCINICH, Ms. PINGREE of Maine, and Mr. ARCURI.
H.R. 3044: Mr. HINOJOSA.
H.R. 3045: Mr. HINOJOSA.
H.R. 3046: Mr. LATTA and Mr. CONAWAY.
H.R. 3053: Mr. MCGOVERN.
H.R. 3068: Mr. TONKO.
H.R. 3074: Mr. LARSEN of Washington.
H.R. 3077: Mr. ELLISON and Mr. FILNER.
H.R. 3085: Mr. SHERMAN.
H.R. 3092: Mr. DOGGETT.
H.R. 3099: Mr. DELAHUNT.
H.R. 3106: Mr. HOLT.
H.R. 3116: Mr. MARIO DIAZ-BALART of Florida.
H.R. 3126: Mr. JACKSON of Illinois.
H.R. 3127: Mr. KUCINICH.
H.R. 3140: Mr. WAMP, Mr. LUETKEMEYER, Mr. NUNES, Mr. RADANOVICH, Mr. SHIMKUS, Mr. COLE, Mr. DAVIS of Kentucky, Mr. ROHRABACHER, Mr. MCCARTHY of California, Mr. FORTENBERRY, Mr. MILLER of Florida, Mr. SENSENBRENNER, Mr. DUNCAN, Mr. HOEKSTRA, Mr. GRAVES, Mr. ROONEY, Mr. MCCLINTOCK, Mr. CULBERSON, and Mr. HUNTER.
H.R. 3144: Mr. CONAWAY.
H.R. 3146: Mr. PERLMUTTER.
H.R. 3147: Mr. HIMES.
H.R. 3149: Mr. HONDA.
H.R. 3150: Mr. ALEXANDER and Mr. NYE.
H.R. 3164: Mr. SCOTT of Georgia, Mr. ALEXANDER, Mr. YOUNG of Alaska, and Mr. PATRICK J. MURPHY of Pennsylvania.
H.R. 3165: Mr. BARTLETT, Mr. COURTNEY, Mr. GRIJALVA, Mr. CHANDLER, Ms. GIFFORDS, and Mr. CONNOLLY of Virginia.
H.R. 3166: Mr. SESTAK.
H.R. 3178: Mr. QUIGLEY and Mr. TONKO.
H.R. 3184: Ms. SCHAKOWSKY.
H.R. 3186: Mr. KUCINICH.
H.R. 3199: Mr. NYE.
H.R. 3202: Mr. GRIJALVA.
H.R. 3217: Mr. BILIRAKIS and Mr. SESSIONS.
H.R. 3218: Mr. SESSIONS, Mr. ROGERS of Alabama, Mr. CULBERSON, and Mr. FORBES.
H.R. 3223: Mrs. BLACKBURN.
H.R. 3232: Mr. LIPINSKI.
H.R. 3238: Mr. SABLAN.
H.R. 3242: Ms. SCHAKOWSKY.
H.R. 3245: Mr. BRALEY of Iowa and Mr. JACKSON of Illinois.
H.R. 3246: Mr. FOSTER.
H.R. 3247: Mr. LIPINSKI.
H.R. 3248: Mr. HUNTER.
H.R. 3257: Mr. PETERSON.
H.R. 3271: Mr. SIRES, Ms. KILPATRICK of Michigan, Mr. HOLT, Mrs. CAPPS, and Mr. CONNOLLY of Virginia.
H.R. 3276: Mr. CARNAHAN.
H.R. 3277: Mr. GUTIERREZ, Mr. CARSON of Indiana, and Mr. MCGOVERN.
H.R. 3286: Mr. COURTNEY and Mr. FRANK of Massachusetts.
H.R. 3287: Mrs. CHRISTENSEN and Ms. KILPATRICK of Michigan.
H.R. 3294: Ms. CASTOR of Florida.
H.R. 3295: Mr. ORTIZ and Mr. SNYDER.
H.R. 3308: Mr. COFFMAN of Colorado and Ms. FALLIN.
H.R. 3310: Mr. BLUNT.
H.R. 3312: Mrs. MALONEY, Ms. LINDA T. SÁNCHEZ of California, Mr. KENNEDY, Ms. LEE of California, Mr. PASCRELL, Mr. LARSON of Connecticut, Ms. MCCOLLUM, Ms. ESHOO, Mr. ISRAEL, Mr. GEORGE MILLER of California, Mr. PRICE of North Carolina, Ms. KAPTUR, Mr. MORAN of Virginia, Mr. COURTNEY, Ms. WASSERMAN SCHULTZ, Mr. DAVIS of Illinois, Ms. MOORE of Wisconsin, Mr. MURTHA, Mr. ROTHMAN of New Jersey, Mr. HARE, Mr. KIND, Mr. INSLEE, Mr. CARSON of Indiana, Mr. CHANDLER, Mrs. LOWEY, Mr. HIGGINS, Mrs. CAPPS, Mr. HIMES, and Ms. SUTTON.
H.R. 3315: Ms. LINDA T. SÁNCHEZ of California.
H.R. 3322: Mr. HIGGINS.
H.R. 3328: Mr. BACHUS.
H.R. 3336: Mr. PETERSON.
H.R. 3338: Mr. KRATOVIL and Mr. CUMMINGS.
H.R. 3356: Mr. NEUGEBAUER, Mr. WITTMAN, and Mr. SOUDER.
H.R. 3361: Mr. ROSKAM.
H.R. 3365: Mr. MICHAUD, Mr. MEEK of Florida, Mr. KLEIN of Florida, and Mr. RODRIGUEZ.
H.R. 3367: Mr. BARTLETT and Mr. CARNAHAN.
H.R. 3371: Mr. MORAN of Kansas.
H.R. 3379: Mr. CARNAHAN.
H.R. 3380: Mr. PAUL, Mr. POE of Texas, and Ms. KAPTUR.
H.R. 3381: Mr. RANGEL, Mr. KILDEE, Mr. KIRK, and Mr. TONKO.
H.R. 3392: Mr. HELLER and Ms. BERKLEY.
H.R. 3400: Mr. CULBERSON, Mr. ADERHOLT, Mr. GALLEGLY, Mr. PITTS, Mr. FRANKS of Arizona, Mr. BARRETT of South Carolina, Mr. LINDER, and Mr. BARTLETT.
H.R. 3404: Mr. LANGEVIN and Mr. DEFAZIO.
H.R. 3408: Mr. HALL of New York, Ms. LINDA T. SÁNCHEZ of California, Mr. DEFAZIO, and Ms. PINGREE of Maine.
H.R. 3416: Mrs. DAVIS of California and Mr. GONZALEZ.
H.R. 3421: Ms. TITUS, Mr. HARE, Mr. JACKSON of Illinois, Ms. MATSUI, and Mr. CARSON of Indiana.
H.J. Res. 47: Mr. KLINE of Minnesota.
H.J. Res. 61: Mr. MCDERMOTT, Mrs. DAVIS of California, Mr. KIRK, and Mr. HOLT.
H. Con. Res. 42: Ms. FUDGE.
H. Con. Res. 43: Ms. FUDGE.
H. Con. Res. 49: Mr. FRELINGHUYSEN.
H. Con. Res. 139: Mr. SCALISE.
H. Con. Res. 144: Mr. ROSKAM, Mr. BERMAN, and Mr. MITCHELL.
H. Con. Res. 157: Mr. ALEXANDER.
H. Con. Res. 160: Mr. ENGEL, Mr. MOLLOHAN, Mrs. BONO MACK, and Ms. WASSERMAN SCHULTZ.
H. Con. Res. 167: Mr. KUCINICH.
H. Con. Res. 168: Mr. YOUNG of Alaska, Mr. MCGOVERN, and Mr. PETERSON.
H. Con. Res. 169: Mr. NEUGEBAUER.
H. Con. Res. 170: Mr. MARCHANT, Mr. BARTLETT, Mr. YOUNG of Florida, Mr. GUTHRIE, Mr. BILIRAKIS, and Mr. KINGSTON.
H. Res. 89: Ms. KAPTUR, Mrs. BLACKBURN, and Mr. WITTMAN.
H. Res. 111: Mr. JONES, Mr. FRANKS of Arizona, Mr. WELCH, Mr. BRALEY of Iowa, and Mr. NYE.
H. Res. 175: Ms. SCHAKOWSKY.
H. Res. 231: Mr. CAMP.
H. Res. 264: Mrs. BLACKBURN.
H. Res. 267: Mr. CONNOLLY of Virginia.
H. Res. 291: Mr. MINNICK and Mrs. BLACKBURN.
H. Res. 363: Mr. BLUMENAUER.
H. Res. 376: Mr. CAMP, Mr. UPTON, Mr. YOUNG of Alaska, Mr. CARTER, and Mr. BILBRAY.
H. Res. 398: Mrs. BLACKBURN.
H. Res. 408: Mr. TURNER, Mr. SMITH of Washington, Mr. MARSHALL, Mr. KRATOVIL, Mr. CONAWAY, and Mr. HARE.
H. Res. 416: Mr. BLUMENAUER.
H. Res. 443: Mrs. BLACKBURN.
H. Res. 447: Mr. MITCHELL, Mr. LIPINSKI, Mr. CHILDERS, Mr. ARCURI, Mr. PASCRELL, and Mr. WALZ.
H. Res. 487: Mr. HARPER.
H. Res. 491: Mrs. BLACKBURN.
H. Res. 494: Mr. DAVIS of Tennessee.
H. Res. 513: Mr. BOSWELL and Mr. WITTMAN.
H. Res. 554: Mr. BOSWELL.
H. Res. 571: Mr. PAULSEN.
H. Res. 577: Mr. COBLE.
H. Res. 592: Mr. CARSON of Indiana.
H. Res. 605: Mr. SIRES, Mr. JOHNSON of Illinois, and Mr. LEWIS of Georgia.
H. Res. 619: Mr. POSEY, Mr. PENCE, Mr. BUCHANAN, and Mr. WILSON of South Carolina.
H. Res. 627: Mr. SMITH of Texas and Mr. DAVIS of Alabama.
H. Res. 630: Mr. BLUMENAUER, Mr. AL GREEN of Texas, and Mr. TIERNEY.
H. Res. 634: Mr. PASCRELL, Ms. BERKLEY, Mr. GRAYSON, Mr. TONKO, and Mr. HIGGINS.
H. Res. 648: Mr. JONES, Mr. WILSON of South Carolina, Mr. ROGERS of Kentucky, Mr. SAM JOHNSON of Texas, and Mr. TERRY.

H. Res. 660: Ms. LEE of California.

H. Res. 679: Mr. DOYLE, Mr. KRATOVIL, Mr. MASSA, Mr. PETERSON, Mr. SALAZAR, Mr. TERRY, Mr. WILSON of Ohio, Mr. WOLF, Mr. MCCLINTOCK, Mrs. BLACKBURN, Mr. MCCLINTOCK, Mrs. BLACKBURN, Mr. GINGREY of Georgia, Mr. WALZ, Mr. BRADY of Texas, Ms. MCCOLLUM, Mrs. KIRKPATRICK of Arizona, Mr. MANZULLO, and Mr. MINNICK.

H. Res. 686: Ms. KAPTUR, Mr. FARR, Mrs. CAPPS, Mr. SARBANES, Mr. HODES, Mr. GRIJALVA, Mr. FILNER, Mr. COOPER, Mr. BLUMENAUER, Mr. ETHERIDGE, Mr. ELLSWORTH, Mr. MEEK of Florida, Mr. BAIRD, Mr. LARSEN of Washington, Ms. FALLIN, Mr. LUCAS, Mr. MICA, Mr. HALL of Texas, Mr. BACA, Mr. SERRANO, Mr. MEEKS of New York, Mr. JOHNSON of Georgia, Mr. ARCURI, and Ms. MARKEY of Colorado.

PETITIONS, ETC.

Under clause 1 of Rule XXII,

64. The SPEAKER presented a petition of The Village Council of the Village of Yellow Springs, Ohio, relative to RESOLUTION 2009-20 affirming its support for President Obama and his efforts to seek reform of our National Health Care System through Congressional action on legislation currently being debated by Congress; which was referred to the Committee on Energy and Commerce.

DISCHARGE PETITIONS— ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 3 by Mr. LATOURETTE on House Resolution 359: Don Young, Christopher H. Smith, Frank R. Wolf, Edward R. Royce, Patrick T. McHenry, Randy Neugebauer, Dana Rohrabacher, Anh ''Joseph'' Cao, David G. Reichert, Harold Rogers, Peter Hoekstra, Paul Ryan, Timothy V. Johnson, Robert B. Aderholt, Brian P. Bilbray, Ginny Brown-Waite, and Joe Barton.

Petition 4 by Mr. BURTON on House Resolution 460: John Campbell, Harold Rogers, Leonard Lance, Lynn Jenkins, Howard Coble, Christopher H. Smith, Frank R. Wolf, Zach Wamp, Virginia Foxx, Randy Neugebauer, Dana Rohrabacher, John Boozman, Steve Buyer, Aaron Schock, and Tom Cole.

Petition 5 by Mrs. BLACKBURN on H.R. 391: Cathy McMorris Rodgers, Pete Olson, John Campbell, F. James Sensenbrenner, Jr., Harold Rogers, Paul C. Broun, Howard Coble, Ander Crenshaw, David P. Roe, John Linder, Nathan Deal, Virginia Foxx, Peter J. Roskam, Ralph M. Hall, John Boozman, Rob Bishop, Steve Buyer, John Kline, Robert B. Aderholt, Tom Cole, and John B. Shadegg.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2708

OFFERED BY: MR. COLE

AMENDMENT NO. 1: After section 104, add the following new section (and amend the table of contents accordingly):

SEC. 105. CONTINUATION OF BENEFITS.

No funds or services authorized under this Act, or the amendments made by this Act, or appropriated pursuant to an authorization under this Act or such amendments, shall be withheld from any Indian tribe or member of an Indian tribe based on the fact that the Indian tribe was federally recognized on or after June 18, 1934.

H.R. 2708

OFFERED BY: MR. COLE

AMENDMENT NO. 2: Page 318, line 16, before ''after'' insert the following: ''before, on, or''.

H.R. 2708

OFFERED BY: MR. COLE

AMENDMENT NO. 3: After section 714 of the amendment added by section 101 of the bill, add the following new section (and amend subsequent sections and the table of contents accordingly):

SEC. 715. TESTIMONY BY SERVICE EMPLOYEES IN CASES OF RAPE AND SEXUAL ASSAULT.

(a) APPROVAL BY DIRECTOR.—

(1) IN GENERAL.—The Director shall approve or disapprove, in writing, any request or subpoena for a sexual assault nurse examiner employed by the Service to provide testimony in a deposition, trial, or other similar proceeding regarding information obtained in carrying out the official duties of the nurse examiner.

(2) REQUIREMENT.—The Director shall approve a request or subpoena under paragraph (1) if the request or subpoena does not violate the policy of the Department to maintain strict impartiality with respect to private causes of action.

(3) TREATMENT.—If the Director fails to approve or disapprove a request or subpoena by the date that is 30 days after the date of receipt of the request or subpoena, the request or subpoena shall be considered to be approved for purposes of this subsection.

(b) POLICIES AND PROTOCOL.—The Director, in coordination with the Director of the Office on Violence Against Women of the Department of Justice, in consultation with Indian Tribes and Tribal Organizations, and in conference with Urban Indian Organizations, shall develop standardized sexual assault policies and protocol for the facilities of the Service.

H.R. 2708

OFFERED BY: MR. COLE

AMENDMENT NO. 4: After section 817, add the following new section (and amend subsequent sections and the table of contents accordingly):

SEC. 818. LIMITATION ON USE OF FUNDS.

No funds authorized under this Act, or the amendments made by this Act, or appropriated pursuant to an authorization under this Act or such amendments, shall be withheld from release to or expenditure for the benefit of any federally recognized Indian tribe based on the pendency of litigation; provided, that this limitation shall not be effective if a temporary order or temporary injunction is in effect during the pendency of litigation or there is a settlement agreement which effects the end of litigation among the adverse parties.

H.R. 2708

OFFERED BY: MR. COLE

AMENDMENT NO. 5: Add at the end of the bill, add the following new title (and amend the table of contents accordingly):

TITLE IX—LAW ENFORCEMENT AND METHAMPHETAMINE ISSUES IN INDIAN COUNTRY

SEC. 901. SENSE OF CONGRESS REGARDING LAW ENFORCEMENT AND METHAMPHETAMINE ISSUES IN INDIAN COUNTRY.

It is the sense of Congress that Congress encourages State, local, and Indian tribal law enforcement agencies to enter into memoranda of agreement between and among those agencies for purposes of streamlining law enforcement activities and maximizing the use of limited resources—

(1) to improve law enforcement services provided to Indian tribal communities; and

(2) to increase the effectiveness of measures to address problems relating to methamphetamine use in Indian Country (as defined in section 1151 of title 18, United States Code).

H.R. 2708

OFFERED BY: MR. COLE

AMENDMENT NO. 6: Add at the end of the bill, insert the following new title (and amend the table of contents accordingly):

TITLE IX—APOLOGY TO NATIVE PEOPLES OF THE UNITED STATES

SEC. 901. APOLOGY TO NATIVE PEOPLES OF THE UNITED STATES.

(a) FINDINGS.—Congress finds that—

(1) the ancestors of today's Native Peoples inhabited the land of the present-day United States since time immemorial and for thousands of years before the arrival of people of European descent;

(2) for millennia, Native Peoples have honored, protected, and stewarded this land we cherish;

(3) Native Peoples are spiritual people with a deep and abiding belief in the Creator, and for millennia Native Peoples have maintained a powerful spiritual connection to this land, as evidenced by their customs and legends;

(4) the arrival of Europeans in North America opened a new chapter in the history of Native Peoples;

(5) while establishment of permanent European settlements in North America did stir conflict with nearby Indian tribes, peaceful and mutually beneficial interactions also took place;

(6) the foundational English settlements in Jamestown, Virginia, and Plymouth, Massachusetts, owed their survival in large measure to the compassion and aid of Native Peoples in the vicinities of the settlements;

(7) in the infancy of the United States, the founders of the Republic expressed their desire for a just relationship with the Indian tribes, as evidenced by the Northwest Ordinance enacted by Congress in 1787, which begins with the phrase, ''The utmost good faith shall always be observed toward the Indians'';

(8) Indian tribes provided great assistance to the fledgling Republic as it strengthened and grew, including invaluable help to Meriwether Lewis and William Clark on their epic journey from St. Louis, Missouri, to the Pacific Coast;

(9) Native Peoples and non-Native settlers engaged in numerous armed conflicts in which unfortunately, both took innocent lives, including those of women and children;

(10) the Federal Government violated many of the treaties ratified by Congress and other diplomatic agreements with Indian tribes;

(11) the United States forced Indian tribes and their citizens to move away from their traditional homelands and onto federally established and controlled reservations, in accordance with such Acts as the Act of May 28, 1830 (4 Stat. 411, chapter 148) (commonly known as the ''Indian Removal Act'');

(12) many Native Peoples suffered and perished—

(A) during the execution of the official Federal Government policy of forced removal, including the infamous Trail of Tears and Long Walk;

(B) during bloody armed confrontations and massacres, such as the Sand Creek Massacre in 1864 and the Wounded Knee Massacre in 1890; and

(C) on numerous Indian reservations;

(13) the Federal Government condemned the traditions, beliefs, and customs of Native Peoples and endeavored to assimilate them

by such policies as the redistribution of land under the Act of February 8, 1887 (25 U.S.C. 331; 24 Stat. 388, chapter 119) (commonly known as the ''General Allotment Act''), and the forcible removal of Native children from their families to faraway boarding schools where their Native practices and languages were degraded and forbidden;

(14) officials of the Federal Government and private United States citizens harmed Native Peoples by the unlawful acquisition of recognized tribal land and the theft of tribal resources and assets from recognized tribal land;

(15) the policies of the Federal Government toward Indian tribes and the breaking of covenants with Indian tribes have contributed to the severe social ills and economic troubles in many Native communities today;

(16) despite the wrongs committed against Native Peoples by the United States, Native Peoples have remained committed to the protection of this great land, as evidenced by the fact that, on a per capita basis, more Native Peoples have served in the United States Armed Forces and placed themselves in harm's way in defense of the United States in every major military conflict than any other ethnic group;

(17) Indian tribes have actively influenced the public life of the United States by continued cooperation with Congress and the Department of the Interior, through the involvement of Native individuals in official Federal Government positions, and by leadership of their own sovereign Indian tribes;

(18) Indian tribes are resilient and determined to preserve, develop, and transmit to future generations their unique cultural identities;

(19) the National Museum of the American Indian was established within the Smithsonian Institution as a living memorial to Native Peoples and their traditions; and

(20) Native Peoples are endowed by their Creator with certain unalienable rights, and among those are life, liberty, and the pursuit of happiness.

(b) ACKNOWLEDGMENT AND APOLOGY.—The United States, acting through Congress—

(1) recognizes the special legal and political relationship Indian tribes have with the United States and the solemn covenant with the land we share;

(2) commends and honors Native Peoples for the thousands of years that they have stewarded and protected this land;

(3) recognizes that there have been years of official depredations, ill-conceived policies, and the breaking of covenants by the Federal Government regarding Indian tribes;

(4) apologizes on behalf of the people of the United States to all Native Peoples for the many instances of violence, maltreatment, and neglect inflicted on Native Peoples by citizens of the United States;

(5) expresses its regret for the ramifications of former wrongs and its commitment to build on the positive relationships of the past and present to move toward a brighter future where all the people of this land live reconciled as brothers and sisters, and harmoniously steward and protect this land together;

(6) urges the President to acknowledge the wrongs of the United States against Indian tribes in the history of the United States in order to bring healing to this land; and

(7) commends the State governments that have begun reconciliation efforts with recognized Indian tribes located in their boundaries and encourages all State governments similarly to work toward reconciling relationships with Indian tribes within their boundaries.

(c) DISCLAIMER.—Nothing in this section—

(1) authorizes or supports any claim against the United States; or

(2) serves as a settlement of any claim against the United States.

United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, FRIDAY, JULY 31, 2009 *No. 118*

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia.

PRAYER

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

Let us pray.

Our Father God, author of liberty, who has made and preserved us as a nation, bless today our lawmakers who are called to serve the Republic by bringing order out of chaos and peace out of strife. May they lift the shield of their integrity against the enemies of justice and truth at this time when the world's hopes depend on character. Lord, guide them with Your providence until this Nation shall gleam undimmed by tears of want and woe. Make our lawmakers worthy of the sacrifices of those who, day by day, give their all to keep us free. Help them to forgive and forget any memories of strained relationships or debilitating differences.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK R. WARNER led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 31, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks, if any, the Senate will resume consideration of the Agriculture appropriations bill. There will be no rollcall votes during today's session. However, the two managers, Senator KOHL and Senator BROWNBACK, will inform all Members that they will accept amendments, and people who have amendments should be ready to offer them today or on Monday.

MEASURE PLACED ON THE CALENDAR—S. 1552

Mr. REID. Mr. President, S. 1552 is at the desk and it is due for a second reading.

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

The assistant legislative clerk read as follows:

A bill (S. 1552) to reauthorize the DC opportunity scholarship program, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to the bill.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bill will be placed on the calendar.

Mr. REID. Mr. President, I have a cloture motion at the desk, but before it is read, we need to have the bill reported.

RESERVATION OF LEADER TIME

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

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2997, which the clerk will report.

The assistant legislative clerk read as follows:

A 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.

Pending:

Kohl/Brownback amendment No. 1908, in the nature of a substitute.

Kohl (for Tester) amendment No. 2230 (to amendment No. 1908), to clarify a provision relating to funding for a National Animal Identification Program.

CLOTURE MOTION

Mr. REID. Mr. President, I would now ask that the cloture motion which is at the desk on the substitute amendment be stated.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the substitute amendment No. 1908 to H.R. 2997, the Agriculture Appropriations Act for Fiscal Year 2010.

John D. Rockefeller, IV, Tom Udall, Mark L. Pryor, Edward E. Kaufman,

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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Blanche L. Lincoln, Kent Conrad, Kay R. Hagan, Mark Begich, Byron L. Dorgan, Max Baucus, Ben Nelson, Herb Kohl, Daniel K. Inouye, Michael F. Bennet, Mary L. Landrieu, Charles E. Schumer.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk on the bill itself.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on H.R. 2997, the Agriculture Appropriations Act for Fiscal Year 2010.

John D. Rockefeller, IV, Tom Udall, Mark L. Pryor, Edward E. Kaufman, Blanche L. Lincoln, Kent Conrad, Kay R. Hagan, Mark Begich, Byron L. Dorgan, Max Baucus, Ben Nelson, Herb Kohl, Daniel K. Inouye, Michael F. Bennet, Mary L. Landrieu, Jon Tester, Charles E. Schumer.

Mr. REID. Mr. President, I ask unanimous consent that the cloture vote on the substitute amendment occur at 5:30 p.m. on Monday, August 3; that if cloture is invoked, postcloture time be considered to have begun as if cloture had been invoked at 11 a.m.; further, that the mandatory quorums required be waived, and that first-degree amendments be filed at the desk by 3:30 p.m. on Monday.

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

The Senator from Wisconsin.

Mr. KOHL. Mr. President, as we wait for Members to come forward with amendments, I wish to talk about something that is happening down at the USDA right now. This morning, Secretary Vilsack is announcing changes to the Dairy Product Price Support Program. I wish to commend him for his diligence and his willingness to keep pushing on this.

Wisconsin is home to more dairy farms than any other State in the Union. We produce 2.1 billion pounds of milk each month. About half the State's $51 billion agriculture economy is directly tied to dairy. So when the dairy sector hurts, Wisconsin hurts. And I will say in no uncertain terms that the pain in dairy across America is very acute right now.

From January through April, the price of milk paid to dairy farmers has been about $4.80 per hundredweight below the cost of production. Dairy producers have lost $3.9 billion in equity in 5 months. At risk is the long-term stability of the industry, the Nation's milk production infrastructure, and thousands of rural communities.

With Senator LEAHY and a number of our colleagues, we have pushed to confront these challenges. In the last farm bill, we extended the basic safety net for dairy producers, and we strengthened it with something called a ''feed cost adjuster.'' In the economic recovery bill we added credit to help producers survive.

At the same time, the Secretary has worked to boost exports and provide more dairy products for nutrition programs. All of these are critical steps. Together they reflect, literally, a billion-dollar effort to address a crisis that has hurt dairy producers in every corner of the country.

But over the past several weeks, in hearings and letters—and personal consultations I have been a part of—there is a growing appreciation that more needs to be done. Today the Secretary is taking the next step. For August through October, he is adjusting the Dairy Product Price Support Program in a way that will yield an estimated $243 million in revenue increases for dairy producers.

I commend our Secretary of Agriculture for working with intensity and persistence. I commend our President for appointing a Secretary of Agriculture who works with intensity and persistence. And I want to reassure dairy farmers all across America that, although we do not have all the answers, we are committed to pressing forward on their behalf.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I urge my colleagues, particularly on my side of the aisle, to get their amendments and bring them forward, bring them forward this morning. It would be my hope we could get this bill done on Monday, early evening, so we can move to the Sotomayor discussion and debate on the floor. I think most Members want to speak about Sotomayor, so it is going to take a lot of time next week, being the last week before we go on break. I hope we could start that as fast as possible and we could move through this bill expeditiously.

We worked very closely with the majority. I think we have a good bill. It certainly is not perfect; no bill is. But it is one for which we have done a lot of work, and I do not see the issues outstanding here to the degree that I think it would merit us putting off the discussion and debate on Sotomayor. So I am hopeful we can get those amendments coming forward.

AMENDMENT NO. 2229 TO AMENDMENT NO. 1908

Mr. President, I have discussed with the majority about bringing up an amendment to deal with the issue of neglected and rare diseases. The FDA funding is in this bill, and we have negotiated an amendment with the proper authorizing committee. So with that, I ask unanimous consent to set aside the pending amendment, to call up amendment No. 2229, and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. BROWNBACK] proposes an amendment numbered 2229 to amendment No. 1908.

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

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

The amendment is as follows:

(Purpose: To establish within the Food and Drug Administration 2 review groups to recommend solutions for the prevention, diagnosis, and treatment of rare diseases and neglected diseases of the developing world)

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. (a) The Commissioner of Food and Drugs shall establish within the Food and Drug Administration a review group which shall recommend to the Commissioner of Food and Drugs appropriate preclinical, trial design, and regulatory paradigms and optimal solutions for the prevention, diagnosis, and treatment of rare diseases: *Provided*, That the Commissioner of Food and Drugs shall appoint 8 individuals employed by the Food and Drug Administration to serve on the review group: *Provided further*, That members of the review group shall have specific expertise relating to the development of articles for use in the prevention, diagnosis, or treatment of rare diseases, including specific expertise in developing or carrying out clinical trials.

(b) The Commissioner of Food and Drugs shall establish within the Food and Drug Administration a review group which shall recommend to the Commissioner of Food and Drugs appropriate preclinical, trial design, and regulatory paradigms and optimal solutions for the prevention, diagnosis, and treatment of neglected diseases of the developing world: *Provided*, That the Commissioner of Food and Drugs shall appoint 8 individuals employed by the Food and Drug Administration to serve on the review group: *Provided further*, That members of the review group shall have specific expertise relating to the development of articles for use in the prevention, diagnosis, or treatment of neglected diseases of the developing world, including specific expertise in developing or carrying out clinical trials: *Provided further*, That for the purposes of this section the term ''neglected disease of the developing world'' means a tropical disease, as defined in section 524(a)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360n(a)(3)).

(c) The Commissioner of Food and Drugs shall—

(1) submit, not later than 1 year after the date of the enactment of this Act, a report to Congress that describes both the findings and recommendations made by the review groups under subsections (a) and (b);

(2) issue, not later than 180 days after submission of the report to Congress under paragraph (1), guidance based on such recommendations for articles for use in the prevention, diagnosis, and treatment of rare diseases and for such uses in neglected diseases of the developing world; and

(3) develop, not later than 180 days after submission of the report to Congress under paragraph (1), internal review standards based on such recommendations for articles for use in the prevention, diagnosis, and treatment of rare diseases and for such uses in neglected diseases of the developing world.

Mr. BROWNBACK. Mr. President and colleagues, this amendment goes at a critical problem in the world and one

we hold the key to answering. There is a lot of work that needs to be done on disease treatment and drug development. Unfortunately, what we have seen taking place is that the cost of developing a pharmaceutical product to treat particular diseases continues to go up and up and up into, in some cases, billions of dollars to develop a particular drug for a treatment for individuals.

When you are looking at disease categories, now that we are getting into finer and finer groups, you may have a group of, say, 50,000 people who have a particular disease, or for a neglected disease that is in a Third World country, you can have millions, even more than that, who are affected by a disease, but there is not a large marketplace to support the research that is necessary to develop a cure.

What we have put forward in this amendment is a review process to try to establish a new system for neglected and rare diseases so that drug delivery can proceed, and it can proceed on an expedited basis and reduce the cost of doing it, so we can start to develop drug treatments for rare diseases and neglected diseases that happen in poorer parts of the world where the economy does not support that level of research.

The amendment establishes two review groups within the Food and Drug Administration that would recommend solutions for the prevention, diagnosis, and treatment of both rare diseases and neglected diseases of the developing world.

According to the World Health Organization, more than 1 billion people—nearly one of every six people worldwide—are affected by at least one neglected disease. We have a billion people who are in this category of having a disease for which there is little to no research being done.

Examples of well-known neglected diseases include malaria, tuberculosis, and cholera. Africa certainly bears the brunt of this, as nearly 90 percent of the world's neglected diseases afflict people in this continent.

While this is the target category, it is my hope that what this will lead to is us developing systems and ways where we can reduce the cost and the time for drug delivery and development so we can use that in this country. We can use that on rare diseases where you do not have the population pool to support as much of the research.

Neglected diseases claim roughly 500,000 lives each year. They disproportionately affect very low-income populations in developing countries. Unfortunately, less than 1 percent of the roughly 1,400 drugs registered between 1975 and 1999 treated such diseases—1 percent of them.

Streamlining the FDA review process to treat these diseases is not only in our country's national interest, but it is consistent with our longstanding tradition of caring for those who are less fortunate around the world.

I might point out that as to the public opinion standing of the United States, the continent where we have the highest public opinion standing of the population is not even North America, it is Africa, where we are helping people with the PEPFAR program, with malaria, with food, and people like you if you are helping them stay alive. This continues in that, so it is good foreign policy as well and also helps us in drug delivery and development for our rare diseases.

This amendment also addresses rare diseases or those diseases for which little market exists since so few patients are affected. If this happens to be a person in your family, you do not care how many people are affected, you are affected, and you want somebody to be developing cures for it. Rare diseases can be especially lethal since few treatments may exist for individual patients and time is not on their side.

For these reasons, I strongly urge my colleagues to support this amendment No. 2229, which would allow experts to identify ways we can improve the Food and Drug Administration's ability to review treatments for rare and neglected diseases.

We worked carefully on this proposal with a number of individuals, including Dr. Francis Collins, who is nominated to be the head of NIH and who had the Human Genome Project, one of the great scientific breakthroughs of the last 25 years; as well as with former FDA officials and a number of people interested and concerned about what is taking place here; about the expanded cost of developing drugs and the smaller economic category that they have to hit in. I think this is in the best traditions of the United States and is very helpful to us as a country to address.

I and my colleagues have traveled to some of the Third World areas. We know malaria hits 60 percent of the children in Sub-Saharan Africa—60 percent. Tuberculosis as well is rampant. We have other diseases that we haven't thought of here for a long time—sleeping sickness, river blindness—that affect a large cross-section of individuals with little to no effort going into it. To the degree we can help will be a massive good that we do. It is my fundamental belief that we are blessed to be a blessing, and this country has been blessed. We certainly have our difficulties; no question about that, but here is an area where we can help and it helps us too.

I hope my colleagues will see fit to support this amendment. I will ask at the proper time that it be supported and that we vote on it.

I yield the floor.

Mr. KOHL. Mr. President, as we said before this morning, we intend to complete action on this bill Monday. We are here today to work with Senators if they have amendments. We need to move this bill along so we can complete all our work as we know we wish to do before the August recess. So if any Senators have amendments to the bill, they should come to the floor so they can be offered, debated, and considered.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. BROWNBACK. 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. BROWNBACK. Mr. President, while we are waiting on Members to come and present their amendments, I want to talk about something associated with agriculture in my State. It is an issue that will probably come up after the August break, and that is energy legislation. Energy, in our State, is inextricably linked to agriculture, where it is a big energy-using industry but also one that derives a lot of income for agriculture.

The industry itself moved from a food and fiber industry to a food, fiber, and fuels industry, with ethanol and biodiesel and increasingly—this is a bit of a sidebar but a connection—wind energy. Wind energy, in many of the rural areas of our State, is providing income to those regions.

I want to talk about the energy policy of this country, particularly as it is associated with agriculture. We need to look at the agricultural industry and what it can produce for a domestic fuel need. I am hopeful we can, over time, up the ethanol standard from 10 percent to a higher mixed blend. I would like to see us get to 15, 20 percent in the current vehicle fleet. I think this is doable and the technology is there and it is not harmful to anybody or any of the automobiles in the automobile industry.

A number of us signed a letter asking that fuel blend be upped and also that the refineries be held harmless in any up mixture of blending that might be considered. A number of refineries are sensitive about the MTBE problem, when they were pushed by Congress to put in MTBE, and later were held responsible for difficulties associated with that. I think we ought to hold the refinery industry harmless but allow the mixture to go up from 10 percent.

In my State, a number of ethanol plants have been built. They are cost effective and they continue to operate well. It is a dual-commodity business, where we are looking at the commodity price of oil and the commodity price of corn. We can do very well financially, but if they move against us, we can do poorly. We have the capacity to move the blend up to the 15 or 20 percent level.

It is my hope that down the road that will be something of consideration. That has been a big piece of the agricultural policy in this country—something that has been supported in the Agriculture appropriations bill, to increase research on ethanol and make

the next generation out of cellulose or make everything a cellulosic stream, along with a grain stream of ethanol in the same ethanol plant, so we can mix those methods of making ethanol. That is an important endeavor that we can do.

On the Energy bill, there is a renewable energy standard put in it and not the cap-and-trade bill. I urge my colleagues, let's work on renewable energy where we can get good, strong bipartisan support and not a cap-and-trade system where it is going to hurt a number of States that are high energy using and producing States—particularly like my own State or others in the Midwest that are very dependent upon energy. This is a major tax on us. It taxes our electrical production that is coal based. Our State is in the 60 to 70 percent electric production. If we are taxing that, we are taxing people's utility bills. If we go with a renewable energy standard, we can seed and develop the growth of the wind energy business throughout a lot of the country, or biomass, which is helpful to agriculture, and not raise utility rates and not do it by taxing and regulating but, rather, by innovation and investment.

Earlier this week, I met with a number of people from the wind energy business, and they were saying we have had a good run, but it is not going very well now with this economy and without a renewable energy standard. The one we put forward in the Energy Committee has a 15-percent renewable energy standard; 4 percent of that can be met by conservation and 11 percent by renewable production, biomass, wind, and even things such as algae biofuel production, which is very much in the experimental stage, but it is a developing technology.

If we can consider that and do the renewable energy standard portfolio, separate and distinct, and not blend it with cap and trade, I think we can come forward with a good, bipartisan bill that moves us forward off of our energy reliance on foreign fuels and into a cleaner environment. The tax and regulatory structure of a cap-and-trade system would be very harmful on a State such as mine.

Senator BINGAMAN chairs the Energy Committee. He did a markup over a period of 4 weeks that was one of the most impressive markups I have seen, where he worked with everybody to get this bill together on a renewable energy standard. We came out with a bipartisan energy bill on a renewable energy standard. Not everybody got what they wanted; nobody ever does, but it was bipartisan, and it wasn't a cap-and-trade bill, which really sends the bells off for a lot of high energy using States. That is doable, and it is what we ought to do rather than what the House did on cap-and-trade legislation, which passed by the thinnest of margins.

It was basically done completely on Democratic votes, without Republican votes; whereas, the renewable energy standard we passed had a mixture of Republican and Democratic votes and even some Democrats voted against the bill in committee. It is a bipartisan process and one that we can move forward with—not to mention other things.

I just met with a refinery group doing petroleum products—pavement and other things—in the United States. They look to get hit with cap-and-trade legislation—to the point they will be driven out of business. But we are still going to need asphalt in this country.

They are saying: Do you know where it is going to come from? It will come from China and India; they will make the asphalt. Big plants are being planned and built there in anticipation that we will do cap-and-trade legislation and they won't. Their CO_2 emissions are not counted and ours will be and they will sell us the product. That completely defeats the purpose of any type of CO_2 mitigation—just driving the industry overseas. It is going to be more polluting there than here, and the CO_2 emissions that go into the atmosphere affect everybody. It is a bad idea for us to cause that to happen in our own legislation.

Industries are planning on doing that now, just building and moving the industries to China and importing the products back to the United States. That hurts us. That hurts our people, our job formation, and it doesn't help the environment. We have another way. We have a way, through this renewable energy standard, that can actually work.

I ask, as we consider the Agriculture bill and others, that we keep an eye on energy because it is one of the key cost drivers within the industry. It is also one of the key possibilities for us to grow it in the future and grow it for our country. That is why we put some provisions in this Agriculture appropriations bill that are supporting the energy industry in agriculture. But personally—and I know others have different opinions on this—I ask that we don't then hurt it with legislation later on that is not complementary toward it.

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

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

The legislative clerk proceeded to call the roll.

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

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

DR. ROBERT KELEHER

Mr. BROWNBACK. Mr. President, while we have time waiting to clear some amendments, I am also ranking member on the Joint Economic Committee. Today is the last day serving on that committee staff of Dr. Robert Keleher. I rise to recognize him briefly.

He is retiring after many years of valuable service in the Congress. Congressman Jim Saxton, when he was chairman, persuaded Bob to join the committee staff back in 1996, as chief macroeconomist after an already distinguished career. Bob's insightful mind, high standard, and extensive knowledge of economics made him a critical component of the staff for many years.

Before joining the committee staff, Bob's career, including serving as the senior macroeconomist of President Reagan's Council of Economic Advisers in 1985 and 1986, The head of Macro and International Economics at the Federal Reserve Bank of Atlanta, and as a special monetary and economic adviser to the Federal Reserve Board of Governors Vice Chairman Manuel Johnson. I think under anybody's standard, that is a very successful career as an economist.

Bob's contribution to the committee was broad based and valuable. In particular, his early and prolific work on the issue of inflation targeting represents almost the entire body of congressional analysis in this area from 1997 to 2006.

During his career, Bob also conducted research applying the classical principles of economics to tax policy. His research emphasized the important effects that marginal tax rates have on economic behavior, in particular the positive effects that reducing personal marginal rates have on creating incentives for healthy economic growth. We would be wise to take Bob's research findings to heart.

Yet a person's work career is not the only thing that defines him. Bob's work was first rate, relevant, and valuable to members of the committee. But Bob's character as a man, his judgement, and integrity only add to the reasons he will be missed.

Mr. President, I know my colleagues on the committee, from both the Senate and the House, join me in extending a heartfelt thanks to Bob for his years of service and in congratulating him upon his retirement.

Thank you, Bob. We wish you and your family the best. You have earned it. Godspeed.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. KOHL. 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.

AMENDMENTS NOS. 2234, 2225, AND 2226 TO AMENDMENT NO. 1908

Mr. KOHL. Mr. President, I ask unanimous consent to set aside the pending amendment to call up the following amendments which are at the desk: Leahy No. 2234, Murray No. 2225, and Bill Nelson of Florida No. 2226.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Wisconsin [Mr. KOHL] proposes amendments en bloc numbered 2234, 2225, and 2226 to amendment No. 1908.

Mr. KOHL. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 2234

(Purpose: To provide funding for the Office of Inspector General to conduct inspections of the national organic program)

On page 8, line 2, before the period, insert the following: ": *Provided*, That of the amount made available for the Office of Inspector General to conduct investigations such sums as are necessary shall be made available for the inspection of the national organic program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.)".

AMENDMENT NO. 2225

(Purpose: To allow State and local governments to participate in the conservation reserve program)

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. Section 1001(f)(6)(A) of the Food Security Act of 1985 (7 U.S.C. 1308(f)(6)(A)) is amended by inserting "(other than the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of this Act)" before the period at the end.

AMENDMENT NO. 2226

(Purpose: To prohibit funds made available under this Act from being used to enforce a travel or conference policy that prohibits an event from being held in a location based on a perception that the location is a resort or vacation destination)

On page 85, between lines 16 and 17, insert the following:

SEC. 745. No agency or department of the United States may use funds made available under this Act to enforce a travel or conference policy that prohibits an event from being held in a certain location based on a perception that the location is a resort or vacation destination.

Mr. KOHL. I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. KOHL. 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.

AMENDMENT NO. 2234

Mr. KOHL. Mr. President, the Leahy amendment No. 2234 has been approved on both sides, and I urge its adoption.

The ACTING PRESIDENT pro tempore. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment.

The amendment (No. 2234) was agreed to.

Mr. KOHL. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

BOVINE TUBERCULOSIS

Ms. KLOBUCHAR. Mr. President, I seek to clarify with the chairman an effort across two States to address the growing issue of bovine tuberculosis.

I have asked the subcommittee to provide funds for a joint effort between the University of Minnesota and Michigan State University in support of research to prevent the spread of bovine tuberculosis and ultimately eradicate the disease from cattle, deer, and other wildlife. My colleagues from Michigan and I understand the negative economic impacts bovine tuberculosis impose on our States' agricultural industries. In fact, agriculture is the second largest industry in both States, and this research is key to protecting our economies.

However, it is my understanding that this research effort may have been mistakenly associated with Michigan's ongoing eradication efforts.

Mr. KOHL. I thank the Senator from Minnesota for bringing to my attention this issue. I understand the importance of the joint research effort on bovine tuberculosis taking place at the University of Minnesota and Michigan State University.

I will work with Senator KLOBUCHAR to ensure that the bovine tuberculosis joint university research program is addressed as the fiscal year 2010 Agriculture appropriations bill moves through the legislative process.

Ms. KLOBUCHAR. Mr. President, I congratulate the chairman for crafting a strong fiscal year 2010 Agriculture appropriations bill and thank him for his efforts to assist me on this important initiative.

Mr. CONRAD. Mr. President, I rise to offer for the RECORD, the Budget Committee's official scoring of S. 1406, the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act for fiscal year 2010.

The bill, as reported by the Senate Committee on Appropriations, provides $23.1 billion in discretionary budget authority for fiscal year 2010, which will result in new outlays of $17.7 billion. When outlays from prior-year budget authority are taken into account, nonemergency discretionary outlays for the bill will total $24.9 billion.

The Senate-reported bill matches its section 302(b) allocation for budget authority and for outlays.

The bill is not subject to any budget points of order.

I ask unanimous consent that the table displaying the Budget Committee scoring of the bill be printed in the RECORD.

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

S. 1406, Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 2010

[Spending comparisons—Senate-Reported Bill (in millions of dollars)]

	General purpose
Senate-Reported Bill:	
Budget Authority	23,050
Outlays	24,886
Senate 302(b) Allocation:	
Budget Authority	23,050
Outlays	24,886
House-Passed Bill:	
Budget Authority	22,900
Outlays	24,686
President's Request:	
Budget Authority	22,819
Outlays	24,743
Senate-Reported Bill Compared To:	
Senate 302(b) allocation:	
Budget Authority	–
Outlays	–
House-Passed Bill:	
Budget Authority	150
Outlays	200
President's Request:	
Budget Authority	231
Outlays	143

Note: Table does not include 2010 outlays stemming from emergency budget authority provided in the 2009 Supplemental Appropriations Act (P. 1102).

Mr. KOHL. I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. KOHL. 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.

MORNING BUSINESS

Mr. KOHL. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

Mr. KOHL. I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

HEALTH CARE REFORM

Mr. CASEY. Mr. President, I rise today to address a topic we have been debating for many weeks and months but especially the last couple of weeks, and that is health care. We have spent a good deal of time in Washington talking about the details of various provisions, the different ideas that have been introduced in bills and through the work of the committee.

I happen to be a member of the Health, Education, Labor, and Pensions Committee, known by the acronym "HELP." In our committee, we

spent about 60 hours in hearings and 25 hours or so in discussions with our Democratic and Republican colleagues, working through some ideas. We accepted about 160 Republican amendments before our bill came out of committee. As you might know, the vote in committee was 13 Democrats voted for it, 10 Republicans voted against it. But despite that divide in the vote, there was a good exchange on important issues.

Mr. President, you know as well as I do some of the issues with which we are wrestling. We want to try to provide the President a bill that, first of all, in a general sense, provides stability—stability with regard to cost, lowering the cost and also controlling cost, and stability with regard to choices. I believe what we are going to send to the President this fall will allow people to keep the health care they want to keep if they like what they have and are happy with it. But if you don't have any health care or you have a plan that costs too much or is of poor quality, you can choose another option. I hope the options will be both private plans and a public option, but that is a point of contention we will be talking a lot about as well.

Finally, we want to make sure there is quality, at long last that we reach a point where we are introducing quality measures into our health care system. Theories and proposals and strategies have been talked about too much and not enacted or put into the law. There are a lot of good examples by private companies across the country that have wellness policies, that invest in keeping people healthy so they do not have to spend money from our health care system treating a disease—getting out ahead of a problem, so to speak. And there is prevention, with all kinds of ways to save lives, to improve quality, and to save money as well.

I wanted to walk through some provisions in some detail, not to take too much time because I know we are at the end of our week.

First is the fundamental urgency of where we are now. I believe we cannot wait. We have talked this issue to death for the last 15 years especially, since the early 1990s. But even if you look at it beyond that, for about 60 years or so since President Truman introduced this idea of doing something substantial on health care, we have talked about it. The time for action is now. In my judgment, this is no longer just a nice thing to do. It is a necessity for our economy. We cannot even begin to imagine a strong economy over the next decade or longer without health care reform. More American families are unable to get the coverage they need. So where we are now, the status quo, is not just unacceptable, it is economically unsustainable as we debate this issue today.

Let me go to the second chart with that same concept about it being unsustainable, the status quo, staying on the road we are on. Premiums have doubled over the last 9 years, three times faster than wages. If we do nothing in the next 30 years, a third of our economy will be spent on health care. That is unsustainable. Health care spending will increase from $2.5 trillion to $7 trillion in the period between now and 2025.

This might be the most stunning set of numbers of all. Every week, 44,230 people lose their health insurance. We cannot say that enough. We cannot repeat that number enough. How can we build an economy, how can we be a successful, vibrant, growing economy when every single week 44,230 people lose their health insurance? We could chart this just from the time our committee voted the bill out of committee a couple weeks ago in the HELP Committee. Every week since then, more than 44,000 are losing their health insurance.

This is a Pennsylvania number, roughly a 3-year number. From January 2008 to December 2010, the projection is that 178,520 people will lose their coverage. For our State, the Commonwealth of Pennsylvania, that is unsustainable. We cannot grow an economy with those numbers.

Without reform—this is a State of Pennsylvania number—family coverage would cost $26,679 in 2016, consuming 51.7 percent of projected Pennsylvania family median income. I don't know of any family in America, even a very wealthy family, who can pay half their income to health care, certainly not a middle-income family. But that is the road we are on. That is going to happen if we stay where we are and stay with the status quo. And that is 7 years away, that is not 25 or 30 or 50 years. In 7 years, staying on the road we are on means the average family in Pennsylvania is going to have to pay more than half their income to health care. To say that is unsustainable is something that is an assertion of an understatement by a mile.

Here are some of the themes I talked about before—stable costs, secure choices, and quality care. These are some of the themes we have to keep mentioning.

On the lower cost issue, preventing illness and disease, as I said before, does have a cost implication. It is not all the savings, but we know from research and experience that we will have savings.

Uncompensated care. This is a factor we can consider today. People think: I have health care. There are uninsured people out there, maybe 50 million people uninsured. Someone who has health care might think: I wish they could get coverage, but I am afraid if they get coverage, I am going to be paying more. That is a lot of the debate. But what we fail to realize sometimes in the debate is people are paying right now for the uninsured. Having uninsured Americans is not free. We all pay for that, and by one estimate, $1,000 per year for every American who has health insurance.

One of the things we are trying to do in this legislation is to cover 97 percent, or one bill might have it at 95 percent, but above 90 percent of Americans is the goal for coverage.

I go to the next chart on reducing waste, fraud, and abuse. One estimate is we could save $60 billion per year. Some say that is an estimate and that is just what one group said. Let's say it is wrong. Let's say it is not quite $60 billion. What if it is off by a little? What if it is $40 billion? That is still a lot of savings. What if it is $30 billion? What if they are way off? That is a lot of savings every year. But we are not doing that today, preventing that kind of fraud, waste, and abuse.

Capping out-of-pocket limits. Even when they have the benefit of health care delivery, the out-of-pocket costs keep going up and up. So many small businesses worry about this when they are forced, if they want to employ people, to pay more and more, and forcing people to pay more out of their own pockets.

Small businesses and individuals join purchasing pools for lower rates. The reason that is important is because all the desks in this Chamber—every one of us has health care, really good health care, if you are a Federal employee. Thank goodness. I am blessed by that health care. My wife and my four daughters and I all benefit from that, just like every Member of the Senate and every Member of the House and everyone who works in the Federal Government. That is good. Guess what. The reason we have health care and choice of lots of options and plans is because we pool all those people, millions of Americans who happen to be connected in some way to the Federal Government pool. They are in one pool, and that keeps costs down. Why is that good enough for Senators and Congressmen, why is that available to them but small businesses don't have the same plan or the same option available to them? I think every small business in America should have the benefit—the cost-reduction benefit, at a minimum—that comes from pooling their resources and their individuals. That is part of the reform we are talking about. It is not a concept, it is in the bill. And that is important to emphasize.

Finally, if you like what you have, you can keep it. I said that earlier. We should keep saying that because it is important.

Ensuring coverage even when families move, lose a job, or have an illness—why in America, if we can figure out so many complicated things, can't we guarantee when someone loses their job they will not lose their health care? It does not make sense that we have accepted that, tolerated that inequity for so long.

''Gateway'' is a word about which we have been hearing a lot. What does that mean? It is really a marketplace. It allows people to go to a Web site and find out what they want in their health

care plan, not having to read hundreds of pages of fine print that the best lawyers in America sometimes do not understand.

A marketplace is a gateway that allows families and businesses to compare rates, benefits, plans, both private and, we hope—we hope—a public option. Why can you go online and learn about a car or some other major purchase in your life and you can't do the same thing for health care? It is ridiculous, in a word. That is what this would allow—giving people the ability to do just that, just as they do for every other major purchase in their life.

Secure choices is important. Individuals will have their choice of doctors and individualized care. Government and insurance will not interfere in the doctor-patient treatment decisions. I know there is a lot of talk about government getting in the middle. It is just not true, and people know it is not true. We have to make sure people understand that is a fundamental building block of what we are talking about. We want people to be empowered, we want them to have more choices, and we want them to have the choice of both the public option and private plans as well.

I am almost done, Mr. President. My colleague from Arizona is here, and I want to make sure he has his time on Friday to speak.

This is bill language. Sometimes we talk about concepts, and the American people never get to the point of seeing in front of them language from a bill that is actually understandable and is focused on the real problem.

One of the biggest problems people in our State and a lot of States run up against is a preexisting condition prevents them from getting treatment. It is unbelievable that we have tolerated that for so long as well. Why can't we say we are going to pass a law that at long last says a preexisting condition will not prevent you, your son, daughter, spouse, or loved one from getting the care they deserve? We should not have to do it. Insurance companies have forced us to legislate, to make this the law.

Here is the language. It is not complicated. It is not mysterious. It is not lawyer language:

A group health plan and a health insurance issuer offering group or individual health insurance coverage may not impose any preexisting condition exclusion . . .

Let me read that again:

. . . may not impose any preexisting condition exclusion with respect to such plan or coverage.

That is in the bill. It is not a fuzzy concept, it is very specific.

One of the reasons I and so many others are saying we cannot stay on the path we are on, we cannot accept again and again the status quo, is because of that—because the status quo means ''may not impose any preexisting condition exclusion'' does not become part of the law and we have to continue to deal with the horrific and inexcusable nightmare of a preexisting condition preventing someone in America, someone who might be very sick in America, from getting treatment, from getting the benefit of health care they ought to have a right to expect.

So when we pass this bill, we have to make sure people understand that is in the bill, and that is very specific and it is very pointed and focused on a real problem for families.

Finally, children. One of the goals here, obviously, is to make sure that no child, especially poor children and those with special needs, is worse off as a result of this bill. Children are different from adults. They can't be treated the same way. They need strategies and treatments that adults don't have. They have different health care needs. It is critical that children, especially those who are disadvantaged, who happen to be poor, who have special needs, get the highest quality care, which they deserve. That is why I have a resolution as part of that which I have introduced.

Finally, with regard to children—no child worse off. Because we want them to grow into healthy and productive adults, they need to get the highest quality care throughout their childhood. We want them to get from this picture in a crib to that picture getting a diploma. So we want them to have the kind of quality health care that will allow us to prevent disease and illness in a child early enough which will allow them to lead a productive life and get ready to contribute to our great economy and to our great country.

There is a lot to do. There is still more work to do, but we need to continue to talk about what is in these bills and to have a vigorous debate. We are a long way from getting this done, but I believe we are on the right track. I believe it is not only important, but unless we do this, I think we are heading down a path that is unsustainable for our economy, for our country, and especially for our families.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

HOUSE DEFENSE BILL AND EARMARKS

Mr. MCCAIN. Mr. President, I rise to talk for a few minutes about the actions taken by the House of Representatives yesterday when they passed the Defense appropriations bill. It is not a small piece of legislation. It provides $636 billion for defense, and it avoided one veto fight by stripping out funding for advanced procurement of the F–22 fighter jet, but it chose to ignore veto threats over funding for an alternative engine for the F–35 Joint Strike Fighter and the VH–71—incredibly, the VH–71 Presidential helicopter. The House bill provides $560 million to continue pursuing an alternative engine and $485 million for continuation of the VH–71 helicopter. The VH–71 helicopter is the Presidential helicopter, which Secretary Gates has, I think very accurately, derided as one of the most outrageous examples of overspending for any system the Defense Department has ever acquired. The bill also provides $674 million for three C–17 cargo aircraft, not requested in the administration's budget. It has been determined time after time that there is no need for additional C–17 aircraft.

So what did they do in return for continuation of things like a Presidential helicopter that costs more than a 747 and all of these other porkbarrel projects? Well, the House bill reduces funding by $1.9 billion for our request for MRAPs—for MRAPs, the vehicles that are protecting young men and women who are fighting in Iraq and Afghanistan. They reduce the number from what the administration thinks we need—5,244—to 2,000. It is remarkable.

But what I really wanted to talk about for a minute is the 1,100 earmarks totaling $2.8 billion. Of those, 540, totaling $1.3 billion, are slated to go to specific private companies without competition. Remarkable—$1.3 billion. You know, the bill may have language saying funding should be competed, but in reality it is not the case when a specific company is identified in report language.

Also incredibly, there are 70 earmarks in the bill for former clients of the PMA Group—the people whose offices have been raided and shut down. It is currently under investigation by both the Justice Department and the House ethics committee.

Concerning earmark reform, President Obama said:

Earmarks must have a legitimate and worthy public purpose. Earmarks that Members do seek must be aired on those Members' web sites in advance, so the public and press can examine them and judge their merits for themselves. Each earmark must be open to scrutiny at public hearings, where Members will have to justify their expense to the taxpayer.

None of that has happened. The earmarks in the House fail woefully in meeting scrutiny at public hearings. As Representative JEFF FLAKE—a man of great courage and of incredible integrity—so rightfully pointed out when he addressed the earmarks in the bill:

These earmarks receive scant scrutiny by the House Appropriations Committee. The committee's markup of the bill lasted all of 18 minutes. Given the way this bill has been earmarked, you'd never know that serious ethical questions have been raised about this process. Simply put, Members of Congress should not have the ability to award no-bid contracts. Even worse, many times the recipients of these earmarks are campaign contributors. The practice has created an ethical cloud over Congress, and it needs to end.

Congressman FLAKE talked about the ethical cloud over Congress. We know about PMA. Every day, there is a new story about one of these earmarks. I would like to cite two quick examples.

Mr. President, I ask unanimous consent to have printed in the RECORD an article headlined ''nextgov,'' entitled ''Software company won earmarked funds for work on military health records,'' and the other article from Politico entitled ''Exclusive: Earmark critic steered cash to blimp research.''

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

[From NextGov, July 29, 2009]

SOFTWARE COMPANY WON EARMARKED FUNDS FOR WORK ON MILITARY HEALTH RECORDS

(By Bob Brewin)

Adara Networks, the company that is the subject of a Defense Department employee's allegations that it received important software code in advance of winning a sole-source contract to provide hardware and software for a new military electronic health record system, has only between 20 and 50 employees and revenues of $8 million a year, according to online records. But the company has powerful friends in Washington.

Sen. Thad Cochran, R–Miss., inserted earmarks in the fiscal 2008 and 2009 Defense appropriations measures funding work by Adara on Defense health record systems. He also has a pending earmark for Adara in the 2010 Defense appropriations bill.

According to the Center for Responsive Politics, Adara has paid $240,000 in lobbying fees to Gage LLC, a consulting and government affairs firm whose partners include former Sen. Conrad Burns, R–Mont. The firm is headed by Burns' former chief of staff, Leo A. Giacometto.

The bulk of the fees, $160,000, went to Gage last year, making Adara one of the company's biggest sources of revenue in 2008. The Adara lobbying tab from Gage last year matched the fee paid to the lobbying firm by VeriSign, an Internet security company that had revenues of $255 million in the first quarter of this year.

According to a database of federal contract awards, Adara won Defense contracts valued at $7.2 million in 2007 and $13.7 million in 2008.

Cochran's earmarks steered $4 million to Adara last year for work on what was described as a ''next-generation networking electronic medical records project'' and $1.1 million in 2009 for the Strategic/Tactical Resource Interoperability Kinetic Environment (STRIKE) project. Cochran has sought $10 million in Adara funding for the STRIKE project in the 2010 Defense appropriations bill, which is pending in the Senate.

The STRIKE project, according to Cochran's office, is designed to help the Defense Department solve problems of interoperability, scalability, performance and security in its medical information technology systems.

Internal Military Health System briefings show that Adara's NPX routers, which the company says are capable of moving data around faster than rival products, sit at the heart of the new Military Health System electronic record architecture. The routers serve as a bridge between Defense's AHLTA electronic health record system, the Clinical Data Repository that stores more than 9 million military health records, and VA's electronic health record system.

An internal e-mail NextGov obtained shows that the Military Health System tapped Adara to provide software as well as hardware for a new enterprise architecture, including a means of exchanging data and a graphical user interface to view medical records.

In that e-mail, Maj. Frank Tucker, chief of product development for the Defense Health Information Management System at MHS, charged he was directed to provide Adara with software source code and documentation, which he viewed as unethical, because this would give the company a leg-up in any competition.

Tucker alleged Adara was awarded a sole-source contract by the Military Health System, but did not specify the contract's value.

Adara has not returned calls seeking comment from NextGov for the past three days. Cochran's office did not respond to a request for comment placed Wednesday.

[From Politico, July 30, 2009]

EXCLUSIVE: EARMARK CRITIC STEERED CASH TO BLIMP RESEARCH

(By John Bresnahan)

Rep. Pete Sessions—the chief of the Republicans' campaign arm in the House—says on his website that earmarks have become ''a symbol of a broken Washington to the American people.''

Yet in 2008, Sessions himself steered a $1.6 million earmark for dirigible research to an Illinois company whose president acknowledges having no experience in government contracting, let alone in building blimps.

What the company did have: the help of Adrian Plesha, a former Sessions aide with a criminal record who has made more than $446,000 lobbying on its behalf.

Sessions spokeswoman Emily Davis defends the airship project as a worthwhile use of federal funds and says it could eventually lead to thousands of new jobs in Sessions's Dallas-area district.

But the company that received the earmarked funds, Jim G. Ferguson & Associates, is based in the suburbs of Chicago, with another office in San Antonio—nearly 300 miles from Dallas. And while Sessions used a Dallas address for the company when he submitted his earmark request to the House Appropriations Committee last year, one of the two men who control the company says that address is merely the home of one of his close friends.

Jim G. Ferguson IV—the younger half of the father-son team behind Jim G. Ferguson & Associates—told POLITICO that he and his father are trying to build an airship with a ''high fineness ratio'' that can be used in both military and civilian applications.

Fineness ratio is the technical term for the relationship between an airship's length and its diameter; the higher the fineness ratio, the longer and more slender the airship is. A blimp with a very high fineness ratio could fly faster and be able to stay aloft longer—the holy grail for airship designers during the past century.

Yet Ferguson acknowledged that neither he nor his father has a background in the defense or aviation industries, nor any engineering or research expertise.

A search of publicly available records shows no history of the Fergusons ever being involved with the airship industry other than their attendance at a February 2005 Pentagon conference on the subject.

Jim G. Ferguson IV said in an interview that he and his father ''were business people'' and had acquired the patents for building an advanced airship prototype. He said that the two men are playing a supervisory role in the project and ''have obtained world-class experts to work for us.''

According to a statement that Sessions included in the Congressional Record last September, slightly more than half of the $1.6 million earmark was to go toward research and engineering costs. The remainder was for overhead and administrative costs.

''This particular project is focused on study and analysis of the high fineness ratio multimission airship for implementation and deployment in support of the persistent [Defense Department] wide shortfall in intelligence, surveillance and reconnaissance capability,'' Ferguson said in a statement.

The elder Ferguson declined to talk with POLITICO. His son would not provide details on his professional career but did say that he first came to Washington in 1991 to work in the Transportation Department under Secretary Samuel Skinner. He then did advance work for the White House when Skinner became White House chief of staff under President George H. W. Bush.

On Federal Election Commission forms, Ferguson's occupation has been listed at various times as lobbyist, rancher or self-employed investor. When asked about his activities since the first Bush administration, Ferguson said he was ''just working, doing a bunch of different stuff.''

He has also donated money to Sessions and other Republicans. FEC records show that Ferguson contributed $5,000 to Sessions's leadership PAC in October 2007. Overall, Ferguson and his father have given $18,500 to GOP lawmakers over the past six years.

Ferguson declined to describe his relationship with Plesha.

''I've known him for a long time,'' Ferguson said. ''As you know, [Washington] is a small town.''

Likewise, Plesha would not comment about his work with the Fergusons or about any interactions he may have had with Sessions or his office concerning the earmark.

''As a policy, I never discuss anything regarding my clients other than what is already publicly available or required to be disclosed by law—especially for a client such as this where their technology is very much sought after by the larger defense and corporate shipping firms,'' Plesha said in a statement provided to POLITICO.

In 1997—before going to work for Sessions—Plesha was arrested for illegal possession of a handgun in Washington, after he shot a man who was burglarizing his apartment, according to court documents. Plesha claimed he had acted in self-defense, but the burglar said Plesha shot him three times in the back as he was running away. Plesha pled guilty to the handgun charge, was sentenced to 18 months' probation and ordered to do 120 hours of community service.

Within a year, he was working as a campaign manager for Republican House candidate Charles Ball, who was running against then-Rep. Ellen Tauscher (D–Calif.).

In that campaign, the FEC has said that Plesha created a fake Democratic committee to attack Tauscher. The FEC said the committee sent out 40,000 letters and made 10,000 phone calls to Democratic voters in Tauscher's district just prior to the 1998 midterm elections suggesting that Democratic Rep. George Miller was opposing Tauscher's reelection.

But Miller was, in fact, backing Tauscher. The FEC launched an investigation. And in a 2004 news release, the FEC said that Plesha had not only ''authorized and distributed the fabricated letters and calls'' but also ''knowingly made false statements to the FEC'' about them, ''denying involvement in or knowledge of this scheme.''

According to the FEC and court documents, Plesha pled guilty to lying to investigators in the case. He was fined $5,000, placed on three years' probation and ordered to do an additional 160 hours of community service, according to federal court documents. He also entered into a ''conciliation

agreement,'' under which he was to pay a $60,000 civil penalty, the FEC said.

Lobbying disclosure records show that, beginning in November 2005, Ferguson and Plesha lobbied on behalf of Sphere Communications, a division of NEC Corp., the Japanese telecommunications giant. Plesha also worked for a time for a San Francisco-based defense contractor whose employees, FEC records show, had contributed heavily to Sessions and his PAC.

By 2006, lobbying disclosure forms show that Plesha was working for the Fergusons. The records show that he collected $51,400 in fees from the Fergusons during the last six months of 2006; nearly $292,000 more in 2007; and $64,500 in 2008.

The records show that the Fergusons are, by far, Plesha's most lucrative lobbying clients.

Sessions's office said Plesha wasn't given any special access to his former boss.

''His role is clear: He and his client presented a position (i.e., briefing) to the congressman and his staff,'' said a Sessions aide. ''As with any project request, Congressman Sessions evaluates the merits of the project and accordingly makes a decision to either support or decline the request. Based on the project's represented merits, . . . Sessions decided to submit the request to the Appropriations Committee for its review and determination.''

And the Texas Republican still believes in the project, his staff said.

''Based on briefings that Congressman Sessions and his staff have received, projected applications of the technology include military surveillance, fuel-efficient military cargo transportation (especially into areas without adequate infrastructure) and missile defense,'' Davis, the congressman's spokeswoman, said in a statement.

Davis also noted that Sessions has supported a moratorium on all earmarks since the start of the 111th Congress, after the earmark for the Fergusons was approved.

Mr. McCAIN. Quoting from the first article:

Adara Networks, the company that is the subject of a Defense Department employee's allegations that it received important software code in advance of winning the sole-source contract to provide hardware and software for a new military electronic health record system, has only between 20 and 50 employees and revenues of $8 million a year. But the company has powerful friends in Washington. Senator Thad Cochran . . . inserted earmarks in the fiscal 2008 and 2009 Defense appropriations measures funding work by Adara on Defense health record systems. He also has a pending earmark for Adara in the 2010 Defense appropriations bill.

According to the Center for Responsive Politics, Adara has paid $240,000 in lobbying fees to Gage LLC, a consulting and government affairs firm whose partners include former Senator CONRAD Burns, R-Montana. The firm is headed by Burns' former Chief of Staff, Leo A. Giacometto. The bulk of the fees, $160,000, went to Gage last year, making Adara one of the company's biggest sources of revenue in 2008. The Adara lobbying tab from Gage last year matched the fee paid to the lobbying firm by VeriSign, an Internet security company that had revenues of $255 million in the first quarter of this year.

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An internal e-mail NextGov obtained shows that the military health system tapped Adara to provide software as well as hardware for a new enterprise architecture, including a means of exchanging data and a graphical user interface to view medical records. In that e-mail, Major Frank Tucker, chief of product development for the Defense Health Information Management System at MHS, charged he was directed to provide Adara with software source code and documentation, which he viewed as unethical because this would give the company a leg up in any competition. Tucker alleged Adara was awarded a sole-source contract by the Military Health System, but did not specify the contract's value.

There should be a full investigation of that.

Quoting from the Politico story:

Representative Pete Sessions, the chief of the Republicans' campaign arm in the House, says on his Web site that earmarks have become ''a symbol of a broken Washington to the American people.'' Yet in 2008, Sessions himself steered a $1.6 million earmark for dirigible research to an Illinois company whose president acknowledges having no experience in government contracting, let alone in building blimps. What the company did have: the help of Adrian Plesha, a former Sessions aide with a criminal record who has made more than $446,000 lobbying on its behalf.

But the company that received the earmarked funds, Jim G. Ferguson & Associates, is based in the suburbs of Chicago, with another office in San Antonio—nearly 300 miles from Dallas. And while Sessions used a Dallas address for the company when he submitted his earmark request to the House Appropriations Committee last year, one of the two men who control the company says that address is merely the home of one of his close friends.

. . . Ferguson acknowledged that neither he nor his father has a background in the defense or aviation industries, nor any engineering or research expertise.

Finally, it goes on:

. . . more than half of the $1.6 million earmark was to go toward research and engineering costs. The remainder was for overhead and administrative costs.

This is the result—and there are myriad examples—of this earmarking which goes on and on in this year's Defense appropriations bill from the House, and there will be more from the Senate. There are 1,102 earmarks. We can't do that. We have to stop. The American people are very tired of it.

Let me remind my colleagues again about PMA, of which there are some 70 earmarks. The PMA Group was a DC lobbying firm with deep ties to Capitol Hill and a reputation for securing lucrative earmarks for its clients, especially defense earmarks. It boasted more than $15 million in revenue last year. PMA Group clients reportedly received $300 million in defense earmarks for fiscal year 2008 and $317 million for fiscal year 2009. PMA Group and its clients spread around a lot of campaign contributions in an attempt to curry favor with lawmakers. According to one report, the firm had been credited with $1.8 million in contributions since 2001, and that is just the members of the Defense Appropriations Committee.

Last November, the Federal Bureau of Investigation raided PMA's offices and the home of its founder, Paul Magliocchetti. According to news reports, prosecutors were initially focused on whether Mr. Magliocchetti used a Florida wine steward and a golf club executive as a front to funnel illegal donations to lawmakers. The Washington Post examined campaign contributions reportedly given by employees of the PMA Group and found listed in donor records ''several people who were not registered lobbyists and did not work for the lobbying firm,'' including a 75-year-old California man who had never even heard of the firm.

Since then the Department of Justice has raided the offices of a number of PMA clients and their business partners. One former PMA client is accused of giving kickbacks to an ex-Air Force contracting official. A Federal grand jury reportedly subpoenaed records from one U.S. Representative's congressional and campaign offices, and the FBI is interviewing his staffers.

It upsets my colleagues when I talk about corruption in earmarking. I know it is very painful. I do not question the integrity of any of my colleagues. But when something like this PMA situation goes on, the stories are myriad of this influence of special interests at a time where we have nearly 10 percent unemployment in the United States of America, people not able to stay in their homes, people not being able to keep their jobs. If it was ever unacceptable, which it always was, it certainly is unacceptable now.

At some point, the Defense appropriations bill will come to the floor of the Senate. If it is anything like the Defense appropriations bill the House of Representatives passed yesterday, we are going to have a long process because we have to bring this practice to an end.

During the campaign, the President of the United States said we would review every appropriation line by line and do away with those that were unnecessary and unwanted and a waste of the taxpayers' dollars. There is no greater opportunity than there is now.

I appreciate the President's involvement in ending production of the F–22, his involvement in saying the alternate engine is unsustainable for the F–35—continued billions of dollars of funding. But the earmarks are also billions of dollars of waste of the taxpayers' dollars. The earmarks are what bred corruption and the reason we have former Members of Congress residing in Federal prison. It has to be stopped. No contract should be allowed on a noncompetitive basis to be appropriated by the Congress of the United States.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, it is my understanding we are in a period of morning business.

The PRESIDING OFFICER. That is correct.

SMALL BUSINESS/SBIR

Mr. DORGAN. Mr. President, I applaud the Small Business and Entrepreneurship Committee for their efforts in putting together a thoughtful, balanced reauthorization of the Small Business Innovations Research—SBIR—and Small Business Technology Transfer—STTR—programs.

I know the committee is in negotiations with the House trying to reach a good reconciliation with the right parameters. I hope they do, so that we have these programs in place for years to come instead of another short-term extension.

SBIR was set up in 1982 and requires 11 Federal departments and agencies like the Department of Defense, the National Institutes of Health and the National Science Foundation to set aside 2.5 percent of their research and development budgets for small businesses, which is over $2 billion per year. STTR sets aside another 0.3 percent of R&D for small businesses to work in partnership with university and institutional researchers. Both programs have been highly successful, helping propel small business growth, and develop and commercialize the innovations that are the backbone of our economy.

I wanted to share a few facts about small business for the record.

According to the Small Business Administration, small businesses annually create between 60 and 80 percent of the net new jobs in America.

Small businesses produce on average 13 to 14 times more patents per employee than large patenting firms.

Small business employs about 38 percent of the scientists and engineers in America, up from only 6 percent in 1978.

Despite all this growth and stellar track record, small business receives only about 4 percent of Federal extramural research dollars. That needs to change. Small business has proven they can do Federal R&D as well as or better than large business, and they deserve more space at the table.

Small business is going to be the engine that pulls the country out of this recession, like it has so many times in the past. Looking beyond the recession, small business will again develop the innovative technologies in which America consistently leads the world. The Senate bill wisely supports and extends our support for small business's role in growing a vibrant national economy.

In my own State of North Dakota, SBIR has helped fund a number of innovations, and I wanted to mention a few of them.

The Technology Applications Group of Grand Forks, located in the Red River Valley Research Corridor, invented the Tagnite coating system through Army and Navy SBIR funds. The technology allows the military to coat magnesium alloys for parts, ships, helicopters and airplanes in a way that is much less toxic than old processes, cuts down on corrosion, and saves on maintenance.

Agsco of Grand Forks received an SBIR grant that led to development of the SCOIL and SUN-IT II products that enhance crop herbicide effectiveness. Agsco turned their SBIR grants into two products with a great deal of commercial impact.

Dakota Technologies of Fargo has received multiple SBIR grants, including two that led to development of BEAM, or ballast exchange assurance meter, which measures ballast water in ships to make sure they don't contain harmful species or contaminants. BEAM is currently in a pilot program with the Coast Guard.

Back in 2002, I secured funding to develop telepharmacy technology to connect pharmacists directly with patients and pharmacy technicians regardless of their location. Technologies like this have been a boon to rural communities because they allow them to compete on a level playing field with urban areas.

The USDA just awarded Telepharmacy Concepts of Dickinson, ND, with an $80,000 Phase I SBIR award that will allow them to research whether telepharmacy technology could be used for medication therapy management, which is a way to provide patient education, increase medication compliance and improve health care outcomes.

Praxis Strategy Group of Grand Forks has received SBIR awards nine times, including grants from the USDA to develop strategic processes like the High Performance Community Initiative and the Enterprise Homesteading Program that help communities, especially small communities, attract entrepreneurs, develop dynamic economies, and market themselves.

While I am happy with the Senate reauthorization, I am concerned about some of the provisions in the House version we are trying to reconcile it with.

First, the House bill opens participation in SBIR to companies that are majority-owned by venture capital firms. I have nothing against venture capital companies, but the small businesses that they own have already shown they can successfully attract capital in the private market.

SBIR was intended to help small businesses without the connections available to do that. I think the House bill is trying to fix something that isn't broken.

Second, given the long-term success of SBIR and STTR, I think it only makes sense to increase the share of agency funds set aside for small business as the Senate's bill gradually does.

American business has changed dramatically since SBIR was created. Since 1978, the share of scientists and engineers working for small businesses has, as I said, increased from 6 to 38 percent. Funding for SBIR and STTR needs to increase to reflect that reality. I am concerned that the House bill keeps their allocations where they have been for 27 years, despite the successful track record of the programs. Given the figures I have quoted previously, increasing the set-aside from 2.5 to 3.5 percent is the very least we should do.

Small business is the core of our country's economy, and we have here a program that has a strong track record of encouraging growth and innovation in that area. I urge the program's reauthorization with the principles of Senate bill S. 1233.

ZERO TOLERANCE FOR VETERANS HOMELESSNESS ACT

Mr. BOND. Mr. President, I wish to speak on the introduction of S. 1547—the Zero Tolerance for Veterans Homelessness Act. I am very proud to be an original cosponsor of this legislation and to join my good friend, Senator JACK REED, along with Senators TIM JOHNSON and PATTY MURRAY, on addressing the tragedy of homelessness among our Nation's veterans. My three colleagues have been steadfast in their resolve to address the needs of veterans, including the tragedy of homelessness, and I commend them.

Senator REED has been a strong and committed leader on affordable housing and homeless issues and his leadership played a strong role in the recent enactment of the historic Homeless Emergency Assistance and Rapid Transition to Housing Act or HEARTH Act. I am honored to join him again.

Like the HEARTH Act, the Zero Tolerance for Veterans Homelessness Act builds on our work over the past several years by focusing on the importance of permanent supportive housing. Further, it takes important steps to break down the barriers between the Departments of Veterans Affairs, VA, and Housing and Urban Development, HUD, to ensure that veterans receive the quality services and housing they deserve and need.

The most notable element of the legislation is the authorization of HUD–VA Supportive Housing or HUD–VASH rental-assistance vouchers. Working with Senator PATTY MURRAY, new HUD–VASH vouchers have been funded over the past 2 years. While other HUD homeless-assistance programs serve veterans, HUD–VASH is the only permanent housing program that is specifically targeted to veterans and tied to veteran-specific supportive services from the VA.

We have been fortunate to fund 10,000 new vouchers each year but with over

130,000 homeless veterans on any given night and thousands more who are at risk of becoming homeless, we must do more and this bill does exactly that.

As I noted, there are over 130,000 homeless veterans in America. Sadly, veterans make up a significant and disproportionate amount—over 20 percent—of the country's homeless population. Many of these veterans are from the Vietnam war. Even more sad and stunning is the fact that the number of homeless Vietnam-era veterans is greater than the number of service persons who died during that war.

But the face of homeless veterans is changing and is not limited to those who fought in Vietnam. We also are seeing homelessness increase among Desert Storm veterans and veterans returning from the ongoing conflicts in Iraq and Afghanistan.

In addition, recent reports are finding a troubling trend of homelessness among female veterans. The VA estimates that the number of homeless veterans who are female has doubled over the past decade. And many homeless female veterans carry the burden of being single parents.

This bill that I cosponsor sends a loud and clear message that homelessness among our veterans is unacceptable and intolerable.

As I have stated in previous speeches, homelessness is thankfully no longer a hopeless situation. We have learned that permanent housing tied to supportive services, such as mental health care and job training, was the antidote to homelessness. Nevertheless, we must continually adjust our programs to meet the changing composition of homelessness.

Before closing, I comment on a couple of other items that will help to prevent and end homelessness among our Nation's veterans.

First, we must improve the coordination between the Department of Defense, DOD, and the VA. Specifically, DOD, and VA can prevent homelessness among veterans by improving discharge planning and coordination of the medical programs between the two Departments.

Second, we must find ways to improve the integration of HUD–VASH programs with services that deliver job training, employment, education, and health care. Specifically, we need to integrate fully the Department of Labor's Homeless Veterans' Reintegration Program and programs run by the Department of Health and Human Services' Substance Abuse and Mental Health Services Administration.

The U.S. Interagency Council on Homelessness was reactivated to address the coordination between Federal agencies. It is my hope that the ICH will work within existing authorities to address the DOD and other service integration issues that I have raised, and come forward with specific recommendations for the Congress to consider. I also look forward to working with Senator REED and others to address these issues as we move this bill through the legislative process.

Again, I thank Senator JACK REED for his leadership and commitment on issues related to housing, veterans, and national security. I strongly urge my colleagues to support this bipartisan legislation.

TRIBUTE TO COMMAND SERGEANT MAJOR MICHAEL W. GLAZE

Mr. GRAHAM. Mr. President, I rise today to recognize and pay tribute to Command Sergeant Major Michael W. Glaze, the Regimental Command Sergeant Major of the Judge Advocate General's Corps, United States Army, for his many years of exceptionally meritorious service to our country. Command Sergeant Major Glaze will retire from the United States Army on September 1, 2009, having completed a distinguished 32-year military career. 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.

He was born in Frankfurt, Germany in 1960, where his father was stationed at the time, his father retired from the U.S. Army with the rank of Sergeant Major. He enlisted in November 1977, completed Basic Training at Fort Knox, Kentucky, Advanced Individual Training at Fort Benjamin Harrison, Indiana and Airborne School at Fort Benning, Georgia. His initial assignments as a Legal Specialist were at Fort Bragg, North Carolina, and Schofield Barracks, Hawaii. He then returned to Fort Bragg as a Legal Noncommissioned Officer. Recognized for his superior performance, he then served in the Office of the Chief of Staff of the Army, where he deployed to Kuwait. Following redeployment, he served at the Chief Paralegal at the Fort Belvoir legal office and at the United States Army Special Operations Command at Fort Bragg. In July 1998, Command Sergeant Major Glaze was selected as the Chief Paralegal for XVIII Airborne Corps at Fort Bragg, North Carolina, where he deployed on several occasions to Iraq and Afghanistan to check on the welfare of his Soldiers.

Command Sergeant Major Glaze was selected to be the 10th Regimental Sergeant Major for the Judge Advocate General's Corps in 2004. On the 2nd day of October 2006, he was appointed to Command Sergeant Major, the first Command Sergeant Major in the 234-year history of the United States Army Judge Advocate General's Corps. As the Command Sergeant Major of the Judge Advocate General's Corps from March 2004 to September 2009, he was the principal advisor to the Judge Advocate General of the Army and the Deputy Judge Advocate General regarding all enlisted matters for a multi-component force. Additionally, he expertly managed the final stages of the Noncommissioned Officers Academy at the Judge Advocate General's Legal Center and School, and directed the final process for professional accreditation.

Command Sergeant Major Glaze's military awards and decorations include: Meritorious Service Medal, Army Commendation Medal, Army Achievement Medal, Good Conduct Medal, National Defense Service Medal, Southwest Asia Service Medal, Armed Forces Service Medal, Humanitarian Service Medal, Military Outstanding Volunteer Service Medal, Noncommissioned Officer Professional Development Ribbon, Army Service Ribbon, Overseas Service Ribbon, the Kuwait Liberation Medal and he is also authorized to wear the Parachutist Badge.

A Soldier who embodies the very best of Army Values and the Noncommissioned Officer's Creed, Command Sergeant Major Glaze trained and mentored a Noncommissioned Officer Corps that truly is the backbone of the Judge Advocate General's Corps. His integrity is impeccable, his counsel is widely sought, and he remains deeply committed to his Soldiers and their families. He is a leader whose honor and candor were the hallmark of a career spent in selfless service to the Judge Advocate General's Corps, and the United States Army. I know all my colleagues join me in saluting Command Sergeant Major Michael W. Glaze and his wife, Debbie, for their many years of truly outstanding service to the Judge Advocate General's Corps, the United States Army, and our great Nation.

CAP AND TRADE

Mr. BARRASSO. Mr. President, I rise today to highlight the impact of cap and trade legislation on American agriculture.

Mr. President, the House and Senate Western Caucuses yesterday hosted a hearing entitled, Cap and Trade: Impact on Jobs in the West and the Nation. Jim Magagna, the Executive Vice President of the Wyoming Stock Growers Association testified at the Hearing.

I want to thank Jim for all he has done for agriculture in Wyoming. I also ask unanimous consent that his statement from yesterday's hearing be printed in the RECORD.

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

TESTIMONY OF JAMES H. MAGAGNA, EXECUTIVE VICE PRESIDENT, WYOMING STOCK GROWERS ASSOCIATION

Co-Chairmen and Members of the Senate Western Caucus and House Western Caucus:

I am Jim Magagna, Executive Vice President of the Wyoming Stock Growers Association (WSGA), the 137 year old voice of the Wyoming cattle industry. I am also a lifelong sheep producer and former president of the American Sheep Industry Association and the National Public Lands Council. I appreciate the opportunity to appear before you today to share my perspective on the

impacts of cap and trade legislation on jobs in the agricultural sector, particularly in the West.

My comments today will focus on four primary areas of cap and trade impacts on agriculture: 1) Input costs; 2) Prices received; 3) International trade and competition; and 4) unintended environmental consequences. I will also briefly discuss the role of proposed agricultural offsets. In addition to providing an analytical overview, I will attempt to put a personal face on these issues by introducing comments provided to me by Wyoming agricultural producers.

JOBS

It is difficult to ascertain actual numbers of potential lost jobs and lost new employment opportunities due to the impact that cap and trade legislation would have on agriculture. As smaller agricultural production enterprises succumb to the cost-price squeeze exacerbated by the impacts of cap and trade, farmers and ranchers will be forced to enter the non-agricultural job market in increasing numbers. This will particularly impact our young producers—those who represent a bright future for American agriculture. In the United States agricultural jobs are ''green jobs'' contributing to the sustainable management of our natural resources.

A decline in the number and size of agricultural enterprises has a direct impact on jobs in supporting industries. These include animal pharmaceuticals, fertilizers, feeds, farm equipment, fencing and tack. While many of these jobs are located in manufacturing centers, a significant number are sales and support positions in the field.

As agriculture declines so do our small western communities. In many small towns in Wyoming the survival of local businesses—the tire shop, repair service, bank, grocery store—is dependent on the economic strength of the agricultural sector. I am confident that this is true in many of your states as well. These losses in turn affect the public sector—schools, senior centers, hospitals and clinics. The result is both a loss of jobs and a loss of a culture and way of life.

INPUT COSTS

Agriculture is heavily energy dependent. While the energy needs of cultivated crop production are generally acknowledged and serve as the basis for most studies, the energy costs of those engaged in livestock production, in particular range sheep and cattle operations, are seldom analyzed. Livestock production and native hay production are the primary agricultural enterprise in many of our western states. In Wyoming livestock production accounts for over 82% of total cash receipts from agriculture.

The overwhelming prices of diesel, gasoline and propane in 2008 provide us with a preview of the impacts of high energy costs. Many of my members who had already taken all feasible steps to drastically reduce their input costs began to plan their exit from production agriculture. Fortunately, the relief in energy prices in 2009 has given them some renewed optimism. The primary energy focused input costs for agriculture include: direct purchases of fuels and electricity (13%); fertilizer & pesticide costs (7%); feed costs (25%); and transportation/storage costs (1%). According to the latest available USDA NASS data these components constituted over 45% of total purchased inputs excluding seed and livestock. As one WSGA member recently noted, ''These costs are already stifling growth and regular, necessary maintenance items. Any additional costs imposed by government are obviously another blow to any size business.''

The EPA analysis of HR 2454 conservatively projects the impact of cap and trade legislation on energy prices for the period from 2015 to 2050. Price increases for electricity range from 10.7% in 2015 to 35.2% in 2050. For natural gas the corresponding increases are 7.4% and 30.9% while impacts on petroleum prices are projected at 3.2% and 14.6%. Agriculture simply cannot absorb these incremental increases to already rising production costs in the light of current flat to declining prices for many commodities.

Western open-range livestock operations are typically overlooked by analysts studying overall agricultural impacts. This is true for both EPA and USDA analysis of the impacts of cap and trade legislation. While per acre energy costs may be almost negligible, several factors contribute to high overall costs. Ranchers must often travel long distances with 4-wheel drive vehicles pulling trailers to check their livestock, pastures and waters. Winter feeding requires heavy duty tractors and equipment. Federal land grazing permittees face increasing energy related costs as they implement intense rotational grazing systems requiring frequent movement of livestock and increased sources of water. In addition, livestock must often be moved from one allotment to another using either rancher owned or contract trucks. Similarly, hay and supplemental feeds are often trucked very long distances.

PRICES RECEIVED

The cliché that agricultural producers are price takers has a solid foundation in market analysis. While some inroads have been made in recent years in vertical integration through retained ownership, the use of cooperatives and marketing affiliations, livestock in particular are most often sold to the highest bidder. Thus, while some of the added energy costs of processing and transporting agricultural products will flow to the consumer, much of this cost increase will be reflected in prices received by producers. The recently released analysis of the agricultural impacts of cap and trade by USDA fails to even address the prices received side of the equation. (''A Preliminary Analysis of the Effects of HR 2454 on U.S. Agriculture'', USDA, Economic Research Service, July 22, 2009).

Western cow/calf producers typically sell either calves or yearlings which eventually move to a feedlot. While we have seen growing demand for ''grass fed beef'', grain fed products remains the preference of most consumers. Thus, corn prices drive fed cattle prices. The dramatic increase in corn prices fueled by the ill-advised government mandates and subsidies for ethanol production have resulted in losses to cattle feeders ranging from $100 to $140 per head. Feeders are facing increased costs from EPA regulatory mandates under the Clean Water Act and Clean Air Act. As feeders seek to recover from this blow, feeder cattle prices may reach five-year lows this fall. Proposed cap and trade legislation will only fuel this trend.

A analysis of crop production costs under 2008 Senate energy legislation (S. 2191) using scenarios from an EPA study demonstrates that the cost of producing an acre of corn could be expected to rise from $40 per acre to $80 per acre. (''An Analysis of the Relationship Between Energy Prices and Crop Production Costs'', Doane Advisory Services, May 2008) The cost of transporting this corn to feedlots will increase proportionately.

Transportation of livestock, crops and food products is an inherent component of U.S. agriculture. A typical calf leaving a Wyoming ranch may travel to a calf lot in another state for the winter, return to a summer pasture in the West the following summer, then move to a feedlot before finally being shipped to a processing facility. The added costs of transportation projected to accrue from cap and trade will affect the value of this calf at every level.

INTERNATIONAL TRADE AND COMPETITION

Today most major agricultural products, both crops and livestock, produced in the United States are dependent on global markets. Market growth is expected to occur primarily in the export arena. U. S. food products are in great demand due to our high quality food safety standards and environmentally friendly production methods. However, U. S. agriculture struggles to remain price competitive. The cumulative added input costs at all levels that are inevitable under cap and trade will further erode our competitiveness.

If the U.S. is to remain committed to providing global market access for its agricultural production, we cannot make unilateral commitments to GHG reduction. To date China and India, key export markets, have explicitly declined to commit to a reduction in carbon emissions. Cap and trade legislation, if adopted by Congress, should be made contingent on Senate ratification of an international commitment that imposes comparable standards on all countries.

UNINTENDED ENVIRONMENTAL CONSEQUENCES

Cap and Trade is being offered as a response to climate change. Though the relationship remains tenuous and unproven, it is important to assess the broader environmental impacts of this legislation. As specifically related to agriculture, the economic costs of cap and trade will make it more difficult for some to continue and to enhance agricultural practices that have no proven environmental benefits. Two examples in the ranching field immediately come to mind. First, rotational grazing has been shown to improve forage production with benefits to the environment and wildlife, including endangered species. These management systems require more intense management, fencing, water development and regular movement of livestock. All of these activities will become significantly more costly under cap and trade. Second, ranchers currently spend $5,000 to $10,000 per well to convert from generators or undependable windmills to solar pumping. Environmental benefits accrue both from less use of gas engines and less need to visit the pumping sites. However, the cost of solar pumping conversions can be expected to rise significantly in response to cap and trade.

AGRICULTURAL OFFSETS

The agricultural and forestry related offsets incorporated in Title V of HR 2454 have the potential to benefit forestry and, to a lesser extent, crop production. The level of benefit and the practicality of administration of the program remain in question. However, there is little evidence to support the USDA analysis that, according to Secretary Vilsack, ''opportunities for farmers and ranchers can potentially outpace—perhaps significantly—the costs from climate change legislation.'' Significantly, USDA's own analysis of carbon sequestration potential by region, based on a carbon price of $34/metric ton demonstrates virtually no potential for offsets in the Mountain Region. While the greatest potential is shown for the Pacific Region, (over 150 million metric tons), nearly all of this is achieved through ''afforestation from pasture''. (Figure 4—Carbon Sequestration Potential by Region, ''A Preliminary Analysis of the Effects of H.R. 2454 on U.S. Agriculture'', USDA, Economic Research Service, July 22, 2009). This translates to thousands of acres removed from valuable pastureland for our livestock. It is clear to me that, in touting the benefits of agricultural offsets, our western states have been ignored.

A RETURN TO JOBS

In closing I would like to return to the issue that is the primary focus of today's hearing—jobs. Agricultural jobs range from basic manual labor to highly skilled crop and livestock production positions. For many individuals agricultural work is both a profession and a passion. According to the 2007 Ag Census there are nearly 10,000 hired agricultural workers in my state of Wyoming. Over one-half of these work less than 150 days per year days at their agricultural job. These part time jobs are essential to both Wyoming agriculture and to the families that they help to support. They are at the highest risk in the cost/price squeeze that will be exacerbated by cap and trade.

Wyoming's experience shows that there is a well-established progression in job losses related to diminishing agricultural profitability among small and medium sized operations. First the ''hired help'' is dismissed. This has already been occurring at a rapid rate in our ranching industry due to drought, input costs and livestock prices. As the squeeze continues and the operation can no longer support two or more generations, the younger family leaves the farm or ranch to seek employment elsewhere. As a financial crisis approaches, the older generation ''retires'' and the land is sold to developers. I am sure that this scenario repeats itself in many of your states. Agriculture holds multigenerational families together. When the agricultural operation ceases, these generational ties are lost, communities disintegrate and a critical skill-set disappears. Our ability to feed ourselves as a nation is diminished. This is a price that our nation cannot afford to pay for a cap and trade system that is at best an uncertain response to unsubstantiated climate change concerns. In the words of one successful young southeastern Wyoming crop and livestock producer, ''Even though there may be some benefits, dad and I both agree that we don't have confidence in our government to successfully implement such a system.''

I look forward to your questions.

COMMENDING DAVID LUSK

Mr. LEAHY. Mr. President, I am pleased to inform the Senate about a Vermonter whose work has been a unique and meaningful contribution to the Burlington International Waterfront Festival, a celebration of the 400th anniversary of French explorer Samuel de Champlain's arrival at Lake Champlain. Vermont poet David Lusk is using his craft to recreate experiences that are inspired by the surrounding Vermont communities, the lake's natural history, the more than 300 documented shipwrecks, and the rare prehistoric artifacts that lie on the lake's floor. Mr. Lusk's poems also draw from maritime literature and his visits to the shipwrecks that he has taken with guides from the Lake Champlain Maritime Museum. He intends to create a collection of poems called ''Lake Studies: Meditations on Lake Champlain.'' Mr. Lusk says the poems strive to ''reflect our mutual associations with these mysteries and to suggest something of our own psychological complexity in the process.''

Below is a poem that Mr. Lusk shared with those attending the opening ceremony at the Burlington Waterfront on July 2, 2009, for the celebration of the 400th anniversary of Samuel de Champlain's explorations. I ask that the text of his poem be printed in the RECORD.

SUNSET ON MALLET'S BAY

(By David Lusk)

For just an instant
as the sun reclines
between wooly clouds
and profound, lavender
pillows of the mountains

a flock of sheep
will appear to cross
the glimmering road
of iridescent silver
creasing the broad back
of the lake.

See—here they come,
the little sheep,
huddled together, afraid.

—for L.J. and Beth

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1552. A bill to reauthorize the DC opportunity scholarship program, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. GRASSLEY (for himself, Mr. JOHANNS, Mr. BROWNBACK, Mr. LUGAR, and Mr. HARKIN):

S. 1553. A bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HARKIN (for himself, Mr. FRANKEN, Mr. KERRY, and Mr. SCHUMER):

S. 1554. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to prevent later delinquency and improve the health and well-being of maltreated infants and toddlers through the development of local Court Teams for Maltreated Infants and Toddlers and the creation of a National Court Teams Resource Center to assist such Court Teams, and for other purposes; to the Committee on the Judiciary.

By Mr. MARTINEZ (for himself, Mr. BAYH, Ms. COLLINS, Mr. BENNET, Mr. FEINGOLD, and Mr. TESTER):

S. 1555. A bill to establish the Office of the National Alzheimer's Project; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 229

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 229, a bill to empower women in Afghanistan, and for other purposes.

S. 423

At the request of Mr. REID, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 423, a bill to amend title 38, United States Code, to authorize advance appropriations for certain medical care accounts of the Department of Veterans Affairs by providing two-fiscal year budget authority, and for other purposes.

S. 585

At the request of Mr. AKAKA, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 585, a bill to provide additional protections for recipients of the earned income tax credit.

S. 644

At the request of Mr. CHAMBLISS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 644, a bill to amend title 10, United States Code, to include service after September 11, 2001, as service qualifying for the determination of a reduced eligibility age for receipt of nonregular service retired pay.

S. 941

At the request of Mr. CRAPO, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 1038

At the request of Mrs. FEINSTEIN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1038, a bill to improve agricultural job opportunities, benefits, and security for aliens in the United States and for other purposes.

S. 1065

At the request of Mr. BROWNBACK, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1065, a bill to authorize State and local governments to direct divestiture from, and prevent investment in, companies with investments of $20,000,000 or more in Iran's energy sector, and for other purposes.

S. 1066

At the request of Mr. SCHUMER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1066, a bill to amend title XVIII of

the Social Security Act to preserve access to ambulance services under the Medicare program.

S. 1130

At the request of Ms. SNOWE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1130, a bill to provide for a demonstration project regarding Medicaid reimbursements for stabilization of emergency medical conditions by non-publicly owned or operated institutions for mental diseases.

S. 1155

At the request of Ms. COLLINS, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 1155, a bill to amend title 38, United States Code, to establish the position of Director of Physician Assistant Services within the office of the Under Secretary of Veterans Affairs for health.

S. 1304

At the request of Mr. GRASSLEY, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1304, a bill to restore the economic rights of automobile dealers, and for other purposes.

S. 1428

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1428, a bill to amend the Toxic Substances Control Act to phase out the use of mercury in the manufacture of chlorine and caustic soda, and for other purposes.

AMENDMENT NO. 2226

At the request of Mr. NELSON of Nebraska, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Nevada (Mr. ENSIGN) were added as cosponsors of amendment No. 2226 proposed to H.R. 2997, a bill 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.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2233. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to 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 ordered to lie on the table.

SA 2234. Mr. LEAHY proposed an amendment to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra.

SA 2235. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2236. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2237. Mr. DODD (for himself, Mr. KENNEDY, Mr. REED, Mr. LIEBERMAN, Mr. WHITEHOUSE, and Mr. KERRY) submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2238. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr . BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2239. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2240. Mr. BARRASSO (for himself, Mr. VITTER, Mr. HATCH, Mr. ROBERTS, Mr. ENZI, Mr. THUNE, and Mr. JOHANNS) submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2233. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to 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 ordered to lie on the table; as follows:

On page 59, line 22, strike ''2,995,218,000'' and insert ''3,230,218,000''.

On page 60, line 9, strike ''and''.

On page 60, line 12, after ''expended'', insert ''; and $235,000,000 shall be derived from tobacco product user fees authorized by the Family Smoking Prevention and Tobacco Control Act (Public Law 111–31) and shall be credited to this account and remain available until expended''.

On page 60, line 14, strike ''and'', and insert '', and tobacco product'' after ''generic drug''.

On page 61, line 12, strike (7) and insert ''(8)''; after ''Research;'' insert ''(7) $216,523,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs;''; and strike ''$115,882,000'' and insert ''$117,225,000''.

On page 61, line 15, strike ''(8)'' and insert ''(9)''.

On page 61, line 16, strike ''$168,728,000'' and insert ''$171,526,000''.

On page 61, line 17, strike ''(9)'' and insert ''(10)''.

On page 61, line 18, strike ''$185,793,000'' and insert ''$200,129,000''.

SA 2234. Mr. LEAHY proposed an amendment to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to 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; as follows:

On page 8, line 2, before the period, insert the following: '': *Provided*, That of the amount made available for the Office of Inspector General to conduct investigations such sums as are necessary shall be made available for the inspection of the national organic program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.)''.

SA 2235. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to 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 ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. (a) In this section, the term ''discretionary spending'' means all amounts provided under this Act other than amounts provided for programs funded through direct spending (as defined in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985(2 U.S.C. 900(c)).

(b) Notwithstanding any other provision of this Act, each discretionary spending amount provided by this Act is reduced by the pro rata percentage required to reduce the total discretionary spending amount provided by this Act to $20,721,900,000.

SA 2236. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to 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 ordered to lie on the table; as follows:

On page 31, line 19, strike ''2250a.'' and insert the following:

2250a: *Provided further*, That, of the funds made available by this Act for the conduct of activities by the Natural Resources Conservation Service in the State of Maine, not less than $1,500,000 shall be used to carry out irrigation activities.

SA 2237. Mr. DODD (for himself, Mr. KENNEDY, Mr. REED, Mr. LIEBERMAN, Mr. WHITEHOUSE, and Mr. KERRY) submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to 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 ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. (a) Notwithstanding any other provision of law, the Secretary of Agriculture shall consider the following communities and municipal districts to be rural areas for purposes of eligibility for water or waste disposal grants and direct or guaranteed loans described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009d(d)(2))):

(1) The unincorporated community of Bourne, in Barnstable County, Massachusetts.

(2) The unincorporated community of Charlton, in Worcester County, Massachusetts.

(3) The unincorporated community of Dudley, in Worcester County, Massachusetts.

(4) The North Raynham Water District, in Bristol County, Massachusetts.

(5) The Bolton Lakes Regional Water Pollution Control Area, in Tolland County, Connecticut.

(6) The Cherry Valley/Rochdale District, in Worcester County, Connecticut.

(7) The North Tiverton Fire District, in Newport County, Rhode Island.

(8) The Harrisville Fire District, in Providence County, Rhode Island.

(b) Notwithstanding any other provision of law, the Secretary of Agriculture shall consider the following communities and municipal districts to be rural areas for purposes of eligibility for community facility direct and guaranteed loans and grants under section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)):

(1) The town of North Kingstown, Rhode Island.

(2) The town of Newtown, in Fairfield County, Connecticut.

(3) The town of Windham, in Windham County, Connecticut.

SA 2238. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to 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 ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. Section 1506(e)(2)) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773(e)(2)) is amended by adding at the end the following:

''(C) MULTIGENERATIONAL DAIRY PRODUCERS.—In addition to the payment quantity limitation for all producers on a single dairy operation established under subparagraph (A), the Secretary shall establish a separate payment quantity limitation for each producer on a single dairy operation who, as determined by the Secretary—

''(i) is a lineal descendant of another producer who—

''(I) owns or operates the single dairy operation; and

''(II) is eligible to receive a payment subject to all or part of the payment quantity limitation for the single dairy operation established under subparagraph (A);

''(ii) is a producer with respect to the dairy operation, as determined by the Secretary in accordance with the standards described in subparagraph (B); and

''(iii) uses the income from the dairy operation to support the family of the producer.''.

SA 2239. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to 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 ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds appropriated by this Act for the Food and Drug Administration may be used to prevent an individual not in the business of importing a prescription drug (within the meaning of section 801(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(g))) from importing a prescription drug from Canada that complies with the Federal Food, Drug, and Cosmetic Act: *Provided,* That the prescription drug may not be—

(1) a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); or

(2) a biological product, as defined in section 351 of the Public Health Service Act (42 U.S.C. 262).

SA 2240. Mr. BARRASSO (for himself, Mr. VITTER, Mr. HATCH, Mr. ROBERTS, Mr. ENZI, Mr. THUNE, and Mr. JOHANNS) submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to 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 ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. (a) Not later than 60 days after the date of enactment of this Act, the Secretary of Agriculture shall complete a State-by-State analysis of the impacts on agricultural producers of the American Clean Energy and Security Act of 2009 (H.R. 2452, as passed by the House of Representatives on June 26, 2009) (referred to in this section as ''H.R. 2452'').

(b) In conducting the analysis under subsection (a), the Secretary shall—

(1) use a range of peer-reviewed analyses of H.R. 2454 conducted by public and private entities, including land grant universities;

(2) consider a scenario in which the fertilizer industry does not receive any free allowances under H.R. 2454;

(3) consider the impacts of H.R. 2454 on a range of fishing, aquaculture, livestock, poultry, and swine production and a variety of crop production, including specialty crops; and

(4) analyze projected land use changes, afforestation patterns, and other market incentives created by H.R. 2454 that may impact food or agriculture commodity prices, including specific acreage estimates of parcels of land planted with trees in the United States.

PRIVILEGES OF THE FLOOR

Mr. BROWNBACK. Mr. President, I ask unanimous consent that Melanie Benning from my office be granted floor privileges during consideration of H.R. 2997.

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

PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE HOUSE AND A CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE

Mr. REID. I ask unanimous consent the Senate proceed to H. Con. Res. 172.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 172) providing a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. I ask unanimous consent the concurrent resolution be agreed to and the motion to reconsider be laid on the table.

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

The concurrent resolution (H. Con. Res. 172) was agreed to, as follows:

H. CON. RES. 172

Resolved by the House of Representatives (the Senate concurring), That, in consonance with section 132(a) of the Legislative Reorganization Act of 1946, when the House adjourns on the legislative day of Friday, July 31, 2009, Saturday, August 1, 2009, or Sunday, August 2, 2009, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, September 8, 2009, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, August 6, 2009, through Tuesday, August 11, 2009, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, September 8, 2009, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 265, 267, 319, 329, 330, 332, 334 to and including 367, 369, and all nominations on the Secretary's desk in the Air Force, Army, and Navy en bloc; that the nominations be confirmed en bloc and the motions to reconsider be laid on the table en bloc; that no further motions be in order and any statements relating thereto be printed in the RECORD; and the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF STATE

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.

Nancy J. Powell, of Iowa, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Director General of the Foreign Service.

Earl Michael Irving, of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Swaziland.

Donald Henry Gips, of Colorado, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of South Africa.

DEPARTMENT OF THE INTERIOR

Samuel D. Hamilton, of Mississippi, to be Director of the United States Fish and Wildlife Service.

OFFICE OF PERSONNEL MANAGEMENT

Christine M. Griffin, of Massachusetts, to be Deputy Director of the Office of Personnel Management.

DEPARTMENT OF ENERGY

Richard G. Newell, of North Carolina, to be Administrator of the Energy Information Administration.

IN THE AIR FORCE

The following named office for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Gary L. North

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Frank Gorenc

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Ronnie D. Hawkins, Jr.

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Philip M. Breedlove

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Raymond E. Johns, Jr.

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Colonel Howard B. Baker

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brigadier General Noel T. Jones

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Bart O. Iddins

IN THE ARMY

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., sections 624, 3037, and 3064:

To be brigadier general, Judge Advocate General's Corps

Col. Thomas E. Ayres
Col. Mark S. Martins
Col. John W. Miller, II

The following named officer for appointment as The Judge Advocate General, United States Army and for appointment in the United States Army to the grade indicated while serving as The Judge Advocate General, in accordance with title 10, U.S.C., sections 3047, 3064 and 624:

To be lieutenant general

Brig. Gen. Dana K. Chipman

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Daniel L. York

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12211:

To be brigadier general

Col. Charlotte L. Miller

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. John E. Sterling, Jr.

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Purl K. Keen

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Lloyd J. Austin, III

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Kenneth W. Hunzeker

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Robert P. Lennox

The following named officer for appointment as Deputy Judge Advocate General, United States Army and for appointment in the United States Army 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, 3064, and 624:

To be major general

Brig. Gen. Clyde J. Tate, II

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Ricky Lynch

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Michael D. Barbero

IN THE MARINE CORPS

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Willie J. Williams

The following named Marine Corps officer for reappointment as the Vice Chairman of the Joint Chiefs of Staff and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 154:

To be general

Gen. James E. Cartwright

IN THE NAVY

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Randolph L. Mahr
Capt. Timothy S. Matthews

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Gretchen S. Herbert
Capt. Diane E. H. Webber

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Paul B. Becker
Capt. Elizabeth L. Train

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Dennis J. Moynihan
Capt. Harold E. Pittman

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Richard D. Berkey
Capt. David H. Lewis

The following named officer for appointment as Deputy Judge Advocate General of the Navy and for appointment to the grade indicated under title 10, U.S.C., section 5149:

To be rear admiral

Capt. Nanette M. Derenzi

The following named officer for appointment as The Judge Advocate General of the United States Navy and for appointment to the grade indicated in accordance with title 10, U.S.C., section 5148:

To be vice admiral

Rear Adm. James W. Houck

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be admiral

Adm. Robert F. Willard

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Clinton F. Faison, III

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Eleanor V. Valentin

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Mark A. Handley
Rear Adm. (lh) Christopher J. Mossey

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Captain Richard P. Breckenridge
Captain Thomas L. Brown, II
Captain Thomas F. Carney, Jr.
Captain Walter E. Carter, Jr.
Captain Scott T. Craig
Captain Craig S. Faller
Captain James G. Foggo, III
Captain Anthony E. Gaiani
Captain Peter A. Gumataotao
Captain John R. Haley
Captain Jeffrey Harbeson
Captain Randall M. Hendrickson
Captain Robert Hennegan
Captain Michael W. Hewitt
Captain Gerard P. Hueber
Captain Jeffery S. Jones
Captain Matthew L. Klunder
Captain William K. Lescher
Captain Michael C. Manazir
Captain Frank A. Morneau
Captain James A. Murdoch
Captain Gregory M. Nosal
Captain Ann C. Phillips
Captain Joseph W. Rixey
Captain John E. Roberti
Captain Kevin D. Scott
Captain Thomas K. Shannon
Captain Herman A. Shelanski
Captain William G. Sizemore, II
Captain Thomas G. Wears
Captain David B. Woods

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN593 AIR FORCE nominations (4) beginning JOHN M. WIGHTMAN, and ending SHANNON L. MCCAMEY, which nominations were received by the Senate and appeared in the Congressional Record of June 11, 2009.

PN594 AIR FORCE nominations (3) beginning MICHELLE BONGIOVI, and ending JENNIFER A. KORKOSZ, which nominations were received by the Senate and appeared in the Congressional Record of June 11, 2009.

PN595 AIR FORCE nominations (3) beginning SCOTT M. BAKER, and ending DEE A. WEED, which nominations were received by the Senate and appeared in the Congressional Record of June 11, 2009.

PN606 AIR FORCE nomination of Ira S. Eadie, which was received by the Senate and appeared in the Congressional Record of June 16, 2009.

PN607 AIR FORCE nomination of James C. Ewald, which was received by the Senate and appeared in the Congressional Record of June 16, 2009.

PN653 AIR FORCE nomination of Jacqueline A. Nave, which was received by the Senate and appeared in the Congressional Record of June 24, 2009.

PN654 AIR FORCE nominations (2) beginning JESUS CLEMENTE, and ending LYNN G. NORTON, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2009.

PN742 AIR FORCE nomination of Brandon T. Grover, which was received by the Senate and appeared in the Congressional Record of July 13, 2009.

PN743 AIR FORCE nomination of Stephen H. Montaldi, which was received by the Senate and appeared in the Congressional Record of July 13, 2009.

PN769 AIR FORCE nominations (131) beginning ANTONIO J. ALFONSO, and ending SINA M. ZIEMAK, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2009.

PN770 AIR FORCE nominations (140) beginning EBON S. ALLEY, and ending RICHARD Y. K. YOO, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2009.

PN772 AIR FORCE nominations (52) beginning ELISE A. AHLSWEDE, and ending DEEDRA L. ZABOKRTSKY, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2009.

PN773 AIR FORCE nominations (466) beginning RAAN R. AALGAARD, and ending GREGORY S. ZEHNER, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2009.

PN775 AIR FORCE nomination of David A. MacGregor, which was received by the Senate and appeared in the Congressional Record of July 15, 2009.

IN THE ARMY

PN596 ARMY nomination of Michael L. Steinberg, which was received by the Senate and appeared in the Congressional Record of June 11, 2009.

PN597 ARMY nomination of Paul W. Maetzold, which was received by the Senate and appeared in the Congressional Record of June 11, 2009.

PN598 ARMY nominations (2) beginning SHERYL L. DACY, and ending JAMES M. LEITH, which nominations were received by the Senate and appeared in the Congressional Record of June 11, 2009.

PN599 ARMY nominations (4) beginning JAMES R. FINLEY, and ending CRAIG M. WEAVER, which nominations were received by the Senate and appeared in the Congressional Record of June 11, 2009.

PN600 ARMY nominations (39) beginning OSCAR T. ARAUCO, and ending D070807, which nominations were received by the Senate and appeared in the Congressional Record of June 11, 2009.

PN601 ARMY nominations (27) beginning DENNIS K. BENNETT, and ending JOSE M. VARGAS, which nominations were received by the Senate and appeared in the Congressional Record of June 11, 2009.

PN602 ARMY nominations (166) beginning ERNEST T. FORREST, and ending WALTON D. ZIMMERMAN, which nominations were received by the Senate and appeared in the Congressional Record of June 11, 2009.

PN608 ARMY nomination of Philip M. Chandler, which was received by the Senate and appeared in the Congressional Record of June 16, 2009.

PN609 ARMY nomination of Alan K. Ueoka, which was received by the Senate and appeared in the Congressional Record of June 16, 2009.

PN610 ARMY nomination of Martin W. Kinnison, which was received by the Senate and appeared in the Congressional Record of June 16, 2009.

PN614 ARMY nomination of Brian G. Donahue, which was received by the Senate and appeared in the Congressional Record of June 17, 2009.

PN615 ARMY nominations (24) beginning ROBERT L. DORAN, and ending SHEBA L. WATERFORD, which nominations were received by the Senate and appeared in the Congressional Record of June 17, 2009.

PN616 ARMY nominations (965) beginning JOHN A. AARDAPPEL, and ending D071039, which nominations were received by the Senate and appeared in the Congressional Record of June 17, 2009.

PN617 ARMY nominations (500) beginning CLARA H. ABRAHAM, and ending X1381, which nominations were received by the Senate and appeared in the Congressional Record of June 17, 2009.

PN618 ARMY nominations (585) beginning ALLEN D. ACOSTA, and ending D060270, which nominations were received by the Senate and appeared in the Congressional Record of June 17, 2009.

PN655 ARMY nomination of Scott A. Neusre, which was received by the Senate and appeared in the Congressional Record of June 24, 2009.

PN656 ARMY nomination of Jennifer M. Cradier, which was received by the Senate and appeared in the Congressional Record of June 24, 2009.

PN657 ARMY nomination of Carol Haertleinsells, which was received by the Senate and appeared in the Congressional Record of June 24, 2009.

PN658 ARMY nominations (2) beginning MICHALE L. BOOTHE, and ending MURRAY M. REEFER, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2009.

PN659 ARMY nominations (2) beginning PAUL E. HABENER, and ending MARC A. SILVERSTEIN, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2009.

PN660 ARMY nominations (3) beginning DENISE K. ASKEW, and ending MARTHA M. ONER, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2009.

PN661 ARMY nominations (2) beginning LAURA NIHAN, and ending JAMES M. ROGERS, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2009.

PN662 ARMY nominations (2) beginning SAMUEL A. FRAZER, and ending VINCENT D. ZAHNLE, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2009.

PN663 ARMY nominations (6) beginning ALAINE C. ENCABO, and ending SCOTT C. SHARP, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2009.

PN664 ARMY nominations (2) beginning KRIS R. POPPE, and ending CASEY P. NIX, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2009.

PN665 ARMY nominations (4) beginning ANNE B. WARWICK, and ending ROD W. CALLICOTT, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2009.

PN666 ARMY nominations (6) beginning MICHAEL F. BOYEK, and ending GERALD S. MAXWELL, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2009.

PN667 ARMY nominations (8) beginning WESLEY L. GIRVIN, and ending ANTHONY W. PARKER, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2009.

PN668 ARMY nominations (8) beginning LUIS DIAZ, and ending MARK J. SAUER, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2009.

PN744 ARMY nomination of Charles R. Whitsett, which was received by the Senate and appeared in the Congressional Record of July 13, 2009.

PN745 ARMY nomination of Dallas A. Wingate, which was received by the Senate and appeared in the Congressional Record of July 13, 2009.

PN746 ARMY nominations (18) beginning HOLMES C. AITA, and ending RYAN J. WANG, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2009.

PN747 ARMY nominations (138) beginning JAYSON D. AYDELOTTE, and ending D070684, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2009.

PN776 ARMY nomination of Nathaniel Johnson Jr., which was received by the Senate and appeared in the Congressional Record of July 15, 2009.

PN777 ARMY nominations (3) beginning JASON E. JOHNSON, and ending CARY A. SHILLCUTT, which nominations were received by the Senate and appeared in the Congressional Record of July 15, 2009.

PN778 ARMY nominations (6) beginning RICHARD P. ADAMS, and ending MICHAEL J. STEWART, which nominations were received by the Senate and appeared in the Congressional Record of July 15, 2009.

PN779 ARMY nominations (70) beginning KIRSTEN M. ANKE, and ending REBECCA A. YUREK, which nominations were received by the Senate and appeared in the Congressional Record of July 15, 2009.

PN780 ARMY nominations (11) beginning MARY C. ADAMSCHALLENGER, and ending DAVID A. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of July 15, 2009.

PN781 ARMY nominations (15) beginning CHARLES C. DODD, and ending DANIEL C. WAKEFIELD, which nominations were received by the Senate and appeared in the Congressional Record of July 15, 2009.

PN782 ARMY nominations (106) beginning SHEILA R. ADAMS, and ending D060502, which nominations were received by the Senate and appeared in the Congressional Record of July 15, 2009.

PN783 ARMY nominations (38) beginning JEFFREY M. ADCOCK, and ending DENTONIO WORRELL, which nominations were received by the Senate and appeared in the Congressional Record of July 15, 2009.

PN784 ARMY nominations (290) beginning JOEL T. ABBOTT, and ending THOMAS L. ZICKGRAF, which nominations were received by the Senate and appeared in the Congressional Record of July 15, 2009.

PN805 ARMY nomination of Jane B. Prather, which was received by the Senate and appeared in the Congressional Record of July 23, 2009.

PN806 ARMY nomination of Hunt W. Kerrigan, which was received by the Senate and appeared in the Congressional Record of July 23, 2009.

PN807 ARMY nominations (2) beginning MICHELE L. HILL, and ending WILLIAM S. LIKE, which nominations were received by the Senate and appeared in the Congressional Record of July 23, 2009.

PN808 ARMY nominations (2) beginning WARREN G. THOMPSON, and ending FREDERICK M. KARRER, which nominations were received by the Senate and appeared in the Congressional Record of July 23, 2009.

PN809 ARMY nominations (13) beginning YVONNE S. BREECE, and ending MICHAEL J. UFFORD, which nominations were received by the Senate and appeared in the Congressional Record of July 23, 2009.

PN810 ARMY nominations (299) beginning DANA C. ALLMOND, and ending D070985, which nominations were received by the Senate and appeared in the Congressional Record of July 23, 2009.

PN811 ARMY nominations (323) beginning TYRONE C. ABERO, and ending X001255, which nominations were received by the Senate and appeared in the Congressional Record of July 23, 2009.

PN812 ARMY nominations (681) beginning DAVID S. ABRAHAMS, and ending D060861, which nominations were received by the Senate and appeared in the Congressional Record of July 23, 2009.

IN THE NAVY

PN611 NAVY nominations (18) beginning MATTHEW J. BELLAIR, and ending JUSTIN W. WESTFALL, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2009.

PN619 NAVY nominations (6) beginning STEPHEN W. PAULETTE, and ending ALAN E. SIEGEL, which nominations were received by the Senate and appeared in the Congressional Record of June 17, 2009.

PN748 NAVY nomination of Johnson Ming-Yu Liu, which was received by the Senate and appeared in the Congressional Record of July 13, 2009.

PN749 NAVY nominations (24) beginning ROBERTO M. ABUBO, and ending VINCENT E. SMITH, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2009.

PN750 NAVY nominations (10) beginning TIMOTHY A. ANDERSON, and ending SEAN D. ROBINSON, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2009.

PN751 NAVY nominations (7) beginning JACOB A. BAILEYDAYSTAR, and ending TONY S. W. PARK, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2009.

PN752 NAVY nominations (8) beginning BROOK DEWALT, and ending WENDY L. SNYDER, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2009.

PN753 NAVY nominations (32) beginning SOWON S. AHN, and ending SCOTT D. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2009.

PN754 NAVY nominations (25) beginning JASON B. BABCOCK, and ending ALLISA M. WALKER, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2009.

PN755 NAVY nominations (22) beginning BYRON V. T. ALEXANDER, and ending MARCIA L. ZIEMBA, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2009.

PN756 NAVY nominations (15) beginning JOHN A. BLOCKER, and ending JEFFREY M. VICARIO, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2009.

PN757 NAVY nominations (13) beginning ANGEL BELLIDO, and ending BRET A. WASHBURN, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2009.

PN758 NAVY nominations (33) beginning LEE G. BAIRD, and ending DANIEL F. YOUCH, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2009.

PN759 NAVY nominations (18) beginning JERRY L. ALEXANDER JR., and ending MARIA T. WILKE, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2009.

PN760 NAVY nominations (516) beginning RYAN D. AARON, and ending DAVID G. ZOOK, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2009.

PN800 NAVY nominations (16) beginning JOSEPH P. BURNS, and ending BRIAN STRANAHAN, which nominations were received by the Senate and appeared in the Congressional Record of July 22, 2009.

PN801 NAVY nominations (14) beginning EDDIE L. NIXON, and ending DENNIS M. WEPPNER, which nominations were received by the Senate and appeared in the Congressional Record of July 22, 2009.

NOMINATION DISCHARGED

Mr. REID. I ask unanimous consent that the Agriculture Committee be discharged from further consideration of PN386, and that the Senate then proceed to the consideration of the nomination; that the nomination be confirmed and the motion to reconsider be laid on the table en bloc; that no further motions be in order, and any statements relating to this matter be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nomination considered and confirmed is as follows:

DEPARTMENT OF AGRICULTURE

Kevin W. Concannon, of Maine, to be Under Secretary of Agriculture for Food, Nutrition, and Consumer Services.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

ORDERS FOR MONDAY, AUGUST 3, 2009

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, August 3; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and there then be a period of morning business for 1 hour with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with Senator BEGICH controlling the first 30 minutes and the Republicans controlling the final 30 minutes. Finally, I ask that following morning business, the Senate resume consideration of H.R. 2997, the Agriculture appropriations bill.

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

PROGRAM

Mr. REID. Mr. President, under a previous order, at 5:30 p.m. on Monday, the Senate will vote on cloture on the substitute amendment to the appropriations bill dealing with Agriculture.

VITIATION OF EXECUTIVE CALENDAR ACTION

Mr. REID. I ask unanimous consent that the action on executive Calendar No. 370 be vitiated.

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

ADJOURNMENT UNTIL MONDAY, AUGUST 3, 2009, AT 2 P.M.

Mr. REID. If there is no further business to come before the Senate today, I ask unanimous consent it stand adjourned under the previous order.

There being no objection, the Senate, at 12:54 p.m., adjourned until Monday, August 3, 2009, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF AGRICULTURE

EDWARD M. AVALOS, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION, VICE BRUCE I. KNIGHT.

KEVIN W. CONCANNON, OF MAINE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION, VICE NANCY MONTANEZ-JOHNER.

KATHLEEN A. MERRIGAN, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION, VICE CHARLES F. CONNER.

JAMES W. MILLER, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION, VICE MARK EVERETT KEENUM.

EVAN J. SEGAL, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION, VICE CHARLES R. CHRISTOPHERSON, JR.

DALLAS P. TONSAGER, OF SOUTH DAKOTA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION, VICE THOMAS C. DORR.

MERIT SYSTEMS PROTECTION BOARD

SUSAN TSUI GRUNDMANN, OF VIRGINIA, TO BE CHAIRMAN OF THE MERIT SYSTEMS PROTECTION BOARD, VICE NEIL MCPHIE.

SUSAN TSUI GRUNDMANN, OF VIRGINIA, TO BE A MEMBER OF THE MERIT SYSTEMS PROTECTION BOARD FOR THE TERM OF SEVEN YEARS EXPIRING MARCH 1, 2016, VICE NEIL MCPHIE, TERM EXPIRED.

ANNE MARIE WAGNER, OF VIRGINIA, TO BE A MEMBER OF THE MERIT SYSTEMS PROTECTION BOARD FOR THE TERM OF SEVEN YEARS EXPIRING MARCH 1, 2014, VICE BARBARA J. SAPIN, RESIGNED.

THE JUDICIARY

ABDUL K. KALLON, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA, VICE U. W. CLEMON, RETIRED.

JACQUELINE H. NGUYEN, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE NORA M. MANELLA, RESIGNED.

DEPARTMENT OF JUSTICE

DANIEL G. BOGDEN, OF NEVADA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF NEVADA FOR THE TERM OF FOUR YEARS, VICE GREGORY A. BROWER.

DEBORAH K. R. GILG, OF NEBRASKA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF NEBRASKA FOR THE TERM OF FOUR YEARS, VICE JOE W. STECHER.

TIMOTHY J. HEAPHY, OF VIRGINIA, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF VIRGINIA FOR THE TERM OF FOUR YEARS, VICE JOHN L. BROWNLEE.

PETER F. NERONHA, OF RHODE ISLAND, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF RHODE ISLAND FOR THE TERM OF FOUR YEARS, VICE ROBERT CLARK CORRENTE.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SUBJECT TO QUALIFICATIONS PROVIDED BY LAW, THE FOLLOWING FOR PERMANENT APPOINTMENT TO THE GRADES INDICATED IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION:

To be lieutenant

DENISE J. GRUCCIO

To be ensign

CARMEN M. ALEX
BRYAN M. BEGUN
JOSEPH K. CARRIER III
JASMINE L. COUSINS
DAVID B. COWAW
ZACHARY P. CRESS
ALBERT E. DAVISON
ALICE E. DRURY
MATTHEW R. FORREST
JOHANNES A. GEBAUER
LAURA L. GIBSON
LEIGH C. HEDGEPETH
VAN T. HELKER
KYLE R. JELLISON
ALEXANDER G. JOHNSTON
LYNDSEY E. KEEN
STEVEN T. LOY
MICHAEL J. MARINO
MATTHEW H. O'LEARY
RENI L. RYDLEWICZ
SARA A. SLAUGHTER

DEPARTMENT OF JUSTICE

DAVID EDWARD DEMAG, OF VERMONT, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF VERMONT FOR THE TERM OF FOUR YEARS, VICE JOHN R. EDWARDS.

GENEVIEVE LYNN MAY, OF LOUISIANA, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF LOUISIANA FOR THE TERM OF FOUR YEARS, VICE MICHAEL DAVID CREDO.

DAVID LYLE CARGILL, JR., OF NEW HAMPSHIRE, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF NEW HAMPSHIRE FOR THE TERM OF FOUR YEARS, VICE STEPHEN ROBERT MONIER.

DISCHARGED NOMINATION

The Senate Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration of the following nomination by unanimous consent and the nomination was confirmed:

KEVIN W. CONCANNON, OF MAINE, TO BE UNDER SECRETARY OF AGRICULTURE FOR FOOD, NUTRITION, AND CONSUMER SERVICES.

CONFIRMATIONS

Executive nominations confirmed by the Senate, Friday, July 31, 2009:

DEPARTMENT OF STATE

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.

NANCY J. POWELL, OF IOWA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE DIRECTOR GENERAL OF THE FOREIGN SERVICE.

EARL MICHAEL IRVING, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF SWAZILAND.

DONALD HENRY GIPS, OF COLORADO, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SOUTH AFRICA.

DEPARTMENT OF THE INTERIOR

SAMUEL D. HAMILTON, OF MISSISSIPPI, TO BE DIRECTOR OF THE UNITED STATES FISH AND WILDLIFE SERVICE.

OFFICE OF PERSONNEL MANAGEMENT

CHRISTINE M. GRIFFIN, OF MASSACHUSETTS, TO BE DEPUTY DIRECTOR OF THE OFFICE OF PERSONNEL MANAGEMENT.

DEPARTMENT OF ENERGY

RICHARD G. NEWELL, OF NORTH CAROLINA, TO BE ADMINISTRATOR OF THE ENERGY INFORMATION ADMINISTRATION.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

DEPARTMENT OF AGRICULTURE

KEVIN W. CONCANNON, OF MAINE, TO BE UNDER SECRETARY OF AGRICULTURE FOR FOOD, NUTRITION, AND CONSUMER SERVICES.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. GARY L. NORTH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. FRANK GORENC

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. RONNIE D. HAWKINS, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. PHILIP M. BREEDLOVE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. RAYMOND E. JOHNS, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL HOWARD B. BAKER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL NOEL T. JONES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. BART O. IDDINS

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624, 3037, AND 3064:

To be brigadier general, judge advocate general's corps

COL. THOMAS E. AYRES
COL. MARK S. MARTINS
COL. JOHN W. MILLER II

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE JUDGE ADVOCATE GENERAL, UNITED STATES ARMY AND FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE SERVING AS THE JUDGE ADVOCATE GENERAL, IN ACCORDANCE WITH TITLE 10, U.S.C., SECTIONS 3047, 3064 AND 624:

To be lieutenant general

BRIG. GEN. DANA K. CHIPMAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. DANIEL L. YORK

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12211:

To be brigadier general

COL. CHARLOTTE L. MILLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN E. STERLING, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. PURL K. KEEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. LLOYD J. AUSTIN III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. KENNETH W. HUNZEKER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROBERT P. LENNOX

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS DEPUTY JUDGE ADVOCATE GENERAL, UNITED STATES ARMY AND FOR APPOINTMENT IN THE UNITED STATES ARMY 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, 3064, AND 624:

To be major general

BRIG. GEN. CLYDE J. TATE II

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. RICKY LYNCH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL D. BARBERO

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. WILLIE J. WILLIAMS

THE FOLLOWING NAMED MARINE CORPS OFFICER FOR REAPPOINTMENT AS THE VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 154:

To be general

GEN. JAMES E. CARTWRIGHT

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. RANDOLPH L. MAHR
CAPT. TIMOTHY S. MATTHEWS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. GRETCHEN S. HERBERT
CAPT. DIANE E. H. WEBBER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. PAUL B. BECKER
CAPT. ELIZABETH L. TRAIN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. DENNIS J. MOYNIHAN
CAPT. HAROLD E. PITTMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. RICHARD D. BERKEY
CAPT. DAVID H. LEWIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS DEPUTY JUDGE ADVOCATE GENERAL OF THE NAVY AND FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 5149:

To be rear admiral

CAPT. NANETTE M. DERENZI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE JUDGE ADVOCATE GENERAL OF THE UNITED STATES NAVY AND FOR APPOINTMENT TO THE GRADE INDICATED IN ACCORDANCE WITH TITLE 10, U.S.C., SECTION 5148:

To be vice admiral

REAR ADM. JAMES W. HOUCK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

ADM. ROBERT F. WILLARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. CLINTON F. FAISON III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. ELEANOR V. VALENTIN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) MARK A. HANDLEY
REAR ADM. (LH) CHRISTOPHER J. MOSSEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPTAIN RICHARD P. BRECKENRIDGE
CAPTAIN THOMAS L. BROWN II
CAPTAIN THOMAS F. CARNEY, JR.
CAPTAIN WALTER E. CARTER, JR.
CAPTAIN SCOTT T. CRAIG
CAPTAIN CRAIG S. FALLER
CAPTAIN JAMES G. FOGGO III
CAPTAIN ANTHONY E. GAIANI
CAPTAIN PETER A. GUMATAOTAO
CAPTAIN JOHN R. HALEY
CAPTAIN JEFFREY HARBESON
CAPTAIN RANDALL M. HENDRICKSON
CAPTAIN ROBERT HENNEGAN
CAPTAIN MICHAEL W. HEWITT
CAPTAIN GERARD P. HUEBER
CAPTAIN JEFFERY S. JONES
CAPTAIN MATTHEW L. KLUNDER
CAPTAIN WILLIAM K. LESCHER
CAPTAIN MICHAEL C. MANAZIR
CAPTAIN FRANK A. MORNEAU
CAPTAIN JAMES A. MURDOCH
CAPTAIN GREGORY M. NOSAL
CAPTAIN ANN C. PHILLIPS
CAPTAIN JOSEPH W. RIXEY
CAPTAIN JOHN E. ROBERTI
CAPTAIN KEVIN D. SCOTT
CAPTAIN THOMAS K. SHANNON
CAPTAIN HERMAN A. SHELANSKI
CAPTAIN WILLIAM G. SIZEMORE II
CAPTAIN THOMAS G. WEARS
CAPTAIN DAVID B. WOODS

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH JOHN M. WIGHTMAN AND ENDING WITH SHANNON L. MCCAMEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 11, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH MICHELLE BONGIOVI AND ENDING WITH JENNIFER A. KORKOSZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 11, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH SCOTT M. BAKER AND ENDING WITH DEE A. WEED, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 11, 2009.

AIR FORCE NOMINATION OF IRA S. EADIE, TO BE MAJOR.

AIR FORCE NOMINATION OF JAMES C. EWALD, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATION OF JACQUELINE A. NAVE, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH JESUS CLEMENTE AND ENDING WITH LYNN G. NORTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2009.

AIR FORCE NOMINATION OF BRANDON T. GROVER, TO BE MAJOR.

AIR FORCE NOMINATION OF STEPHEN H. MONTALDI, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH ANTONIO J. ALFONSO AND ENDING WITH SINA M. ZIEMAK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH EBON S. ALLEY AND ENDING WITH RICHARD Y. K. YOO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH ELISE A. AHLSWEDE AND ENDING WITH DEEDRA L. ZABOKRTSKY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH RAAN R. AALGAARD AND ENDING WITH GREGORY S. ZEHNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2009.

AIR FORCE NOMINATION OF DAVID A. MACGREGOR, TO BE MAJOR.

IN THE ARMY

ARMY NOMINATION OF MICHAEL L. STEINBERG, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF PAUL W. MAETZOLD, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH SHERYL L. DACY AND ENDING WITH JAMES M. LEITH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 11, 2009.

ARMY NOMINATIONS BEGINNING WITH JAMES R. FINLEY AND ENDING WITH CRAIG M. WEAVER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 11, 2009.

ARMY NOMINATIONS BEGINNING WITH OSCAR T. ARAUCO AND ENDING WITH D070807, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 11, 2009.

ARMY NOMINATIONS BEGINNING WITH DENNIS K. BENNETT AND ENDING WITH JOSE M. VARGAS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 11, 2009.

ARMY NOMINATIONS BEGINNING WITH ERNEST T. FORREST AND ENDING WITH WALTON D. ZIMMERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 11, 2009.

ARMY NOMINATION OF PHILIP M. CHANDLER, TO BE COLONEL.

ARMY NOMINATION OF ALAN K. UEOKA, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF MARTIN W. KINNISON, TO BE MAJOR.

ARMY NOMINATION OF BRIAN G. DONAHUE, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH ROBERT L. DORAN AND ENDING WITH SHEBA L. WATERFORD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 17, 2009.

ARMY NOMINATIONS BEGINNING WITH JOHN A. AARDAPPEL AND ENDING WITH D071039, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 17, 2009.

ARMY NOMINATIONS BEGINNING WITH CLARA H. ABRAHAM AND ENDING WITH X1381, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 17, 2009.

ARMY NOMINATIONS BEGINNING WITH ALLEN D. ACOSTA AND ENDING WITH D060270, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 17, 2009.

ARMY NOMINATION OF SCOTT A. NEUSRE, TO BE MAJOR.

ARMY NOMINATION OF JENNIFER M. CRADIER, TO BE MAJOR.

ARMY NOMINATION OF CAROL HAERTLEINSELLS, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH MICHALE L. BOOTHE AND ENDING WITH MURRAY M. REEFER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2009.

ARMY NOMINATIONS BEGINNING WITH PAUL E. HABENER AND ENDING WITH MARC A. SILVERSTEIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2009.

ARMY NOMINATIONS BEGINNING WITH DENISE K. ASKEW AND ENDING WITH MARTHA M. ONER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2009.

ARMY NOMINATIONS BEGINNING WITH LAURA NIHAN AND ENDING WITH JAMES M. ROGERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2009.

ARMY NOMINATIONS BEGINNING WITH SAMUEL A. FRAZER AND ENDING WITH VINCENT D. ZAHNLE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2009.

ARMY NOMINATIONS BEGINNING WITH ALAINE C. ENCABO AND ENDING WITH SCOTT C. SHARP, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2009.

ARMY NOMINATIONS BEGINNING WITH KRIS R. POPPE AND ENDING WITH CASEY P. NIX, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2009.

ARMY NOMINATIONS BEGINNING WITH ANNE B. WARWICK AND ENDING WITH ROD W. CALLICOTT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2009.

ARMY NOMINATIONS BEGINNING WITH MICHAEL F. BOYEK AND ENDING WITH GERALD S. MAXWELL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2009.

ARMY NOMINATIONS BEGINNING WITH WESLEY L. GIRVIN AND ENDING WITH ANTHONY W. PARKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2009.

ARMY NOMINATIONS BEGINNING WITH LUIS DIAZ AND ENDING WITH MARK J. SAUER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2009.

ARMY NOMINATION OF CHARLES R. WHITSETT, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF DALLAS A. WINGATE, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH HOLMES C. AITA AND ENDING WITH RYAN J. WANG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2009.

ARMY NOMINATIONS BEGINNING WITH JAYSON D. AYDELOTTE AND ENDING WITH D070684, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2009.

ARMY NOMINATION OF NATHANIEL JOHNSON, JR., TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH JASON E. JOHNSON AND ENDING WITH CARY A. SHILLCUTT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 15, 2009.

ARMY NOMINATIONS BEGINNING WITH RICHARD P. ADAMS AND ENDING WITH MICHAEL J. STEWART, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 15, 2009.

ARMY NOMINATIONS BEGINNING WITH KIRSTEN M. ANKE AND ENDING WITH REBECCA A. YUREK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 15, 2009.

ARMY NOMINATIONS BEGINNING WITH MARY C. ADAMSCHALLENGER AND ENDING WITH DAVID A.

WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 15, 2009.

ARMY NOMINATIONS BEGINNING WITH CHARLES C. DODD AND ENDING WITH DANIEL C. WAKEFIELD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 15, 2009.

ARMY NOMINATIONS BEGINNING WITH SHEILA R. ADAMS AND ENDING WITH D060502, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 15, 2009.

ARMY NOMINATIONS BEGINNING WITH JEFFREY M. ADCOCK AND ENDING WITH DENTONIO WORRELL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 15, 2009.

ARMY NOMINATIONS BEGINNING WITH JOEL T. ABBOTT AND ENDING WITH THOMAS L. ZICKGRAF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 15, 2009.

ARMY NOMINATION OF JANE B. PRATHER, TO BE COLONEL.

ARMY NOMINATION OF HUNT W. KERRIGAN, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH MICHELE L. HILL AND ENDING WITH WILLIAM S. LIKE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 23, 2009.

ARMY NOMINATIONS BEGINNING WITH WARREN G. THOMPSON AND ENDING WITH FREDERICK M. KARRER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 23, 2009.

ARMY NOMINATIONS BEGINNING WITH YVONNE S. BREECE AND ENDING WITH MICHAEL J. UFFORD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 23, 2009.

ARMY NOMINATIONS BEGINNING WITH DANA C. ALLMOND AND ENDING WITH D070985, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 23, 2009.

ARMY NOMINATIONS BEGINNING WITH TYRONE C. ABERO AND ENDING WITH X001255, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 23, 2009.

ARMY NOMINATIONS BEGINNING WITH DAVID S. ABRAHAMS AND ENDING WITH D060861, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 23, 2009.

IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH MATTHEW J. BELLAIR AND ENDING WITH JUSTIN W. WESTFALL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2009.

NAVY NOMINATIONS BEGINNING WITH STEPHEN W. PAULETTE AND ENDING WITH ALAN E. SIEGEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 17, 2009.

NAVY NOMINATION OF JOHNSON MING-YU LIU, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH ROBERTO M. ABUBO AND ENDING WITH VINCENT E. SMITH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2009.

NAVY NOMINATIONS BEGINNING WITH TIMOTHY A. ANDERSON AND ENDING WITH SEAN D. ROBINSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2009.

NAVY NOMINATIONS BEGINNING WITH JACOB A. BAILEYDAYSTAR AND ENDING WITH TONY S. W. PARK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2009.

NAVY NOMINATIONS BEGINNING WITH BROOK DEWALT AND ENDING WITH WENDY L. SNYDER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2009.

NAVY NOMINATIONS BEGINNING WITH SOWON S. AHN AND ENDING WITH SCOTT D. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2009.

NAVY NOMINATIONS BEGINNING WITH JASON B. BABCOCK AND ENDING WITH ALLISA M. WALKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2009.

NAVY NOMINATIONS BEGINNING WITH BYRON V. T. ALEXANDER AND ENDING WITH MARCIA L. ZIEMBA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2009.

NAVY NOMINATIONS BEGINNING WITH JOHN A. BLOCKER AND ENDING WITH JEFFREY M. VICARIO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2009.

NAVY NOMINATIONS BEGINNING WITH ANGEL BELLIDO AND ENDING WITH BRET A. WASHBURN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2009.

NAVY NOMINATIONS BEGINNING WITH LEE G. BAIRD AND ENDING WITH DANIEL F. YOUCH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2009.

NAVY NOMINATIONS BEGINNING WITH JERRY L. ALEXANDER, JR. AND ENDING WITH MARIA T. WILKE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2009.

NAVY NOMINATIONS BEGINNING WITH RYAN D. AARON AND ENDING WITH DAVID G. ZOOK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2009.

NAVY NOMINATIONS BEGINNING WITH JOSEPH P. BURNS AND ENDING WITH BRIAN STRANAHAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 22, 2009.

NAVY NOMINATIONS BEGINNING WITH EDDIE L. NIXON AND ENDING WITH DENNIS M. WEPPNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 22, 2009.

EXTENSIONS OF REMARKS

JOHN ARTHUR ''JACK'' JOHNSON POSTHUMOUS PARDON

SPEECH OF

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2009

Mr. KING of New York. Mr. Speaker, today I rise in support of S. Con. Res. 29 (the companion bill to H. Con. Res. 91), a resolution granting a posthumous pardon to John Arthur ''Jack'' Johnson for his 1913 racially motivated conviction. On April 1, 2009, I introduced my resolution with Congressman JESSE JACKSON, Jr. and I join today with my colleagues in urging the House to support this effort.

Jack Johnson became the first black World Heavyweight Boxing Champion in 1908 after defeating Tommy Burns in Australia and kept the title until 1915. He was a flamboyant and controversial figure in American history who paved the way for African-American athletes to participate and succeed in racially integrated professional sports in the United States.

Prompted by his success in the boxing ring and his relationship with a white woman, Jack Johnson was wronged by a racially motivated conviction under the Mann Act. He was convicted in 1913 after fleeing to Canada, Europe and South America and served one year in prison. Being convicted ruined his career and wrongly destroyed his reputation.

Because of this, we believe the President should grant a posthumous pardon to Jack Johnson to clear his name and recognize his athletic and cultural contributions to society. I am proud to have sponsored this resolution on his behalf.

Mr. Speaker, I urge all my colleagues to support this resolution.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. BARRETT of South Carolina. Madam Speaker, unfortunately I missed some recorded votes on the House floor on Friday, July 24, 2009.

I ask that the RECORD reflect that had I been present, I would have voted ''no'' on rollcall vote No. 638 (On motion to table appeal of the ruling of the chair), ''no'' on rollcall vote No. 639 (On Ordering the Previous Question to H. Res. 673), ''no'' on rollcall vote No. 640 (On Agreeing to H. Res. 673), ''no'' on rollcall vote No. 641 (On Agreeing to the Obey of Wisconsin amendment to HR. 3293), ''aye'' on rollcall vote No. 642 (On Agreeing to the Souder of Indiana amendment to H.R. 3293), ''aye'' on rollcall vote No. 643 (On Agreeing to the Pence of Indiana amendment to H.R. 3293), ''aye'' on Rollcall vote No. 644 (On Agreeing to the Wittman of Virginia amendment to H.R. 3293), ''aye'' on rollcall vote No. 645 (On motion to recommit with instructions to H.R. 3293), ''no'' on rollcall vote No. 646 (On passage to H.R. 3293).

HONORING BRITTANY BASS AND KIRSTEN MUELLER UPON RECEIPT OF THE GIRL SCOUT GOLD AWARD

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge two young women in my hometown of Dix Hills, Brittany Bass and Kirsten Mueller.

Brittany and Kirsten will receive the Girl Scout Gold Award on August 3, 2009. Their project included teaching younger girls how to stay healthy by collecting new and used sporting equipment, food for local pantry and sneakers for the Nike Reuse-A-Shoe Foundation. I wish to commend them for their community service.

PERSONAL EXPLANATION

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mrs. MCCARTHY of New York. Madam Speaker, yesterday, I missed 7 votes. Had I been present, I would have voted as follows.

Rollcall No. 654, on Ordering the Previous Question on the Amendment to and Resolution H. Res. 685, I would have voted ''yea.''

Rollcall No. 655, on Agreeing to the Resolution, as Amended H. Res. 685, I would have voted ''yea.''

Rollcall No. 656, on the Motion to Table H. Res. 690, I would have voted ''yea.''

Rollcall No. 657, on the Motion to Suspend the Rules and Pass, as Amended, H.R. 2749, I would have voted ''yea.''

Rollcall No. 658, on the Motion to Suspend the Rules and Pass, as Amended, H.R. 1665, I would have voted ''yea.''

Rollcall No. 659, on the Motion to Suspend the Rules and Pass, as Amended, H.R. 3357, I would have voted ''yea.''

Rollcall No. 660, on the Motion to Suspend the Rules and Agree to, as Amended, H. Res. 496, I would have voted ''yea.''

EARMARK DECLARATION

HON. DOC HASTINGS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. HASTINGS of Washington. Madam Speaker, to provide open disclosure, I am submitting the following information regarding projects that I support for inclusion in H.R. 3293, the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act of 2010.

Amount: $600,000

Account: U.S. Department of Health and Human Services—Health Resources and Service Administration

Entity receiving funds: Central Washington Hospital located at 1201 South Miller Street, Wenatchee, WA 98807.

Description: These funds will be used to expand Central Washington Hospital's medical campus so that the hospital can continue to meet the health care needs of North Central Washington. This region is currently facing a shortage of hospital beds.

Amount: $400,000

Account: U.S. Department of Health and Human Services—Health Resources and Service Administration

Entity receiving funds: Pacific Northwest University of Health Sciences located at 111 University Parkway, Suite 202, Yakima, WA 98901.

Description: Funds will be used to help the new College of Allied Health and Sciences and Postgraduate Studies develop and implement new programs to teach medical specialties where there are doctor shortages in the region.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010

SPEECH OF

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2009

The House in Committee of the Whole House on the State of the Union had under consideration of the bill (H.R. 3326) making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes:

Mr. STARK. Madam Chair, I rise in opposition to the Defense Appropriations bill. As families and businesses struggle in this recession, this bill spends money on the wrong priorities for our Nation and the world.

The legislation provides $128.3 billion to fund wars in Afghanistan and Iraq that never should have been waged, as well as $9.3 billion for missile defense funding that doesn't work. According to the Washington Post, over $6.9 billion in funding is for new ships, planes, helicopters and armored vehicles that the Pentagon doesn't want.

We are wasting money on these projects as defense eats up a larger share of our budget—58 percent of all discretionary spending, up from 51 percent four years ago.

This giveaway to defense contractors comes at the same time that Members of Congress are balking at health care reform that will cost a fraction of our defense spending over the same time period. I urge my colleagues to join me in voting no.

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HONORING ANDREW TINGWALL

HON. HARRY TEAGUE

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. TEAGUE. Madam Speaker, today I would like to honor a very special New Mexican, Andrew Tingwall of the New Mexico State Police. Sergeant Tingwall served our country and my home state with distinction and honor for almost two decades, beginning with his tenure in the United States Marine Corps, where he was a Jump Qualified Reconnaissance Marine. Sergeant Tingwall then went on to join the New Mexico State Police, where he became the youngest pilot on the force. During his time with the State police he was named the 2008 Officer of the year by the New Mexico Sheriffs and Police Association for his lifesaving efforts of a man that had fallen into an arroyo in Albuquerque.

On several occasions, Sergeant Tingwall risked his own life to save others. He did so without any thought of personal gain. The only driving force for him was his mission to serve and protect and sadly that discipline cost him his life when Sergeant Tingwall flew his last mission earlier this year in an attempt to find lost hikers in the Sangre de Cristo Mountains. Andrew did all he could, but in the end, this mission was his last.

Throughout his career in public service he exemplified the attributes that make both the New Mexico State Police and the United States Marine Corps premier organizations that defend liberty and security of Americans and New Mexicans.

ENERGY

HON. BETSY MARKEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Ms. MARKEY of Colorado. Mr. Speaker, I rise today to remind my colleagues to continue the dialogue on the American Clean Energy and Security Act over the August recess. I supported this legislation because I believe western states like Colorado stand to gain much from this energy bill. Renewable energy companies like Abound Solar and Vestas Wind Systems are already creating jobs and driving economic development in northern and eastern Colorado.

I believe the House-passed bill will help farmers and ranchers reap great benefits in America's renewable energy economy. I worked hard with my colleagues on the Agriculture Committee to ensure the concerns of America's farmers and ranchers were addressed. By developing cleaner energy here at home and using the vast domestic resources we currently have, we can work towards a less volatile energy market that will benefit us all.

I encourage all my colleagues in the House and the Senate to continue this important work.

HONORING THE MEMORY OF OSCAR OLCHYK

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Ms. ROS-LEHTINEN. Madam Speaker, I would like to take this opportunity to honor the memory of one of my fellow South Florida constituents, Oscar Olchyk. Oscar passed away peacefully on Thursday, July 23 at the age of 82, surrounded by his loving family.

Oscar spent his life completely and wholeheartedly dedicating himself to his family, including his wife of 50 years, Marta, his children, Sonia and Samuel, his grandchildren, Abram and Ross, his brother Bernardo, and his sister Mary. He also held an immense devotion for his mother and father-in-law, his daughter-in-law, Debbie, and his brother-in-law, Boris.

Born in Havana, Cuba in 1927, Oscar spent his first 33 years in Cuba, where he became a Certified Public Accountant and a Professor of Accounting at the University of Havana. It was also in Cuba where he met the love of his life, Marta, and where they were married and started a family together. Oscar and Marta, along with their son Samuel, fled Cuba for a new life in the United States after the Castro takeover.

Oscar spent most of his life in Dallas, Texas, where he continued to raise a family with his wife. In addition to his family, he devoted himself to pursuing a higher education, serving his community, and his accounting practice. Oscar and Marta spent the last decade enjoying their retirement in beautiful South Florida and near their family. They both had the opportunity to travel around the world and spend their 50th anniversary with their grandson, Abram.

My greatest sympathy goes to all of his loving family and friends whom he treasured so deeply throughout his life.

HONORING THE PUBLIC SERVICE AND COMMUNITY ACTIVISM OF MR. CLYDE MCINTOSH OF NORTH CAROLINA

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. SHULER. Madam Speaker, I rise today to honor an outstanding public servant and dedicated volunteer in Yancey County, North Carolina. Mr. Clyde McIntosh of Burnsville has dedicated his life to service and activism. After graduating from Burnsville High School in 1950, Mr. McIntosh proudly served four years in the United States Navy. Upon completion of his service, he moved back to the mountains of western North Carolina, where he built a successful real estate and development business and operated a dairy farm. During this period, he worked diligently toward the goal of preserving the rural heritage of the area.

Mr. McIntosh assumed public office when he was elected Sheriff of Yancey County in 1986. From 1999 to 2005, he served on the Board of Directors of the Yancey County Department of Social Services, spending a portion of his tenure as Chair. For many years, Mr. McIntosh has been an active community volunteer for the Lions Club and Meals on Wheels.

Mr. McIntosh has worked for years to educate Yancey County youth on the importance of civic engagement and community involvement. He has acted as a mentor for the Young Democrats organization of Yancey County, encouraging young people to be politically active.

I commend his outstanding contributions to the Democratic Party. In April 2001, he was named Mountain Democrat of the Year and also served as Yancey County Democratic Party Chair throughout the years. He has served as Precinct Chair for both Jacks Creek and Burnsville Townships, and he is currently the Burnsville Township Chair.

Madam Speaker, I ask my colleagues to join me in honoring Mr. Clyde McIntosh and recognizing his service to Yancey County, North Carolina.

BOB BARKER'S LIFELONG PASSION TO PROTECT ANIMALS

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. YOUNG of Florida. Madam Speaker, Bob Barker is a household name who is known nationally and internationally as the beloved host of the Price is Right. While he has retired from his career in television, he has redoubled his lifelong efforts to protect animals around the world.

I first met Bob Barker a number of years ago when he was here in the Capitol in support of legislation to stop the inhumane treatment of animals. We quickly became good friends and my wife Beverly and I have come to respect not only his commitment to animals but also his unwavering support for our men and women who serve in uniform.

Bob Barker is a great American with a very unique background. He grew up on the Rosebud Indian Reservation in South Dakota and was a Navy fighter pilot at the end of World War II.

Yesterday Beverly joined Bob Barker for a press conference about another case of the mistreatment of animals that was brought to his attention and which he has in turn called to the attention of our nation. Following my remarks, I would like to include for the benefit of my colleagues an Associated Press report about that event. While I wish I could have been there with Bob to show my support for his work and lifelong passion, I had to be here in the House as we debated the rule and began consideration of the Defense Appropriations Bill.

However, Madam Speaker, I wanted to commend Bob Barker for once again crisscrossing our nation in his continuing commitment to protect innocent animals that cannot protect themselves.

BOB BARKER ASKS CHEROKEES TO END NORTH CAROLINA BEAR PIT ATTRACTIONS

(From The Canadian Press, July 29, 2007)

ASHEVILLE, N.C.—Former game show host and longtime animal rights activist Bob Barker has made a personal appeal to the Eastern Band of Cherokee Indians in North Carolina to stop exhibiting bears in pit-like enclosures at three local zoos.

The Asheville Citizen-Times reported that Barker met Tuesday with Principal Chief Michell Hicks and five members of the Tribal Council. He called the bears' conditions inhumane and asked that they be turned over to a sanctuary in California.

''To think that with as advanced as our civilization is now that there is any place in the United States were bears are kept in pits is just unbelievable,'' said Barker, who is part American Indian and grew up on the Rosebud Indian Reservation in South Dakota. ''Just picture yourself, if your life, 24 hours a day, seven days a week, month after month, was in a pit.''

The bears are displayed in walled enclosures set into the ground at three local attractions that bill themselves as zoos and theme parks.

Barker will discuss the meeting at a news conference Wednesday morning in Asheville.

Hicks told the Asheville Citizen-Times that the tribe follows federal regulations in caring for the bears.

Collette Coggins, who owns one of the attractions, the Cherokee Bear Zoo, with her husband, Barry, said the bears don't stay in the pits all day, every day. ''We love our animals,'' she said. ''They are like our pets.''

FOOD SAFETY ENHANCEMENT ACT OF 2009

SPEECH OF

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2009

Ms. SCHAKOWSKY. Mr. Speaker, the use of massive amounts of human antibiotics for non-therapeutic purposes in industrial food animal production is seriously jeopardizing the health of Americans. This practice is contributing to the emergence and spread of antibiotic-resistant bacteria, often rendering ineffective human life-savings drugs.

I am submitting for the record a letter to the White House, signed by twenty reputable organizations such as the Infectious Diseases Society of America, American Medical Association, American Academy of Pediatrics, and Pew Charitable Trusts, which supports the Food and Drug Administration's early steps to phase out the use of antibiotics for growth promotion and feed efficiency in food animals, and calls on the Administration to go further.

JULY 24, 2009.

MS. MELODY BARNES,

Assistant to the President for Domestic Policy, The White House, Washington, DC.

DEAR MS. BARNES: As organizations committed to protecting patients, public health, animal health, and food safety, the undersigned groups are writing to express our grave concern about the misuse of antibiotics in agriculture and our strong support for the Administration's new ''public health approach to antimicrobial use in animals,'' which was articulated by the Food and Drug Administration (FDA) in its July 13th statement before the Rules Committee of the U.S. House of Representatives. The Obama Administration's leadership in providing a clear path forward on this highly politically charged issue is very much welcomed after decades of inertia.

Our combined memberships include the country's foremost scientific and medical experts and represent more than eleven million concerned Americans and health professionals. Our position is based on objective health interests and concerns that dangerous drug resistant infections are rapidly increasing in hospitals and community settings adding to the economic burden of the U.S. healthcare costs.

Specifically, we support the FDA's calls for phasing out the use of antimicrobial drugs for growth promotion and feed efficiency, and for requiring that all other uses of these drugs be carried out under the supervision of a veterinarian and within the boundaries of a valid veterinarian-client-patient relationship—which we expect will end over-the-counter sales of tons of antimicrobial drugs annually. We also support the agency's expressed intent to clearly define the limited instances where antimicrobials may be used judiciously in food animals for purposes of disease prevention and control and are eager to work with FDA to ensure that the policy developed is the most protective of public health. We also urge the agency to make the new antimicrobial policy mandatory, retroactive to already-approved drugs, and enforceable, in order to best guarantee a significant reduction in antimicrobial use. The Administration's statement clearly demonstrates a commitment to sound and science-based policies that are backed up by scores of scientific and medical publications and will protect the health of every American.

The development of antimicrobial agents to treat life-threatening infections has been one of the most notable medical achievements of the past century. Physicians, healthcare professionals, and public health and food safety advocates are greatly concerned about the growing body of scientific evidence demonstrating that antimicrobial drug use in livestock and poultry contributes to the spread of drug-resistant bacteria to people. Drug-resistant organisms are plaguing Americans, including otherwise healthy individuals, in healthcare settings and communities across the country. We are pleased that these concerns finally are being recognized and addressed by the federal government to forestall epidemics of untreatable infections.

Fundamental to FDA's new approach—and our support for it—are the principles that: ''protecting public health requires the judicious use in animal agriculture of those antimicrobials of importance in human medicine'' and that ''purposes other than for the advancement of animal and human health should not be considered judicious use.''—Dr. Joshua Sharfstein, FDA's Principal Deputy Commissioner, July 13, 2009.

The Administration's vision to eliminate non-judicious uses of antimicrobial drugs, including for purposes of growth promotion and feed efficiency and non-judicious disease prevention which have been practiced in animal agriculture for several decades, demonstrates a critical public policy shift that will better protect the public against resistant infections and preserve the power of existing antibiotics. In addition, we urge FDA to formalize its position on veterinary supervision of all antimicrobial uses and ending the over-the-counter sale of antibiotics for animal agricultural uses, which are long-overdue. The sale of antimicrobials for use in human medicine requires a prescription; there is no reason to permit a lower standard for agricultural purposes where considerably more antimicrobial drugs are used annually.

The Administration's new policy direction appears intended to reflect the concerns of a broad consensus of the scientific, medical, public health and international health communities. Such consensus is buttressed by the actions of expert bodies and governments. For example:

Since 2002, the World Health Organization (WHO) has called upon all nations to shift from use of antimicrobials in non-human medicine.

In 2003, the Institute of Medicine (IOM) of the National Academies of Science called on the FDA to ban the use of antimicrobials for growth promotion in animals, if those drugs were also used in human medicine.

In 2006, the European Union banned non-therapeutic use of antimicrobials, because such use was found to raise food safety concerns, and the ban was instituted to protect against further development of antimicrobial resistance.

We recognize that phasing out of antimicrobials for non-judicious uses in animals will require changes in the agricultural industry. But protection of the public's health must come first, and the phase out can be conducted in a way that that minimizes costs to the agriculture industry. Farmers in Europe have adapted to such a policy without undue disruption of production or increased consumer costs; the United States can learn from that experience while also protecting American lives. In addition, the U.S. Department of Agriculture has recognized that various production methods used in the United States today are viable alternatives to non judicious antimicrobial uses and such alternatives are employed with little negative—or even with somewhat positive—economic impact to producers.

We urge you to maintain the scientifically sound positions the Administration already has taken in support of phasing out growth promotion and feed efficiency uses, and to finalize a policy that will strictly manage a narrow set of prophylactic uses while mandating veterinary-patient relationships and eliminating the over-the-counter sale of antibiotics for use in animals.

We remain committed to working with the Administration to implement these new approaches in ways that will best protect the lives and health of both humans and animals.

Sincerely,

Alliance for the Prudent Use of Antibiotics.

American Academy of Pediatrics.

American Association of Critical-Care Nurses.

American Medical Association.

American Pharmacists Association.

American Public Health Association.

American Society of Health-System Pharmacists.

Association for Professionals in Infection Control and Epidemiology.

Food Animal Concerns Trust.

Humane Society of the United States.

Infectious Diseases Society of America.

Institute for Agriculture and Trade Policy.

Keep Antibiotics Working.

Michigan Antibiotic Resistance Reduction Coalition.

National Association of County and City Health Officials.

Pew Campaign on Human Health and Industrial Farming.

Premier, a healthcare alliance serving 2,100 nonprofit hospitals and 58,000 healthcare sites.

Society of Infectious Diseases Pharmacists.

Trust for America's Health.

Union of Concerned Scientists.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. BARRETT of South Carolina. Madam Speaker, unfortunately I missed recorded

votes on the House floor on Monday, July 27, 2009.

I ask that the record reflect that had I been present, I would have voted "aye" on rollcall vote No. 647 (on motion to suspend the rules and agree to H. Res. 593); "no" on rollcall vote No. 648 (on motion to suspend the rules and agree to HR. 1376); and "aye" on rollcall vote No. 649 (on motion to suspend the rules and agree to H.R. 1121).

INTRODUCING THE TAX EQUITY FOR MEAL REPLACEMENTS AND SUPPLEMENTS ACT OF 2009

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. BLUMENAUER. Madam Speaker, there are small, common sense steps everyone can take to improve their health, save money, and reduce unnecessary visits to the doctor. Nutritional supplements can significantly improve health, and by making vitamins and supplements more affordable, we can help people stay healthy while reducing medical costs.

For that reason, I have introduced the Tax Equity for Meal Replacements and Supplements Act of 2009, which will make it easier for our constituents to make healthy choices and improve their health and well-being. This legislation allows employees to purchase certain dietary supplements and meal replacement products with pre-tax dollars already reserved for health needs.

The prevention of disease is a key factor in limiting health care expenditures. A 2007 study conducted by The Lewin Group showed that the appropriate use of select dietary supplements over a five year period would improve the health of key populations and save the nation more than $24 billion in healthcare costs.

Among the findings, that report noted that if 11.3 million of the 44 million American women who are of childbearing age and not taking folic acid, began taking 400 mcg. of folic acid on a daily basis, neural tube defects could be prevented in 600 babies, saving as much as $344 million in the first year. Over five years, taking into account the cost of the supplement, $1.4 billion could potentially be saved.

The report also highlighted the potential five-year savings in health care expenditures resulting from a reduction in the occurrence of coronary heart disease, CHD, among the population over age 65. Through a daily intake of approximately 1800 mg of omega-3, the occurrence of this disease can be reduced, saving $3.2 billion. Approximately 374,301 hospitalizations and associated physician fees due to CHD could also be avoided.

I look forward to working with my colleagues to pass this commonsense legislation.

EARMARK DECLARATION

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. TIAHRT. Madam Speaker, in accordance with the Republican Earmark Standards Guidance, I submit the following in regard to the Fiscal Year 2010 Department of Defense Appropriations Act found in H.R. 3326:

PORTABLE MILITARY RADIO COMMUNICATIONS TEST SET

The Department of Defense Appropriations Act, 2010, H.R. 3326, contains $1,500,000 for Portable Military Radio Communications Test Set in the Marine Corps, Procurement Account. The entity to receive funding for this project is Aeroflex at 10200 West York Road, Wichita, KS 67215–8999.

The Portable Military Radio Communications Test Set was developed with the military in mind with its portability, rugged build, and weight. The technician can easily perform maintenance checks of radio systems (including antennas & cables); perform diagnostics or troubleshooting of faulty radio systems in order to repair or restore the radio systems. The test set is portable, weighing in at only 8.5 lbs (including the battery). It operates from a rechargeable battery with about 5 hours operating time. With the additional capability to perform quick testing of antennas and cables, the Portable Military Radio Communications Test Set provides for the tester to isolate problems and assess performance of the radio, cable, and antenna systems. It was designed to significantly reduce the number of radios incorrectly removed from vehicles where it was later determined to have no trouble found.

The Marine Corps pays about $10,000 for each tester, with a requirement for 1600 units. This funding will go to procurement of the testers to meet this requirement.

No matching funds are required for this Department of Defense project.

RADIO PERSONALITY MODULES FOR SINCGARS TEST SETS

The Department of Defense Appropriations Act, 2010, H.R. 3326, contains $3,000,000 for Radio Personality Modules for SINCGARS Test Sets in the Army, Other Procurement Account. The entity to receive funding for this project is Aeroflex at 10200 West York Road, Wichita, KS 67215–8999.

The funds will fund Radio Personality Modules for SINCGARS Test Sets which capitalizes upon existing radio test sets by making them up to 10 times more capable than they were before. Presently, the GRM–122 test set diagnoses only one type of radio—the SINCGARS. After the proposed upgrade, the very same tester will be able to test multiple radios in common use, including: UHF radios, VHF radios, high frequency radios, intercoms, survival vest radios, and four different types of navigation radios installed in aircraft on the flight line. This efficient program saves both time and money. Time, because the technician performing the test will have the entire test suite he requires at his immediate disposal on the flight line; and money because the Aviation Intermediate Maintenance locations equipped with Radio Personality Modules for SINCGARS Test Sets will not need to acquire nor carry entire test suites of disparate equipments.

This funding is for procurement of these test sets. The cost of each test suite is $157,946—there is a need for about 80 test sets in all. The anticipated source of funding for the duration of the project is funding from the government; the customer is the US Army.

No matching funds are required for this Department of Defense project.

DIRECTED ENERGY SYSTEMS FOR UAV PAYLOADS

The Department of Defense Appropriations Act, 2010, H.R. 3326, contains $1,000,000 for Directed Energy Systems for UAV Payloads in the Defense-wide, RDT&E Account. The entity to receive funding for this project is ARC Technology at 13076 NW 120th St., Whitewater, KS 67154.

ARC anticipates that federal funds will complete the research and development of this technology. This technology enables both offensive and defensive capabilities from UAV platforms that are either controlled or autonomous. Targets of interest include remotely controlled devices, communications systems, computers, electronics, radar systems, infrared and acoustic sensors, and GPS jammers. The FY 10 funding addresses additional integration issues, range extension, packaging issues, and customer performance verification for incorporation into specific delivery platforms.

BUDGET FOR UAV PAYLOAD DIRECTED ENERGY SYSTEMS

Materials—5%
Labor—70%
Testing—15%
Performance verification*—10%
Total—100%

*Per customer specifications, to simulate performance in end applications.

No matching funds are required for this Department of Defense project.

B–52 TACTICAL DATA LINK PROGRAM

The Department of Defense Appropriations Act, 2010, H.R. 3326, contains $6,000,000 for B52 Tactical Data Link (TDL) Program in the Air Force, Research and Development account. This project is for The Boeing Corporation located at P.O. Box 7730 MC K71–33, Wichita, KS 67277–7730.

The B–52 Combat Communications Network Technology (CONECT) Capabilities Description Document (CDD) identified mission area capability gaps that supplied rationale for Line-of-sight (LOS) Tactical Data Link (TDL) communications. These mission area capability gaps continue to exist for missions that the B–52 has been tasked to perform. Current planned B–52 CONECT Phase A capability, slated for IOC in 2011, relies on low-speed data links that are not jam-resistant and will not meet specific mission area goals. To meet mission goals within theater operations (300 nautical miles or less), a jam-resistant, low-latency tactical data link capability is required.

Original B–52 CONECT program effort included the integration of a LOS TDL capability per the CDD requirements. During FY2005, the LOS TDL component and associated funding was removed from the program. The current B–52 CONECT program includes a two phase delivery with the initial capability (Phase A) providing low-speed BLOS and LOS communications that are not jam-resistant followed by an additional phase that adds the Family of Advanced BLOS Terminals (FAB–T) Airborne Wideband Terminal (AWT) for enhanced jam-resistant BLOS reach-back capability to the B–52. The initial phase of the program provided significant computing hardware integration and infrastructure as the basis for future communications data link integration on the B–52.

Full integration of a LOS TDL on the B–52 involves significant effort to design, test, and certify the system for operational use. The original B–52 CONECT program solution set involved integrating the MIDS JTRS terminal that has been under development since FY2004. This architecture involved integration of the legacy Link–16 Tactical waveform. Numerous platforms have integrated the Link–16

Waveform capability to participate in a LOS tactical environment.

Since that time, new technologies and concepts of operation have been assessed by the DoD community. Assurance will need to be established as to whether the Link–16 waveform is the proper transport of choice or if alternate waveform transports will be required. When developing Network-Centric architectures, robust system engineering efforts will need to be performed to establish and obtain agreement on concepts of operations and operational needlines and timelines for interoperability (i.e. establish who we are talking with and how). Effort will need to be expended to determine these interoperability solutions.

Proposed Project Activities:

Develop DoD architecture products within an Information Support Plan (ISP) to provide mission area justification for LOS TDL integration

Perform analysis of alternatives (AOA) to determine terminal selection and transport/waveform requirements to meet operational needlines

Develop candidate requirements/architecture definition utilizing original B–52 CONECT TDL architecture as a basis for integration and ensure stakeholder concurrence through design review.

Perform aircraft installation trade studies to identify any potential issues with integration (size, weight, power, cooling, antenna performance)

Perform lab demonstration of capability using government-supplied LOS terminal assets in the Wichita B–52 SIL

Deliver draft SSS modifications and System Design modifications that will provide the basis for a follow-on proposal to complete integration of a LOS TDL capability

Project Estimates:

Requirement integration with existing CONECT architecture ($1.8M—8 folks for 6 months (about $1.4M to contractor with $0.4M to customer)

Prototype design in SIL ($3.7M—12 months for 10 folks ($3.2M to contractor with $0.5M to customer)

Government Furnished Equipment (GFE) Equipment—$0.5M (Two TDL Terminals and ancillary equipment)

At the completion of the project effort, a preliminary requirements definition and architecture design understanding will be established between the government and Boeing. This would serve as the basis for a follow-on Request for Proposal (RFP) for the full SDD development effort to integrate the LOS TDL capability on the B–52. In addition, the effort will establish an Information Support Plan which supports and validates the CDD requirements and addresses mission area gaps that would be filled with a LOS TDL capability.

No matching funds are required for this Department of Defense project.

CIVIL AIR PATROL (CAP) AIRCRAFT

The Department of Defense Appropriations Act, 2010, H.R. 3326, contains $7,426,000 for Civil Air Patrol (CAP) Aircraft in the Air Force, Aircraft Procurement Account, of which $5,000,000 is a Congressional add. The entity to receive funding for this project is Cessna Aircraft Company at 3 Cessna Blvd, Wichita, Kansas 67215.

The CAP provides the least expensive airborne emergency services and Homeland Security services of any agency at approximately $100 per flying hour. The CAP budgets through the USAF for acquisition of new aircraft to modernize the fleet, maintain operational readiness, and contribute to the Homeland Security. The additional funding will procure additional aircraft for CAP.

No matching funds are required for this Department of Defense project.

DEMONSTRATION PROJECT FOR COHORT/ACIMS: COMPOSITE OCCUPATIONAL HEALTH AND OPERATIONAL RISK TRACKING SYSTEM/ADVANCED CONCEPT INFORMATION MANAGEMENT SYSTEM

The Department of Defense Appropriations Act, 2010, H.R. 3326, contains $3,000,000 for Demonstration Project for COHORT/ACIMS: Composite Occupational Health and Operational Risk Tracking System / Advanced Concept Information Management System. The entity to receive funding for this project is Spin Systems located at 3450 North Rock Road, Bldg #200, Suite 202.

This project leverages the successes of the COHORT/ACIMS I & II projects that developed the Armed Forces Medical Analysis and Collaboration Tool (AFMAC) using the Spin Business Framework (SBF). AFMAC was designed by an AF/SG physician epidemiologist to analyze and track ''Injured Airmen'' as a proof of concept. Both tasks are necessary to fully realize the power of putting actionable information in the hands of doctors and nurses carrying for our sick and injured.

Task 1: Enterprise Medical Management Framework.

This funding is to develop a clinical business intelligence and ''bedside'' case management support tool for nurses and doctors using the SBF–AFMAC framework. This tool will provide access to real-time, consolidated health information and hands-on tools to assist them in coordinating care for wounded warriors and other MHS patients. These tools will assist with case management, care coordination, team collaboration, workflow management, secure messaging, notifications and alerts, documentation creation and management, metrics, dashboards and forecasting. Our clinical teams are missing these tools, which have been identified by the AF/SG's Family Health Initiative as essential to success. The AFMS has advised the need for additional work in the amount of $1.8M.

Finance Plan: Labor—57%, ODC—5%, Materials (Enterprise License/Hardware)—38%.

Task 2: Real-Time Data Delivery.

This funding is to develop a modern solution to provide a quick, efficient, standardized and secure mechanism for delivering data from centralized information systems and databases into the hands of the doctors and nurses at the bedside and in the clinic. Providing a near-real time data delivery system will take full advantage of valuable but separate data systems and put the information in the hands of clinicians, medical technicians and health administrators without delay, duplication or redundancy. Real-time data delivery will save manpower and resources in the IT community in addition to improving health and saving lives. The AFMS has advised the need for $1.2M in additional work in this area.

Finance Plan: Labor—82%, ODC—5%, Materials (Enterprise Licenses/Hardware)—13%.

No matching funds are required for this Department of Defense project.

DEMONSTRATION PROJECT FOR CONTRACTORS EMPLOYING PERSONS WITH DISABILITIES

The Department of Defense Appropriations Act, 2010, H.R. 3326, contains $4,000,000 for Demonstration Project for Contractors Employing Persons with Disabilities in the Air Force, Operation & Maintenance. The entities to receive funding for this project is Cerebral Palsy Research Foundation located at 5111 East 21st Street Wichita, Kansas 67208 and Envision located at 2301 South Water, Wichita, Kansas 67213.

The program is authorized under H.R. 1588; Demonstration Project for Contractors Employing Persons With Disabilities. The purpose of the demonstration project is to provide jobs for people with severe disabilities who otherwise would not be fully employed. The national unemployment rate for people with severe disabilities is 70%. It is in the national best interest for the government to provide, and fund, programs which have as a purpose to lower this rate. Disabled individuals employed under the Demonstration Project are able to live independent lives and are able to pay their share of employment taxes and income taxes. These individuals, when employed, contribute to the growth of our economy. As a result of the Demonstration Project for Contractors Employing Persons with Disabilities, the U.S. Air Force Printing Office has engaged in an ongoing relationship with Envision Corporation in Wichita, Kansas. This relationship has been very successful in accomplishing not only the goal of furthering employment opportunities for the blind, but also in providing the U.S. Air Force Printing Office with funding and manpower it would otherwise not have. To date, the U.S. Air Force has advised of the need for additional work totaling approximately $8 Million.

As a result of the Demonstration Project for Contractors Employing Persons with Disabilities, the U.S. Air Force Office of Personnel and Management has engaged in an ongoing relationship with The Cerebral Palsy Research Foundation in Wichita, Kansas. This relationship has been very successful in accomplishing not only the goal of furthering employment opportunities for the severely disabled, but also in providing the U.S. Air Force Office of Personnel and Management with funding and manpower it would otherwise not have for the purpose of digitizing all paper records of its personnel. To date, the U.S. Air Force has advised of the need for additional work totaling approximately $11 Million.

The United States Air Force Personnel community is undergoing the most extensive reengineering effort in history. This effort includes streamlining processes and centralizing where it makes sense to do so by leveraging technology, and shifting the service model to a greater reliance on self-service. A key enabler to achieving the desired end state is a shift from paper-intensive personnel transitions and document storage to a near-paperless environment as spelled out in the AF/A 1 E-Records Strategy document. A key milestone in achieving an E-Record environment is conversion of current paper document repositories into a centralized digital repository. There are approximately 13 million pages of paper records that need to be scanned. Currently we are operating in option year three of a five year plan.

No matching funds are required for this Department of Defense project.

LASER PEENING FOR FRICTION STIR WELDED AEROSPACE STRUCTURES

The Department of Defense Appropriations Act, 2010, H.R. 3326, contains $2,000,000 for Laser Peening for Friction Stir Welded Aerospace Structures in the Department of the Air Force, RDT&E Account. The entity to receive funding for this project is Curtiss-Wright Metal Improvement Company at 1618 Ida, Wichita, Kansas 67211.

The program will demonstrate the benefits of laser peening on subscale components with identical geometry of targeted DoD aircraft components, quantify anticipated improvement in performance, lifetime extension and cost reduction of full size DoD aircraft components, and demonstrate the technology for use with large wing structures to achieve substantial material and operational savings for the military.

Funding will support the following activities:

Engineering and Planning—$90,000
Test Article Design & Analysis—$280,000
Test Article Fabrication—$310,000
Test Article Welding—$80,000
Test Article Laser Peening—$120,000
Test Article Fatigue Testing—$400,000
Engineering Applications for Aircraft component Evaluation—$270,000
Analysis & Reporting—$220,000
Overhead & Administration—$220,000

No matching funds are required for this Department of Defense project.

C–130 ACTIVE NOISE CANCELLATION SYSTEMS

The Department of Defense Appropriations Act, 2010, H.R. 3326, contains $3,000,000 for C–130 Active Noise Cancellation Systems in the Department of the Air Force, Aircraft Procurement Account. The entity to receive funding for this project is Global Aviation Technologies, located at 2629 W May, Wichita, Kansas 67213.

Justification of federal funding: ANCS is a program of record, and federal funds have been appropriated each year since the FY–06. The ANCS System is included in the Air National Guard FY–09 Weapons Systems Modernization Requirements desired capabilities list. The C–130 Active Noise Cancellation (ANC) is a commercial off-the-shelf (COTS) product that will reduce crew fatigue and associated hearing loss by greatly reducing the unhealthy noise levels in the C–l30 cockpit. Over 700 ANC systems are in use throughout the world in commercial airline applications, and the system has been fully tailored for the C–130H with no additional non-recurring integration work required. The system has been proven highly reliable in commercial use and requires no scheduled maintenance. C–130 cockpit noise exceeds 100 decibels, a noise level at which it is difficult to communicate clearly, and which causes fatigue and loss of crew coordination. Additionally, this noise level is well above the permanent hearing loss threshold (established by OSHA at 85 decibels). The Ultra ANC system cancels noise by introducing equal amplitude/opposite phase sound into the cockpit via a distributed speaker system. A sophisticated control system samples the noise throughout the cockpit several times a second and drives the speaker outputs to provide maximum quieting. The anticipated installed price will be $260K per C–130 aircraft.

No matching funds are required for the Department of Defense program.

AT–6B CAPABILITIES DEMONSTRATION FOR THE AIR NATIONAL GUARD

The Department of Defense Appropriations Act, 2010, H.R. 3326, contains $7,000,000 for AT–6B Capabilities Demonstration for the Air National Guard in the Air Force, RDT&E—Account. The entity to receive funding for this project is Hawker Beechcraft Corporation at 9709 E Central Ave, Wichita, Kansas 67201.

The funding would be for the development of an AT–6B. The Air National Guard (ANG), has stated a requirement to fill equipment capability gaps in support of the mission to conduct for Irregular Warfare operations, Joint Terminal Attack Controller (JTAC) Training, as well as Homeland Defense, Homeland Security, and Civil Support mission capabilities training that support DoD, DHS, and State mission requirements. The AT–6B is an affordable, sustainable and responsive aircraft tailored to the NetCentric intelligence, surveillance and reconnaissance (ISR) and light attack missions. The AT–6B meets the needs of top level US National Strategic Guidance, including recent Quadrennial Defense Review recommendations, at a fraction of the cost and a fraction of the infrastructure requirements of conventional jet fighters. The AT–6B offers the US Air Force and Air National Guard an asset tailored to increase airman-to-airman engagement with partner Air Forces vital to meeting US national security objectives. It is a cross-cutting enabler critical to expanding foreign partnerships and expanding partnership airpower capacity.

Estimated cost of the AT–6B capabilities flight demonstration is approximately $21 million. Approximately $14 million = Industry costs to build and provide a mission system equipped AT–6B demonstrator aircraft. Hawker Beechcraft will provide this portion of the total cost. The capital investment required to deliver an operational flight demonstration aircraft also leverages a significant corporate IR&D investment made to develop the AT–6B aircraft which is not included in the $14 million industry contribution. In addition to the actual capital investment in building the aircraft, the contractor also intends to provide sensors and other mission equipment on loan to the Air Force in support of the demonstration, thereby further reducing government costs. Approximately $7 million = Government costs to fund government-run flight test, including: government program management costs, range instrumentation costs, aircraft operating costs, Air Force directed mission equipment integration costs, and contractor engineering and support services in support of demonstration.

No matching funds are required for the Department of Defense program.

DEVELOPMENT OF IMPROVED LIGHTER-WEIGHT IED/EFP ARMOR SOLUTIONS

The Department of Defense Appropriations Act, 2010, H.R. 3326, contains $2,000,000 for Development of Improved Lighter-Weight IED/EFP Armor Solutions in the Department of the Army, RDT&E Account. The entity to receive funding for this project is Leading Technology Composites at 2626 West May, Wichita, KS 67213.

This funding is to develop and field Lightweight IED/EFP Armor Solutions for the US Military. These improved solutions will reduce weight, increase payload and maneuverability, and defeat the current battlefield threats. Innovative solutions to reduce current system weights result in increased payload, maneuverability.

Finance Plan:

Materials—40%
Processing—10%
Test and Analysis—30%
STE—5%
Labor—15%

No matching funds are required for the Department of Defense program.

ACCELERATED INSERTION OF ADVANCED MATERIALS

The Department of Defense Appropriations Act, 2010, H.R. 3326, contains $2,500,000 for Accelerated Insertion of Advanced Materials in the Department of the Air Force, RDT&E Account. The entity to receive funding for this project is Wichita State University at 1845 Fairmount St, Wichita 67260.

This program will provide a breakthrough in technology integration and will achieve significant cost and cycle-time reductions in new material insertion through (a) data-sharing among multiple users, (b) statistical continuity from one length-scale to another and (c) reduced testing via increased capability and use of numerical/analytical simulation tools. Anticipated benefits include reductions in non-recurring and recurring program qualification costs and introduction of multiple sources of new advanced material forms. Unlike structures that use metallic materials in the manufacturing process, the material properties of a composite are manufactured into the structure as part of the fabrication process. Therefore, it is essential to ensure that critical parameters pertaining to composite materials and their production processes are identified to facilitate adherence to standards in the final engineered part. Presently, each original equipment manufacturer (OEM) is responsible for this assurance, creating ''customized'', nonstandard procedures for quality and safety assurance.

DoD aircraft repair and modification efforts are extremely important because (a) difficulty in this area can lead to the rejection of a structural or material concept in the preliminary design phase, (b) they form a significant part of the total ownership cost and can drive fleet life-cycle decisions, (c) they provide opportunities to insert new material concepts quickly and at minimal cost, and (d) the type and level of engineering effort for repair/modification qualification in large military and commercial transport aerospace applications closely equates to that of full-design efforts. This program will seek to provide the DoD with a solution to this problem and eliminate the costly material insertion that exists for new programs or retrofitting materials used on legacy aircraft as well as enable United States aerospace leadership. This program is also supported by the aviation industry and composite material supplier industry and has over a 1:1 leverage factor.

Financial Plan:

Labor (salary and fringes)*—41%
Travel*—2%
Materials & supplies*—20%
Laboratory testing—37%
Equipment—0%

Percent and Sources of Matching Funds:

10%—State of Kansas; 60%—Aviation Industry; 60%—Composite Material Suppliers; 10%—FAA; 5%—NASA. No matching funds are required for the Department of Defense program.

AGING AIRCRAFT FLEET SUPPORT

The Department of Defense Appropriations Act, 2010, H.R. 3326, contains $2,000,000 for Aging Aircraft Fleet Support in the Department of the Navy, RDT&E Account. The entity to receive funding for this project is Wichita State

University at 1845 Fairmount St, Wichita 67260.

Most of the aging research being conducted presently is focused on metallic structures. In addition to the ongoing research in aging metallic structures, the requested appropriation will permit NIAR to partner with the NAVY and investigate the effects of aging on composite structures as well as composite/metallic hybrid structures. As more composite components are being certified and used on primary and ''flight critical'' secondary structures, a future need of the military and commercial aviation industry will be the investigation of these composite structures and the assurance of the airworthiness of composite components. NIAR already has a background in this through partnerships with the FAA by investigating Boeing 737 composite tail structures which flew commercial service for over 20 years and by examining the first of all composite certified aircraft recently taken out of service, the Beechcraft Starship. Lessons learned from this research will provide insight into the aging aspects of other composite aircraft structures and influence the use of advanced materials on new aircraft being proposed for military service as well as maintenance of the existing fleet.

The biggest concerns with aging aircraft are the unknowns that emerge with little or no warning, raising the concern that an unexpected phenomenon may suddenly jeopardize an entire fleet's flight safety, mission readiness, or support costs. The DoD can benefit from the direct application of the research results into fleet management strategies as well as proactively provide strategies that will reduce the cost of maintenance for advanced materials used on military aircraft.

Financial Plan:

Labor (salary and fringes)*—32%
Travel*—2%
Materials & Supplies*—9%
Laboratory Testing—39%
Equipment—18%

Percent and Sources of Matching Funds: 25%—FAA; 10%—Aviation Industry. No matching funds are required for the Department of Defense program.

COMPOSITE SMALL MAIN ROTOR BLADE

The Department of Defense Appropriations Act, 2010, H.R. 3326, contains $3,000,000 for development of a Composite Small Main Rotor Blade in the Department of the Army, RDT&E Account. The entity to receive funding for this project is Kaman Aerostructures at 1650 South McComas Street, Wichita, KS 67213.

It is my understanding that the funding would be used to continue development on the Composite Small Main Rotor Blade which would replace the legacy main rotor blade on the US Army's A/MH–6 Little Bird helicopter. The Little Bird, flown by the U.S. Army's 160th Special Operations Aviation Regiment, has been heavily modified to better meet operational needs; however, the main rotor blade, a critical dynamic component, has not been upgraded to modern standards. Constructed of metal, this blade is highly susceptible to damage and fatigue, and since metal lacks ballistic tolerance, the blades leave the aircraft especially vulnerable to enemy weapons in hostile action. Moreover, when gunners fire their weapons from the aircraft, expended shell casings can cause minor skin dents, and even these small dents require that the blades be replaced. The Composite Small Main Rotor Blade takes advantage of the inherent ballistic tolerance of composite construction, advanced aerodynamic design, and state-of-the-art erosion-resistant materials and will significantly improve the safety, reliability, performance—and survivability—of the aircraft. Specifically, the blades will increase damage tolerance, enhancing survivability in hostile environments, and improve hover performance, increase operating ceiling, increase maximum forward speed, all adding to the aircraft's maneuverability and performance envelope. The composite blades will also improve erosion resistance, experience better field reparability, and reduce the cost and logistics burden related to premature metal blade replacement due to damage.

Funds are requested to fabricate production tooling, fabricate FAA certification blades, and conduct FAA certification ground and flight testing required to create Commercial-Off-The-Shelf acquisition capability for the military. Composite Small Main Rotor Blades will (1) make the A/MH–6 Little Bird helicopter more survivable in hostile environments; (2) expand the flight envelope of the aircraft; and (3) reduce logistics burden and cost associated with supporting the legacy blade.

No matching funds are required for the Department of Defense program.

EARMARK DECLARATION

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. DUNCAN. Madam Speaker, I submit the following.

Requesting Member: Congressman JOHN DUNCAN

Account: OP—Army

Project Amount: $5,000,000

Legal Name of Requesting Entity: TN Army National Guard, Houston Barracks, 3041 Sidco Drive, Nashville, Tennessee 37204

Description of Request: The funding would be used to allow Army National Guard trainers (both fielded and yet-to-be procured) to network together on a Combined Arms virtual battlefield.

HONORING SCOTT JOSEPH BURGER UPON ATTAINING THE RANK OF EAGLE SCOUT

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge a young man in my district, Scott Joseph Burger.

Scott will be celebrating his Eagle Court of Honor on August 2, 2009. For his community service project, he designed and facilitated the construction of two lecterns for Walt Whitman High School in Huntington Station, New York.

PAYING TRIBUTE TO MICHIGAN STATE UNIVERSITY'S IMPACT 89FM RADIO STATION

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. ROGERS of Michigan. Madam Speaker, I rise to honor the accomplishments of the students and staff of Michigan State University's WDBM ''Impact 89'' FM Radio Station on the occasion of the station being named the College Radio Station of the Year by the Michigan Association of Broadcasters and Broadcast Music Inc.

MSU's Impact 89 FM has received this prestigious honor nine of the past 10 years, making the station a standout among all the college radio stations in the entire Great Lakes region. The 2009 Gold Record Award was presented at the Great Lakes Broadcasting Conference in March.

Judging for the awards is by professional radio and television broadcasters in Michigan.

In addition to winning the overall college station of the year award, Impact staffers also earned first place in four of seven individual categories, including Jon Erickson for air check; Wes Holing for talk show; Nate Gray for promotional announcement; and the team of Jeremy Whiting and Brock Elsesser for the station activities report.

Other staffers receiving individual awards were Mike Weber, Doug Neal, Corrina Van Hamlin, John Simpkins, D'Destin Kaufmann, Lindsay Machak, Emily Fox, Brandon Jaksim, Autumn Maison, Dan Dugger, Jamal Spencer, Ed Glazer and Jesse McLean.

The Impact 89 team is led by Gary Reid, Distinguished Senior Specialist with the MSU Department of Telecommunication, Impact 89 FM General Manager, and Associate Director of the Quello Center for Management and Law, named after long-time FCC Commissioner, James H. Quello.

As someone who worked on the college radio station at my own alma mater, I have great respect for the professionalism and competitive spirit of the Impact 89 FM team and their manager and mentor, Gary Reid.

In 2009, Impact 89 FM is celebrating its 20th anniversary and the thousands of students who have worked there and gone on to successful careers throughout the country.

Impact 89FM has been a leader in creative, diverse programming and adoption of new technology. WDBM was the 132nd among nearly 14,000 radio stations in the country to be licensed by the FCC to make the transition to High Definition broadcasting in 2004.

Madam Speaker, I ask my colleagues to join me in honoring the students and staff of WDBM ''Impact 89'' FM for their dedication to excellence. They are truly deserving of our respect and admiration.

TAYLOR: THE LITTLE MIRACLE BABY

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. POE of Texas. Madam Speaker, ''Although the world is full of suffering, it is also

full of the overcoming of it.'' Madame Speaker, Hellen Keller made this observation about life and today I'd like to share the inspiring story of Taylor Christine Hunt. A little baby who I like to call the Miracle Baby. Her story is a moving reminder that prayer, faith, hope, and love can and do overcome the challenges of life.

Born at 27 weeks and weighing just one and a half pounds little Baby Taylor beat the odds. Last fall my staffer, Nicole Hunt and her husband Jeff Hunt shared their excitement with me as they announced they were expecting their first baby at the end of May. In January of this year they found out they were having a girl. We all rejoiced at the news. However, on March 1, 2009, due to pregnancy complications, little Baby Taylor was born three and a half months premature.

Taylor was immediately admitted to the Neonatal Intensive Care Unit and placed on a ventilator to help her breathe. She remained on the ventilator for nearly a week as doctors kept a close watch on her. Nicknamed the ''little spitfire'' by doctors and nurses because of her sassy and stubborn attitude towards all of their poking and prodding, Taylor would not let anything keep her down.

Early on doctors detected an irregularity with her heart and took prompt medical action to correct it. Thankfully they were successful. In the first few months of her life doctors also discovered that Taylor had an eye disorder that primarily affects premature babies. Miraculously, it was there one day and gone the next. Today Taylor has perfect vision. Slowly, as Taylor's body matured, she learned to breathe on her own, take food, and maintain her body temperature.

While Jeff and Nicole sat by her bedside day and night, they also rallied a huge group of supporters to pray for Taylor. Taylor even had her own website called ''Pray Taylor Home'' and literally thousands of people all over this country and the world prayed for her recovery.

On June 2, 2009, after 94 days of hospitalization, hundreds of tests, dozens of specialists, 3 blood transfusions, and one ambulance ride, Taylor was finally well enough to go home.

Today Taylor has been home for about two months and is thriving. She is almost 8 pounds and is developing beautifully. It has been a pleasure to see this little Miracle Baby beat the odds and I am proud to share her story with this Chamber today.

Edith Wharton, a famous novelist, once wrote: ''There are two ways of spreading light: to be the candle or the mirror that reflects it.'' Taylor is that candle—spreading hope and teaching all of us that we must never give up.

And that's just the way it is.

EARMARK DECLARATION

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. BARTON of Texas. Madam Speaker, I rise today to submit documentation consistent with the Republican Earmark Standards.

Requesting Member: Congressman JOE BARTON

Bill Number: H.R. 3326—Department of Defense Appropriations Bill

Account: Army RDT&E

Legal Name of Receiving Entity: Federal Technology Group

Address of Receiving Entity: 2421 Thomas Rd., Haltom City, TX 76117

Description of Request: I have secured $1,500,000 in funding to be used to develop and produce an application called ''reactive materials,'' which is a system designed to defeat Improvised Explosive Devices, thus protecting America's war fighter.

EARMARK DECLARATION

HON. DOC HASTINGS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. HASTINGS of Washington. Madam Speaker, to provide open disclosure, I am submitting the following information regarding projects that I support for inclusion in H.R. 3288, the Transportation, Housing and Urban Development Appropriations Act of 2010.

Amount: $750,000

Account: Federal Highway Administration—Transportation and Community and System Preservation

Entity receiving funds: City of Pasco, located at 525 North Third Avenue, Pasco, WA 99301.

Description: These funds will be used to replace the Lewis Street railroad undercrossing with a four-lane overpass to improve the safety of motorists and pedestrians, while improving freight mobility and response times for emergency services.

Amount: $500,000

Account: Federal Transit Administration—Buses and Bus Facilities

Entity receiving funds: Link Transit of 2700 Euclid Avenue, Wenatchee, WA 98801.

Description: Funds will be used to replace old buses and ensure that Link Transit can continue to provide current services.

HONORING THE CAREER OF REAR ADMIRAL LEENDERT R. HERING, SR., UNITED STATES NAVY

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. ISSA. Madam Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to the United States Navy are exceptional.

Our country has been fortunate to have dynamic and dedicated leaders who willingly and unselfishly give their time and talent to keep this country free and safe. Rear Admiral Leendert ''Len'' Hering, Sr. is one such leader.

Radm. Hering was born in Portsmouth, Virginia and commissioned through the NROTC Scholarship Program from State University of New York Maritime College in 1977 with a Bachelor of Science degree in Meteorology and Oceanography. He has also earned a Master of Science degree in International Relations and Strategic Studies from the Naval War College, and a Master of Science degree in Business Management from Salve Regina University in Newport, Rhode Island.

Rear Admiral Hering's initial sea assignment was aboard USS SANTA BARBARA (AE 28), where he served as 1st and 2nd Division Officer and Assistant First Lieutenant. Upon completion of Department Head School in 1980 he was assigned to the commissioning crew of USS FAHRION (FFG 22) as Ship's Control Officer and later as Combat Systems Officer. He had command of USS ARIES (PHM 5) from January 1989 to January 1991 and USS DOYLE (FFG 39) from July 1995 to March 1997. DOYLE was a member of the Vinson Battle Group in Desert Strike; the ship earned the Battle ''E,'' all possible departmental awards, the 1996 Chief of Naval Operations LAMPS Safety Award, and two TYCOM Safety Awards.

His assignments ashore include duty as operations and plans officer to Commander, Destroyer Squadron TWELVE; aide and administrative assistant to the Deputy Chief of Naval Operations for Naval Warfare; Action Officer, Pacific Command Branch J–33, Joint Operations Directorate, Joint Staff; 1st Battalion Officer and Ethics Instructor, U.S. Naval Academy, Annapolis, Maryland; Commanding Officer of Naval Base San Diego; Commander, Naval Surface Group Pacific Northwest; Commander, Navy Region Northwest, and presently Commander, Navy Region Southwest.

Rear Admiral Hering's personal awards include (2) Legion of Merit, Defense Meritorious Service Medal, (4) Meritorious Service Medals, and various other personal achievement, service awards and ribbons.

He and his wife Sharon have three boys. STS1 Lee Hering, USN, Tim, and Christopher.

On the occasion of his retirement and on behalf of the people of the United States whom he has served with courage and honor, we commemorate the service of Rear Admiral Leendert R. Hering.

RECOGNIZING ROSE ANN GALLETTA CORIGLIANO UPON HER 80TH BIRTHDAY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. HIGGINS. Madam Speaker, I stand here today to recognize the life of Rose Ann Galletta Corigliano as she prepares to celebrate her 80th birthday on August 8, 2009.

Rose, born on Hickory Street in Buffalo, currently lives with her husband James in Amherst, New York and the pair has a long history of being active members of the Western New York community.

In 1963, Rose and James founded Rosina Food Products, a small sausage business James named after his wife, which serviced small meat markets, supermarkets and restaurants in the local Buffalo area.

With Rose's family meatball recipe, Rosina Foods flourished. Within a short time, Rosina Foods saw immense success, moving towards selling their products nationally.

Today, Rose and James have handed the family business down to their sons, Russell and Frank, who now serve as President and Executive Vice President. Russell and Frank have made some major acquisitions, including that of two labels which allows Rosina's to sell many frozen pasta items throughout the United States.

Rose still serves as the inspiration behind the enormously successful and ever growing Rosina Food Products, Inc. and the company regularly gives back to local organizations in the community.

I would like to congratulate Rose for reaching this important milestone. It is my pleasure to recognize Rose's many contributions to her family, friends and community. I wish Rose many more years of continued success and happiness.

EARMARK DECLARATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. GRAVES. 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. 3326, the Department of Defense Appropriations Act, 2010:

Congressman SAM GRAVES (MO–6)

Department of Defense, Air Force, Operations and Maintenance ANG—$465,000 for the 139th Airlift Wing, ANG for force protection and training equipment (705 Memorial Drive, St. Joseph, MO 64503–3388)

Federal funds will be used to purchase explosive/hazardous materials SABRE 4000 detection devices, procure training equipment, including UHF and Automated Access System, and reinforce defensive infrastructure. These funds will increase the 139th AW's capability for future missions, enhance effectiveness of current missions, and improve efficiency.

Congressman SAM GRAVES (MO–6)

Department of Defense, Army, Procurement of Ammunition—$5,000,000 for the Lake City Army Ammunition Plan for small caliber ammunition production modernization (PO Box 1000, Independence, MO 64501)

Federal funds will be used for ammunition production and ballistic test range upgrades. Due to increased regulations by the EPA and DoD prohibiting the use of heavy metals in ammunition production and use, the DoD has undertaken an initiative to eliminate heavy metal compounds from priming mixtures as soon as an acceptable product is available. The federal funding obtained will be used to determine if the industry efforts made to find a new potential heavy metal free compounds can be applied to military requirements. This will reduce hazards to personnel engaged in small arms training and operation, enable DoD to utilize ranges that might otherwise not be available due to federal and local restrictions on heavy metal content in training ammunition, and supports training and readiness requirements.

EARMARK DECLARATION

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. SMITH of New Jersey. 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: Making Appropriations for Interior and Environment for Fiscal Year 2010.

Requesting Member: Rep. CHRISTOPHER H. SMITH

Bill Number: H.R. 2996

Account: Save America's Treasures

Legal Name of Requesting Entity: Georgian Court University

Address of Requesting Entity: Georgian Court University, 900 Lakewood Avenue, Lakewood, NJ 08701

Description of Request: The $200,000 in funding would be used to help preserve the Mansion at Georgian Court University, a building on both the State and National Registers of Historic Places. The building is used by over 23,000 New Jersey residents each year while attending various programs offered through the University's Department of Conferences and Special Events.

EARMARK DECLARATION

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. SAM JOHNSON of Texas. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I, Sam Johnson, am submitting the following information regarding earmarks I received as part of H.R. 3326, the Department of Defense Appropriations Act of 2010.

(1) The entity to receive funding is Microfab Technologies, Inc., 1104 Summit Ave., #110, Plano, Texas 75094.

This $1M request is funded through the Army RDT&E, Medical and Technology account. MicroFab Technologies Inc., located in Plano, is working to develop a portable bioprinter/skin printing system to repair life threatening battlefield burn injuries with biologic skin. This will allow military medical personnel to promptly respond and manage burn injuries on site using a printable allograft, a graft using cells from a variety of individuals.

(2) The entity to receive funding is L–3, 3414 Herman Drive, Garland, Texas 75041.

This $3.8M request is funded through the Navy (Marine Corps), Marine Corps Ground Combat/Supporting Arms Systems account. Garland's L–3 Electro-Optical Systems Division employs 336 people at the Garland facility and 202 at the Dallas site. Currently, it is not possible for a Marine to use Night Vision Devices (NVDs) and Thermal Weapon Sights (TWSs) at the same time. This causes a decrease in awareness and puts the Marine at greater risk. Through research, the industry has developed technology to fuse the two systems, enabling a Marine to see a night scene and thermal imagery, targeting lasers and targeting information all through the helmet-mounted NVD. The RASOR program is developing a kit to retrofit the existing NVD that will enable the user to receive the imagery and targeting data from the thermal weapon sight.

(3) The entity to receive funding is Mustang Technology, 400 W. Bethany Dr., Ste 110, Allen, Texas 75013.

This $1M request is funded through the Navy RDT&E, Power Projection Advanced Technology account. Mustang Technology Group, of Allen, aims to improve the radar system for the Navy. The Navy lacks an all-weather airborne unmanned air vehicle (UAV) surveillance capability to detect and track high value targets that move, stop for a while, and then move again (Move Stop Move: MSM). Not having this capability allows terrorists that stop and plant mines and IEDs along the shoreline to evade surveillance. The MTI Scout radar hardware is designed to support MSM but requires additional work to develop, integrate, and test the MSM mode software. The light weight and low power of the MTI Scout radar make it ideal for many other airborne manned and unmanned surveillance platforms, like the Predator, Fire Scout, and MC–12W.

(4) The entity to receive funding is Raytheon, 2501 West University Drive, McKinney, TX 75071–2813.

This $2M request is funded through the Army RDT&E, Combat Vehicle Improvement Programs account. Raytheon's Active Protection System division employs approximately 35 people full time in McKinney. APS is an externally mounted vehicle protection system that identifies, discriminates and intercepts rocket propelled grenades (RPGs), mortars, antitank guided missiles and artillery projectiles after they are launched toward a combat vehicle. It provides 360 degree surveillance and protection against multiple simultaneous threats. This funding will allow insertion of reduced cost electronics and modifications to the radar for Stryker integration, as well as software and hardware development for system command and control, including the human-machine interface.

(5) The entity to receive funding is SVTronics, 3465 Technology Drive, Plano, Texas 75074.

This $3.4M request is funded through the Navy RDT&E, Medical Development account. SVTronics in Plano employs 120 people. The U.S. Marine Corps has been developing a lightweight, self-contained, Mobile, Oxygen, Ventilation, and External Suction (MOVES) system in support of the En Route Care System. The MOVES system uses ambient air to produce oxygen and then delivers the oxygen directly to the casualty. It has a ventilator that can ventilate a patient with up to 85% oxygen, and it also has suction capability. In addition, the MOVES system can monitor vital signs including blood pressure, heart rate, pulse oximetry, temperature, oxygen and carbon dioxide levels, and ECG. All of these capabilities are integrated in a single system that can run on its own power and easily connect to a patient litter for transport. MOVES reduces the cube and weight of the present En Route Care System by over 60%, and eliminates the hazards associated with pressurized oxygen cylinders in the field.

EARMARK DECLARATION

HON. JOHN FLEMING

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. FLEMING. 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. 3326, the ''Department of Defense Appropriations Act, 2010.'' I have requested

funding for the following projects in Fiscal Year 2010:

Nuclear Enterprise Surety Tracking, Account: RDTE, AF. Recipient: United States Air Force, Global Strike Command (Barksdale AFB, Louisiana). In support of AFGSC at Barksdale AFB, funds would support the Air Force's efforts to reinvigorate the Nuclear Surety Mission by combining a suite of technologies and applications on a bio-metrically secure handheld computing device to enable the real-time tracking of nuclear warheads and nuclear bombs across all USAF installations.

Reconstitution of B–52 Nuclear Capability Study, Account: RDTE, AF. Recipient: United States Air Force, Global Strike Command (Barksdale AFB, Louisiana). In support of the 2nd Bomb Wing and Headquarters, Eighth Air Force at Barksdale AFB, FY10 funds would provide for a comprehensive study of nuclear vulnerabilities to assure the B–52 bomber can meet its nuclear mission. Project will support the USAF/Global Strike Command mission to reinvigorate the Air Force nuclear enterprise. The goal is to produce a prioritized list of recommendations that will enhance the B–52 fleet's capability to execute its nuclear role in support of USSTRATCOM commitments.

Consistent with the Republican Leadership's policy on earmarks, I hereby certify that to the best of my knowledge, this request: 1) is not directed to an entity or program that will be named after a sitting Member of Congress, 2) is not intended to be used by an entity to secure funds for other entities unless the use of funding is consistent with the specified purpose of the earmark, and 3) meets or exceeds all statutory requirements for matching funds where applicable. I also hereby certify that neither I nor my spouse has any financial interest in this project.

EARMARK DECLARATION

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. LANCE. 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. 3326, The FY 2010 Department of Defense Appropriations Act:

Agency: Army
Account: RDT&E
Amount: $3,150,000
Project: Conversion of Municipal Solid Waste to Renewable Diesel Fuel
Recipient: Covanta Energy 40 Lane Rd, Fairfield, NJ 07004

The purpose of this program is to convert military solid waste to diesel, resulting in >10% savings and stabilize the long-term cost of fuel. This conversion will also enable the military to exercise unprecedented control over raw material (waste feedstock) generation and supply.

Agency: Army
Account: RDT&E
Amount: $2,000,000
Project: Dermal Matrix Research
Recipient: LifeCell Corporation, One Millennium Way, Branchburg, NJ 08876

The purpose of this program is to continue development of an off-the-shelf transplantable graft from porcine tissue for combat casualties with full-thickness burns and other skin and dermal deficits prior to their evacuation from the theater of operation.

Agency: Army
Account: RDT&E
Amount: $2,000,000
Project: Printed and Conformal Electronics for Military Applications
Recipient: FlexTech Alliance, 84 W. Santa Clara St., Suite 630 San Jose, CA 95113

The funding would be used to develop and manage a supply chain and prototype development program for printed and conformal electronics.

Agency: Army
Account: RDT&E
Amount: $2,500,000
Project: Standard Ground Station—Enhancement Program
Recipient: Sarnoff Corporation, 201 Washington Road, Princeton, NJ 08540–6449

The purpose of this program is to allow the Standard Ground Station (SGS) to be used in other locations outside of Iraq by developing methodologies that can be applied to, and deployed in, multiple terrains and topographies—coastal, mountainous, forested—to extend the SGS's geographic primacy and protect Joint Warfighters as they prosecute the global war on terror.

Agency: Army
Account: RDT&E
Amount: $1,000,000
Project: Tactical Metal Fabrication (TacFab)
Recipient: SeaBox, Inc., 450 Black Horse Lane, No. Brunswick, NJ 08902

The purpose of this program is to provide a containerized, mobile foundry to the U.S. Army, allowing deployed forces to produce spare and replacement parts in the field. This cuts the order time from weeks or months to 24 hours.

Agency: Air Force
Account: RDT&E
Amount: $3,000,000
Project: Planar Lightwave Circuit Development for High Power Military Laser Application
Recipient: LGS Innovations, 15 Vreeland Road, Florham Park, NJ 07932

The purpose of this program is to meet the High-Energy Laser Joint Technology Office (HEL–JTO) need for revolutionary high power, high efficiency, electrically-driven laser technology that can be turned into a ruggedized system for use by all branches of the military.

Agency: Defense-wide
Account: RDT&E
Amount: $2,000,000
Project: Secure, Miniaturized, Hybrid, Free Space, Optical Communications
Recipient: LGS Innovations, 15 Vreeland Road, Florham Park, NJ 07932

The purpose of this program is to provide a fully operational secure, miniaturized, RF optics hybrid wireless communications system meeting the specific volume, weight, and power constraints required for secure, covert defense-related communication applications for the Department of Defense.

EARMARK DECLARATION

HON. DOC HASTINGS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. HASTINGS of Washington. Madam Speaker, to provide open disclosure, I am submitting the following information regarding projects that I support for inclusion in H.R. 3326 the Department of Defense Appropriations Act, 2010.

Amount: $3 million
Account: Army Research, Development, Test and Evaluation
Entity receiving funds: Army and General Dynamics located at 9256 Randolph Road NE, Moses Lake, WA 98837.
Description: The U.S. military has stated that it needs a compact, low-cost accuracy kit to place on existing mortar and rockets. This funding will be used to develop this technology for the U.S. military.

Amount: $1.5 million
Account: Army National Guard, Operations and Maintenance
Entity receiving funds: Army National Guard and the HAMMER facility, located at 2890 Horn Rapids Road, Richland, WA 99354.
Description: These funds will be used to ensure that Army National Guard units receive the training needed to respond to weapons of mass destruction attack.

Amount: $1 million
Account: Army Research, Development, Test and Evaluation
Entity receiving funds: Army and Infinia, located at 6811 West Okanogan Place, Kennewick, WA 99336.
Description: These funds will be used to provide the Army with a small, efficient, reliable way to equip American troops with both electricity and hot water.

Amount: $2 million
Account: Research, Development, Test and Evaluation Defense Wide
Entity receiving funds: Battelle Northwest located at 902 Battelle Boulevard, Richland, WA 99352 and Heritage University located at 3240 Fort Road, Toppenish, WA 98948.
Description: These funds will be used to provide a security protected collection of technical reports, scientific studies, and reference documents on chemical and biological warfare available to the U.S. intelligence community. This supports the intelligence community's mission to make all relevant documents available to intelligence analysts.

EARMARK DECLARATION

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. GERLACH. 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. 3326 the Department of Defense Appropriations Act, 2010.

Analytical Graphics, Inc. (AGI) COTS Technology for Space Command and Control, Exton, PA—$2 million to refine existing COTS technologies to make them completely applicable for space command and control programs. The funds will enable development and demonstrations of various COTS technologies for integrated space command and control.

Arkema, King of Prussia PA—$2 million to develop lightweight, breathable clothing resistant to chemical and biological agents.

Bally Ribbon Mills, Bally PA—$3 million to develop a technology and machine to produce

3D bias woven composite structures for aerospace applications.

Cerus Corporation, Bala Cynwd, PA—$3 million requested for blood safety and decontamination technology development.

Morphotek, Exton PA—$1 million for potent human monoclonal antibodies against BoNT A, B and E suited for mass production and treatment of large populations.

Rajant, Malvern PA—$3 million for portable mobile emergency broadband systems.

EARMARK DECLARATION

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. POE 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 H.R. 3326, the Department of Defense Appropriations Act, 2010:

Requesting Member: Congressman TED POE

Bill Number: H.R. 3326, the Department of Defense Appropriations Act, 2010

Account: RDTE, A

Legal Name of Requesting Entity: Lamar University

Address of Requesting Entity: 4400 MLK Boulevard, P.O. Box 10119, Beaumont, TX 77710

Description of Request: I have secured $4,000,000 in funding for Lamar University's Advanced Fuel Cell project to continue to develop an efficient and clean advanced renewable energy source to meet urgent U.S. Army space and missile defense battlefield requirements. The Advanced Fuel Cell project continues to develop, test and validate advanced fuel cell technologies necessary to enable lightweight, power efficient, environmentally clean, and cost-effective renewable energy technology and products for Army space and missile defense systems including: sensors, radars, weapons, and communications. Project could also be used in border, port, and chemical facility surveillance.

EARMARK DECLARATION

HON. BOB INGLIS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. INGLIS. Madam Speaker, pursuant to the Republican leadership standards on earmarks, I am submitting the following information regarding an earmark I received as part of HR 3326, Department of Defense Appropriations Act, 2010.

Requesting Member: Congressman BOB INGLIS

Bill Number: HR 3326, Department of Defense Appropriations Act, 2010

Account: 17 DARPA 0602715E Materials and Biological Technology

Legal Name of Requesting Entity: Milliken and Company

Address of Requesting Entity: 920 Milliken Road, Spartanburg, South Carolina 29304

Description of Request: This project continues work that began in July 2007 under Army Research Laboratory (ARL) Cooperative Agreement #W911NF-07-2-0074. An annual program plan was mutually developed for three years with the Cooperative Agreement Manager at the onset of the award. The scope of the effort will be to leverage the past work to fabricate a full-scale molded part that is suitable for use on an existing tactical vehicle platform. Milliken will work with ARL and a designated U.S. DOD prime vehicle contractor to select, fabricate and test the specific component, such as a hood, quarter panel or underbody hull component. The amount is $2,800,000 and it would go to Milliken and Company.

EARMARK DECLARATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. JOHNSON of Illinois. Madam Speaker, pursuant to the Republican Leadership standards on project funding, I am submitting the following information regarding project funding I requested as part of Fiscal Year 2010 Defense Appropriations bill—H. R. 3326:

Requesting Member: TIMOTHY V. JOHNSON

Bill Number: H.R. 3326—Fiscal Year 2010 Defense Appropriations bill

Account: Research, Development, Test and Evaluation—Navy

Legal Name of Requesting Entity: University of Illinois

Address of Requesting Entity: College of Engineering, University of Illinois at Urbana-Champaign, 1308 West Main Street, Urbana, Illinois 61801

Description of Request: $1,500,000 for the University of Illinois to establish the Center for Assured Critical Application and Infrastructure Security (CACAIS) which will address the development of trust validation tools for critical computer infrastructures of particular importance to the nation, namely defense applications, financial systems, and electrical power, to ensure public confidence in these systems. It is my understanding that of this amount $1,000,000 is for equipment, facilities, and laboratory costs; $375,000 for personnel; $75,000 for technology transfer; and $50,000 for computer costs.

Requesting Member: TIMOTHY V. JOHNSON

Bill Number: H.R. 3326—Fiscal Year 2010 Defense Appropriations bill

Account: Research, Development, Test and Evaluation—Army

Legal Name of Requesting Entity: U.S. Army Engineer Research and Development Center, Construction Engineering Research Laboratory

Address of Requesting Entity: 2902 Newmark Drive, Champaign, Illinois 61826

Description of Request: $2,500,000 for the U.S. Army Engineer Research and Development Center, Construction Engineering Research Laboratory to field validate large-scale Zinc-Flow electrical energy storage to improve the energy security, fossil-fuel consumption and carbon-footprint of our military bases. It is my understanding that of this amount $950,000 is for energy storage systems; $400,000 is for equipment, installation, test, and data acquisition; $975,000 for personnel; $175,000 for administration.

EARMARK DECLARATION

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday July 30, 2009

Mr. COBLE. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I am requesting as part of H.R. 3326, the Defense Appropriations Act of 2010.

Requesting Member: Congressman HOWARD COBLE

Bill Number: H.R. 3326

Account: Army RDTE Ballistics Technology account (PE 0602618A)

Legal Name of Requesting Entity: PPG Industries

Address of Requesting Entity: P.O. Box 949, Lexington, NC 27293

Description of Request: The bill provides $2,000,000 for Advanced Composite Armor for Force Protection at PPG Industries (PPG). PPG recently discovered new resin and fiberglass technologies that can provide both performance improvements and weight savings in composite solutions for ballistic protection. Advanced composite materials will be developed and tailored to defeat evolving ballistic and Improvised Explosive Devices (IED) fragmentation threats. The research program will develop both non-transparent and transparent solutions. As PPG has begun initial research on this project, a variety of composite designs have demonstrated success in laboratory testing. Solutions will utilize new high strength glass fibers and will resist a wide range of threats, including ballistic, blast and IED. Further, the project directly supports research objectives at PPG facilities in Lexington, North Carolina, to develop composite ballistic panel solutions designed to meet specific identified threat levels. As threats continue to evolve, advanced soldier and asset protective material technologies are crucial to the U.S. Army. Technologies such as PPG's fiberglass composite research are of national interest as we seek better protection for our soldiers in the field today and look ahead to our defense needs to come.

Requesting Member: Congressman HOWARD COBLE

Bill Number: H.R. 3326

Account: Air Force RDTE Basic Research Materials account (PE 0602102F)

Legal Name of Requesting Entity: RF Micro Devices

Address of Requesting Entity: 7628 Thorndike Road, Greensboro, NC 27409

Description of Request: The bill provides $2,000,000 for the Gallium Nitride Microelectronics and Materials project at RF Micro Devices. Gallium Nitride-based microelectronics is the next generation of semiconductor technology. It is of critical importance to the development of many advanced defense systems, in particular radar, communications and electronic warfare systems. This technology also has the potential to open up entirely new areas of commercial wireless infrastructure applications. This Navy research project focuses on the development of advanced GaN RF power devices with enhanced performance and reliability. Building on prior research and development, this request will enable the RFMD Defense and Power Business Unit to

accelerate development and adoption of RFMD GaN technology. The Defense and Power Business Unit was created specifically to tailor RFMD technology to serve the needs of the defense community.

Requesting Member: Congressman HOWARD COBLE

Bill Number: H.R. 3326

Account: Air Force RDTE Advanced Materials for Weapons Systems account (PE 0603112F)

Legal Name of Requesting Entity: Timken Company

Address of Requesting Entity: GNE–01, 1835 Dueber Avenue, S.W., P.O. Box 6928, Canton, Ohio 44706

Description of Request: The bill provides $1,000,000 for the Hybrid Bearing project at Timken Company. Standard aerospace bearings are not adequate for the demands of the Joint Strike Fighter engine, or many other engines. As a result, the Air Force has been working with industry to develop an improved bearing that is tough, corrosion resistant and can tolerate the high speeds and temperatures of the expanding mission requirements. This project will test various corrosion resistant steel, including CSS–42L, for use in the bearing, as well as the introduction of new ball and retainer materials in the final bearing design (such as silicon nitride balls, and a light weight carbon-carbon composite material for the retainer material). The hybrid bearing technology, which includes a variety of material and coating technologies, is being incorporated into the Joint Strike Fighter engine, and other platforms.

The Air Force has been working on this project since 2003 with the Timken Company. From prior year funding, 80% of the technology requirements set forth by the Air Force to bring the project to the point of final testing/placement into weapon platforms has been completed, including full engine tests. If fully funded, the project should be completed in calendar 2010.

Requesting Member: Congressman HOWARD COBLE

Bill Number: H.R. 3326

Account: Navy RDTE Integrated Surveillance Systems account (PE 0204311N)

Legal Name of Requesting Entity: General Dynamics Advanced Information Systems—Greensboro

Address of Requesting Entity: 5440 Millstream Road, McLeansville, NC 27301

Description of Request: The bill provides $2,000,000 for the Autonomous Anti-Submarine Warfare Vertical Beam Array Sonar project at General Dynamics. The Autonomous Anti-Submarine Vertical Beam Array (VBA) is a stationary, acoustic array system that helps protect surface ships and submarines against submarine-launched torpedoes and anti-ship cruise missiles by detecting and reporting quiet diesel and nuclear powered submarines. The VBA Sonar is deployable from Trident guided missile submarines (SSGN), the Littoral Combat Ship (LCS) and other surface ships. The VBA Sonar can be used to protect an established Sea Base or Global Fleet Station in deep water or in the littorals. Once positioned, it transmits submarine contact information back to the deploying platform's combat system for classification, localization, tracking and engagement.

Requesting Member: Congressman HOWARD COBLE

Bill Number: H.R. 3326

Account: Navy Research, Development, Test and Evaluation (RDTE) RF Systems Applied Research account (PE 0602271N)

Legal Name of Requesting Entity: RF Micro Devices

Address of Requesting Entity: 7628 Thorndike Road, Greensboro, NC 27409

Description of Request: The bill provides $2,000,000 for the Gallium Nitride (GaN) Power Technology project at RF Micro Devices. Gallium Nitride-based microelectronics is the next generation of semiconductor technology. It is of critical importance to the development of many advanced defense systems, in particular radar, communications and electronic warfare systems. This technology also has the potential to open up entirely new areas of commercial wireless infrastructure applications. This Navy research project focuses on the development of advanced GaN RF power devices with enhanced performance and reliability. Building on the prior work on the project, this request addresses the challenges in using this key technology to implement solutions for the Navy's advanced RF systems needs.

RFMD Defense and Power Business Unit will be the recipient of the funding and use the funds to accelerate development and adoption of RFMD GaN technology. The Defense and Power Business Unit was created specifically to tailor RFMD technology to serve the needs of the defense community. The project will be led from the lead design and fabrication facility in North Carolina.

Requesting Member: Congressman HOWARD COBLE

Bill Number: H.R. 3326

Account: Marine Corps Operations and Maintenance Operational Forces account (1A1A)

Legal Name of Requesting Entity: Saab Barracuda USA, LLC

Address of Requesting Entity: 608 East McNeill Street, Lillington, NC 27546

Description of Request: The bill provides $3,500,000 for the Ultra Lightweight Camouflage Net System (ULCANS) at Saab Barracuda USA, LLC. ULCANS is the next generation camouflage system. ULCANS increases survivability against advanced multi-spectral visual, infrared (IR), and radar (RF) threats, providing reduced probability of visual detection, enhanced thermal and radar signature suppression, and improved background matching. ULCANS ''Marine friendly'' features include a more durable and snag-resistance design. The funding requested would provide ULCANS for one Marine Expeditionary Force.

The ULCANS will greatly enhance the ability for combat troops and support units to conceal military target signatures of weapons, vehicles and semi-permanent positions in situations where the natural cover or concealment may be absent or inadequate. ULCANS can also be used as an aid in the concealment of permanent prominent objects in a fixed pattern or array, which present obvious targets. The United States Marine Corps has an Unfunded Requirement (UFR) for ULCANS. Saab Barracuda, LLC, in Lillington, North Carolina, is the industry leader in development, testing and production of multi-spectral camouflage and heat-reducing systems. The company produces 3,500-plus ULCANS systems per month. A supplier in my district, Glen Raven, provides manufacturing support for this product.

EARMARK DECLARATION

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. CARTER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the Department of Defense Appropriations Act for Fiscal Year 2010.

Project Name: Fort Hood Training Lands Restoration and Maintenance

Account: Operation and Maintenance, Army

Project Recipient and Address: Fort Hood, TX U.S. Army Garrison, Fort Hood, Bldg. 1001, Rm W321, Fort Hood, TX 75544

Amount Provided: $2,500,000

Project Description: Dedicated resources are needed to rehabilitate Fort Hood lands degraded by over 60 years of training with tanks and other military vehicles. Substantial rehabilitation can be achieved over the next five years with an integrated program that reduces soil erosion and compaction, increases desirable vegetation, supports woody vegetation management, and provides appropriate tank trails, stream-crossings, and hilltop access points for tactical vehicles. Texas AgriLife Research will work with Fort Hood Integrated Training Area Management (ITAM) and other collaborators to plan, implement, execute, and verify the effectiveness of these rehabilitation efforts.

Benefit to Taxpayers: The project improves training land for Fort Hood soldiers using research proven reclamation practices. The practices installed through the project have saved both time and money, while achieving training area restoration. The local economy also benefitted as local contractors were employed for soil ripping, gully plug construction, and other work.

Spending Plan: $700,000 is for brush clearing and endangered species maintenance programs. Of the remainder, approximately 90% goes to Fort Hood-ITAM programs for implementation of training lands restoration validated practices and 10% goes to Texas AgriLife Research for assessment of these programs and development of new practices.

Project Name: Techniques to Manage Noncompressible Hemorrhage Following Combat Injury

Account: RDT&E Army

Project Recipient and Address: National Trauma Institute, 16500 San Pedro Avenue, Suite 350, San Antonio, TX 78232

Amount Provided: $2,500,000

Project Description: Traumatic injury is a nationwide problem with severe consequences for our military and civilians. Noncompressible hemorrhage from injuries to the torso is the leading cause of potentially survivable deaths of American troops and its mitigation is the highest priority of U.S. military trauma surgeons and researchers. NTI's goal is to develop simple, rapid and field-expedient techniques for non-surgeons to stop truncal hemorrhage. To secure advances in this field will require additional federal funding. Currently, trauma research is significantly underfunded compared to illnesses which do not cause nearly the same level of mortality as trauma.

Benefit to Taxpayers: Increasing trauma research is likely to lead to the reduction of mortality and complications from noncompressible

hemorrhage and improve outcomes. This will affect soldiers as well as civilians from the 31st and every congressional district.

Spending Plan: Personnel, 54%; Materials & Supplies, 8.4%; Equipment, 4.2%; Patient Care Costs, 16.8%; Administrative Costs, 16.2%.

Project Name: Army National Guard M939A2 Repower Program

Account: O&M Army National Guard

Project Recipient and Address: Osh Kosh Corporation, 1300 N. 17th St., Suite 1040, Arlington, VA 22209

Amount Provided: $5,000,000

Project Description: Army National Guard M939A2 Repower Program. Due to the age of the M939 vehicle fleet, a lack of a support program for major sub-assemblies, and parts obsolescence, the M939A2 Repower program is a critical program to maintain the M939 series 5-ton trucks the U.S. Army will have in its inventory until 2035.

Benefit to Taxpayers: The M939 series vehicles are fielded in all 54 states and territories and are used extensively in Homeland Security, disaster relief, emergency response, and training missions. This program benefits Central Texas (Killeen/Ft. Hood area) from a work force and supplier perspective. Approximately 48 production employees and support staff are involved in the M939A2 Series 5-ton Repower Program in Killeen, TX.

Spending Plan: $5 million to install vehicle repower kits for aging Army National Guard M939 Series 5-ton trucks utilized in homeland defense and national security missions. Approximately 90 percent of funding is for material, including engine, transmission, cooling package, electronics, and other vehicle components, with the remaining 10 percent for manufacturing labor.

Project Name: High Volume Manufacturing for Thin-film Lithium Stack Battery Technologies

Account: RDT&E Army

Project Recipient and Address: Applied Material, 1300 N. 17th St., Suite 1040, Arlington, VA 22209

Amount Provided: $1,000,000

Project Description: The war fighter is reliant on dependable power for electronics and weapons to assure superiority in battle. The power sources must have energy available to power the electronics and weapons and be small, light and affordable. Applied Materials will develop cost effective domestic mfg. systems for next generation thin-film lithium batteries that provide a solution to these challenges that meet current and projected future DOD requirements for high power, light weight, small size and low-cost. Successful development of the proposed mfg. systems will address the DoD power source technology requirements such as energy and power density, life cycle, shelf life, discharge and charge rates, form factor, safety and cost for the needed military applications such as sensors, fuses and man wearable soldier battery devices.

Benefit to Taxpayers: This project establishes in the U.S. innovative manufacturing technologies for a strategically important military and commercial field—thin-film energy storage technology. It will strengthen the competitive edge of Applied Materials and enable U.S. based companies to provide high-tech next generation domestic sources of thin film lithium batteries for military and commercial applications.

Spending Plan: The total project cost is $30.5 million of which Applied Materials has requested $3.0 million from Congress. Applied Materials will match the federal contribution dollar for dollar: Personnel Salaries/Wages, $12,777,500; Travel, $660,000; Equipment, $14,165,667; Materials/Supplies, $2,904,000; Others (Shipping), $24,000; Total Direct Costs, $30,531,167.

Project Name: HTS Trap Field Magnet Motor

Account: RDT&E Navy

Project Recipient and Address: Teco Westinghouse Motor Company, 5100 North IH 35, Round Rock, TX 78681

Amount Provided: $1,000,000

Project Description: The megawatt power on Navy future ships is estimated to be six times greater than that of existing surface combatants. The emergence of superconductor motors have the potential to make propulsion packages smaller, more powerful, more energy efficient, and quieter than their standard counterparts. The cost of superconductor motors, however, must be reduced if they are to be affordable for Navy ship applications. This development effort is for the purpose of demonstrating that bulk high temperature trapped field magnets can be used rather than wire to reduce the cost of superconducting motors by one third, produce twice the power, and increase safety of the crew and ship by being able to turn the magnets off during fault conditions.

Benefit to Taxpayers: Will help sustain the 391 jobs at TECO-Westinghouse in Round Rock and create 4 new jobs. Once the program moves from development to production phase, it would have direct impact on 40 to 50 jobs. The benefit to the U.S. Navy is that it would have a powerful, affordable, reliable, and safe motor to support advanced weapon systems and radars on future ships in meeting the Navy's requirements stated in its Next Generation Integrated Power System Roadmap.

Spending Plan: If fully funded, the $6 million requested in FY10 combined with the $2 million appropriated in FY09 is expected to complete the development effort. The breakout is as follows: $920,000 for Program Management and Support; $3,500,000 for engineering labor; $290,000 for manufacturing labor; $1,290,000 for Testing.

TRIBUTE TO KELSEY DENNIS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. LATHAM. Madam Speaker, I rise today to recognize and congratulate Kelsey Dennis, a student at Ames Middle School in Ames, Iowa, on being selected as a winner of the Library of Congress's 2009 Letters About Literature Competition.

The Letters About Literature Competition is a reading and writing program sponsored by the Library's Center for the Book in partnership with Target Stores and in cooperation with affiliate state Centers for the Book located across the country. Kelsey's letter was one of approximately 55,000 entries nationwide selected from students in grades four through twelve. Her letter was written to Jerry Spinelli, the author of Stargirl.

I consider it a great honor to represent Kelsey Dennis and her family in the United States Congress, and I know that my colleagues join me in congratulating her. I wish Kelsey continued success in her future education and career.

EARMARK DECLARATION

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. ROGERS of Kentucky. Madam Speaker, pursuant to the House Republican standards on congressionally-directed funding, I am submitting the following information regarding funding included in H.R. 3326—Department of Defense Appropriations Act, 2010

Requesting Member: Congressman HAROLD ROGERS

Bill Number: H.R. 3326

Account: OM, A

Legal Name of Requesting Entity: Outdoor Venture Corporation

Address of Requesting Entity: 2280 S. Highway 1651, Stearns, KY 42647

Description of Request: The funding of $6 million will be used to address U.S. Army modular command post tent needs.

Requesting Member: Congressman HAROLD ROGERS

Bill Number: H.R. 3326

Account: OM, A

Legal Name of Requesting Entity: Outdoor Venture Corporation

Address of Requesting Entity: 2280 S. Highway 1651, Stearns, KY 42647

Description of Request: The funding of $3 million will be used to address U.S. Army air-supported temper tent needs.

Requesting Member: Congressman HAROLD ROGERS

Bill Number: H.R. 3326

Account: RDTE, N

Legal Name of Requesting Entity: Progeny Systems Corporation

Address of Requesting Entity: 155 Valley Oak Drive, Suite B, Somerset, KY 42503

Description of Request: The funding of $2.5 million will be used for the development of a biometrics-based submarine access control system to automate and simplify secure system access. Properly configured biometrics systems, engineered into tactical system workstations and ship infrastructure, offer the ability for systems to reliably recognize users without user intervention, resulting in rapid and secure system access.

Requesting Member: Congressman HAROLD ROGERS

Bill Number: H.R. 3326

Account: RDTE, N

Legal Name of Requesting Entity: Boneal Incorporated

Address of Requesting Entity: 6962 U.S. Highway 460, Means, KY 40346

Description of Request: The funding of $5 million will be used for the development of experimental low cost, expendable autonomous underwater vehicles (AUVs). AUVs provide support for a variety of mission including intelligence, surveillance, reconnaissance, deployment of mine counter measures, and assistance of anti-submarine warfare.

Requesting Member: Congressman HAROLD ROGERS

Bill Number: H.R. 3326
Account: OM, A
Legal Name of Requesting Entity: Phoenix Products, Inc.
Address of Requesting Entity: 106 Bethford Road, McKee, KY 40447
Description of Request: The funding of $2.5 million will be used to retrofit U.S. Army UH–60 transmission drip pans.
Requesting Member: Congressman HAROLD ROGERS
Bill Number: H.R. 3326
Account: OM, ARNG
Legal Name of Requesting Entity: Phoenix Products, Inc.
Address of Requesting Entity: 106 Bethford Road, McKee, KY 40447
Description of Request: The funding of $2.5 million will be used to retrofit U.S. Army National Guard UH–60 transmission drip pans.
Requesting Member: Congressman HAROLD ROGERS
Bill Number: H.R. 3326
Account: DPA
Legal Name of Requesting Entity: Aspen Compressor, LLC
Address of Requesting Entity: 825 Chappell's Dairy Road, Somerset, KY 42503
Description of Request: The funding of $4.5 million will be used to produce miniature compressors for electronics and personal cooling systems.
Requesting Member: Congressman HAROLD ROGERS
Bill Number: H.R. 3326
Account: RDTE, A
Legal Name of Requesting Entity: Tier 3 Data and Web Services
Address of Requesting Entity: 1708 Forest Lane, Suite 105, Corbin, KY 40701
Description of Request: The funding of $2 million will be used to provide the Defense Logistics Agency (DLA) with an interface system to the Army's Product Lifecycle Management (PLM) system. This system will reduce manufacturing and repair potential costs and bridge the communications gap by exchanging product technical data between engineering and reprocurement.
Requesting Member: Congressman HAROLD ROGERS
Bill Number: H.R. 3326
Account: RDTE, A
Legal Name of Recipient: University of Kentucky Research Foundation
Address of Recipient: Room 1 Kinkead Hall, Lexington, KY 40506
Description of Request: The funding of $2 million will be used for a lethal cancers early detection and awareness program. This program can provide the Department of Defense with health information to identify high risk factors and exposures to cancer in military environments, and provide a model for early cancer detection and screening.
Requesting Member: Congressman HAROLD ROGERS
Bill Number: H.R. 3326
Account: RDTE, DW
Legal Name of Recipient: University of Kentucky Research Foundation
Address of Recipient: Room 1 Kinkead Hall, Lexington, KY 40506
Description of Request: The funding of $1.5 million will be used to accelerate the adoption of sustainable manufacturing for small and medium enterprises in the U.S. Department of Defense supply base. The program will serve as a pathway to find and utilize resources that can be of value to the defense manufacturing industrial base.
Requesting Member: Congressman HAROLD ROGERS
Bill Number: H.R. 3326
Account: RDTE, A
Legal Name of Recipient: Morehead State University
Address of Recipient: 150 University Boulevard, Morehead, KY 40351
Description of Request: The funding of $2 million will be used for the development of advanced power technologies applicable to nano-satellites, which will help meet tactical warfighter requirements. The program will look at increasing the power available from solar cells through innovative mechanical structures that increase surface area. This effort is in direct support of the Army's mission in developing nano-satellites to meet tactical warfighter requirements.
Requesting Member: Congressman HAROLD ROGERS
Bill Number: H.R. 3326
Account: DRUGS
Legal Name of Recipient: Kentucky Department of Military Affairs
Address of Recipient: Boone National Guard Center, 100 Minuteman Parkway, Frankfort, KY 40601
Description of Request: The funding of $3.5 million will be used to support law enforcement in the eradication of marijuana across the Commonwealth of Kentucky through the use of military equipment and personnel.
Requesting Member: Congressman HAROLD ROGERS
Bill Number: H.R. 3326
Account: OP, A
Legal Name of Recipient: Kentucky Department of Military Affairs
Address of Recipient: Boone National Guard Center, 100 Minuteman Parkway, Frankfort, KY 40601
Description of Request: The funding of $6 million will be used for the procurement of generators for the Kentucky Army National Guard. This will increase the capabilities of the Kentucky National Guard to effectively carry out its Defense Support to Civil Authorities mission by providing adequate power generation to its 54 National Guard armories and rapid, transportable emergency power generation to critical life-saving and emergency response facilities throughout the Commonwealth in emergency situations.
Requesting Member: Congressman HAROLD ROGERS
Bill Number: H.R. 3326
Account: AP, A
Legal Name of Recipient: Kentucky Department of Military Affairs
Address of Recipient: Boone National Guard Center, 100 Minuteman Parkway, Frankfort, KY 40601
Description of Request: The funding of $2 million will be used for the one-time procurement of advanced civil support radio systems to be installed on Kentucky Army National Guard UH60 Black Hawk helicopters. This will increase the National Guard's effectiveness when performing the full spectrum of state emergency missions by allowing direct communication with civilian first responders.
Requesting Member: Congressman HAROLD ROGERS
Bill Number: H.R. 3326
Account: RDTE, A
Legal Name of Requesting Entity: Ensign Bickford Aerospace and Dynamics
Address of Requesting Entity: P.O. Box 219, State Route 175, Graham, KY 42344
Description of Request: The funding of $3 million will be used to provide for the forwarding and optimization of current Reactive Armor (RA) solutions to reduce weight, defeat emerging threats, develop multi-threat capability enhancements, and increase overall safety.

EARMARK DECLARATION

HON. LYNN JENKINS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Ms. JENKINS. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the FY2010 Defense Appropriations Bill, H.R. 3326:
Earmark: Army Command and General Staff College Leadership Training Program
Requesting Member: Congresswoman LYNN JENKINS
Bill Number: H.R. 3326
Account: OM,A
Legal Name of Requesting Entity: Fort Leavenworth, KS
Address of Requesting Entity: 881 McClellan Ave., Fort Leavenworth, KS 66027
Description of Request: Provide an earmark of $2,000,000 to continue a partnership with Kansas State University to provide an M.A. and Ph.D. in Security Studies, and an M.S. and Ed.D. in Educational Leadership to military students and faculty at the Command and General Staff College, Fort Leavenworth. The program was developed in close coordination with senior faculty at CGSC. This program responds to a need identified by Fort Leavenworth in an area of expertise at Kansas State University.
Earmark: Repair Heating, Ventilation, Air Conditioning System at Ft. Leavenworth
Requesting Member: Congresswoman LYNN JENKINS
Bill Number: H.R. 3326
Account: OM,A
Legal Name of Requesting Entity: Fort Leavenworth, KS
Address of Requesting Entity: 881 McClellan Ave, Fort Leavenworth, KS 66027
Description of Request: Provide an earmark of $2,796,000 to replace a failing HVAC system in the Community Center located in Building 318. This is a 41,000 SF building, built in 1940. This building provides a unique location for a variety of community support events throughout the year that often involve large numbers of people, such as town hall meetings, Chapel family events, Army Family Action Plan conferences, etc. The existing heating and air-conditioning equipment is failing, and portions of it cannot be repaired due to its age. As a result it is unable to cool and heat the building sufficiently throughout the year.
Earmark: Repair Heating, Ventilation, Air Conditioning System in National Simulations Center
Requesting Member: Congresswoman LYNN JENKINS

Bill Number: H.R. 3326
Account: OM,A
Legal Name of Requesting Entity: Fort Leavenworth, KS
Address of Requesting Entity: 881 McClellan Ave, Fort Leavenworth, KS 66027
Description of Request: Provide an earmark of $1,785,000 to correct air quality problems in the three-story, 93,000 SF National Simulation Center located in Building 45. Originally built in 1882, this former barracks was remodeled 15 years ago into a secure training facility, which due to its mission, could not have any windows. It houses a large amount of information technology which is used in conducting simulations. The number of personnel using the building during training simulations has increased substantially over the last several years. The HVAC system must be upgraded to handle the requirement to properly ventilate and cool the building given the larger heat load generated by the automation equipment and the high number of personnel. The existing HVAC equipment was installed during the last remodel and has reached its useful life expectancy. It is no longer capable of supporting the mission.
Earmark: 190th Air Refueling Wing Squadron Operations Facility
Requesting Member: Congresswoman LYNN JENKINS
Bill Number: H.R. 3326
Account: OM,ANG
Legal Name of Requesting Entity: Kansas Air National Guard
Address of Requesting Entity: 5920 SE Coyote Dr., Topeka, KS 66619
Description of Request: To provide an earmark of $1,000,000 to remodel and upgrade the current Squadron Operations Facility to effectively meet the day-to-day requirements of the 190th ARW, which has increased in size and mission for the KC–135R tanker operation.

HONORING THE SERVICE OF JUDGE RAYMOND LAWRENCE FINCH, TO THE FEDERAL AND VIRGIN ISLANDS JUDICIAL BRANCHES AND TO THE COMMUNITY OF THE U.S. VIRGIN ISLANDS

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mrs. CHRISTENSEN. Madam Speaker, I rise to pay tribute to Judge Raymond Lawrence Finch, a Jurist extraordinaire, who has served the Virgin Islands legal and judicial communities with diligence, competence and unfailing dedication for 33 years from the Bench.

Raymond Finch is a true ''Native Son'', a product of two Crucian Virgin Islands families: Bough and Finch; whose family members have been making outstanding contributions to the Territory of the U. S. Virgin Islands for more than four generations.

Raymond Finch is a product of the Virgin Islands public school system and a graduate of the Christiansted High School in 1958. He completed, on schedule, his Bachelor of Arts in Political Science, Minor in Economics, from Howard University in 1962; and his Juris Doctor Degree in 1965, from the Howard University School of Law.

Entering in the U. S. Army as a First Lieutenant in 1966, he served honorably for three years, adjudicating claims of U.S. personnel and Vietnamese nationals. He was also an Advocate before the Elimination Boards, Article 15 Hearings and in Article 32 investigations. His exemplary service was awarded with the Bronze Star Medal, the Army Commendation Medal, and a Certificate of Appreciation from General William C. Westmoreland and the Army Chief of Staff.

Having served previously as a Law Clerk in the Municipal Court of the Virgin Islands, he worked as a Law Clerk upon his return to the Territory, in the firm of Hodge and Sheen. He was admitted into the Virgin Islands Bar in 1970 and became a partner in the law firm of Hodge, Sheen, Finch and Ross in 1971. For more than a dozen years he was an instructor at the University of Virgin Islands and the American Banking Association.

In 1976, then Virgin Islands Governor, Cyril E. King, appointed him Judge of the Municipal Court of the Virgin Islands. On September 1, 1994, after being nominated by President Clinton, Raymond Finch took the oath of office as Judge of the District Court of the Virgin Islands, and became Chief Judge of the District Court in August, 1999.

Raymond Finch the Law Clerk, to retiring District Court Judge Finch, has seen the remarkable evolution of the Virgin Islands Judicial system. The Municipal Court that he first served as a Law Clerk was the same Court to which he was first appointed as a Judge. During his judicial tenure, the Municipal Court became the Territorial Court, where it achieved its jurisdictional autonomy and recognition as the highest local court in the Territory and it is now the Superior Court. During Judge Finch's District Court tenure, the Supreme Court of the Virgin Islands was established.

Accordingly, Finch's judicial career also evolved through his serving as Acting Presiding Judge, Territorial Court of the Virgin Islands; Judge, Appellate Division, U. S. District Court of the Virgin Islands; by Special Designation as Judge of the U. S. District Court of the Virgin Islands; U. S. District Court Judge and Chief District Court Judge for the Virgin Islands. During Judge Finch's tenure on the Bench, he was served by a group of Law Clerks, many of whom have gone on to distinguished and illustrious careers.

His demeanor has always been one of quiet reserve. He is one of those rare individuals that will listen attentively. There have been occasions where a court room participant miscalculated with uttering a statement, uncomfortably finding themselves in the vise of a first class mind. His tenure has produced excellent legal Opinions and Memorandums, along with Decisions that demonstrate inordinate wisdom and compassion. He has mastered the uncanny ability to clearly and concisely follow the dictates of law, weaving and intermingling, with the African West Indian derived customs, of Danish and American cultural and jurisprudential influence. No easy task. His pride and understanding of the Virgin Islands culture, heritage and its people, resulted in outstanding interpretations and implementations of law that appealed to all the adversaries.

His numerous community and professional involvements have been demonstrated through membership in the Virgin Islands Bar Association; Court of Appeals for the Third Circuit; American Law Institute; American Judges' Association; American Bar Association; National Bar Association, and the Virgin Islands Law Enforcement Planning Commission. His wise acumen was sought as or contributed to, the Task Force Member of the Criminal Code Revision Project; Committee on Model Criminal Jury Instructions, Third Court of Appeals; Supervisory Board of Juvenile Justice & Prevention of Delinquency Committee; the Democratic Party of the Virgin Islands; and Board of Directors of Boy's Club, St. Croix Division.

At the recent unveiling of his official District Court Judge portrait, he showed a profound sensitivity when he thanked all that had gathered.

Judge Finch has one son and two daughters. Through marriage, an additional son and daughter.

The Virgin Islands and its people have been privileged to witness the passing of one that touched many, thereby making the world a better place.

HONORING DENNIS CUBA AND DAVID PARSONS

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Ms. WASSERMAN SCHULTZ. Madam Speaker, I rise to recognize two heroic police officers from my district and to reinforce the importance of swimming pool safety.

On the evening of Tuesday, July 7, City of Pembroke Pines police officers Dennis Cuba, a seven-year force veteran and David Parsons, a 25-year force veteran, arrived within one minute of receiving a call about a boy whose arm was entrapped in the drain of a hot tub.

There is no doubt that the quick response and professionalism of the Pembroke Pines Police Department saved five-year old Miguel Marin's life.

Officers Parsons and Cuba were able to revive Miguel, but only after several attempts to free him from the brute force and suction of the spa drain—the result of a faulty drain cover.

Unfortunately, not all of these stories have a happy ending. Drowning is the leading cause of unintentional death to children under the age of five.

Hundreds of children across our country have died as a result of accidental drowning in swimming pools and spas.

In 2007, Congress passed the Virginia Graeme Baker Pool and Spa Safety Act, which aims to stop these senseless accidents.

In addition to encouraging the use of barriers, such as fencing to prevent children from wandering unsupervised into the pool, this law increases safety at public swimming pools and spas by requiring anti-entrapment drain covers. And yet even with these protections, we must remind parents to be vigilant and know where their children are at all times.

On behalf of the citizens of Pembroke Pines, I thank officers Parsons and Cuba for their heroic efforts and hope that we can learn an important lesson from this near-tragedy.

TRIBUTE TO AMERICAN LEGION AUXILIARY UNIT 278 OF OSAGE, IOWA

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. LATHAM. Madam Speaker, I rise today to recognize the American Legion Auxiliary Unit 278 of Osage, Iowa. The Unit facilitated the Veterans Inspiring Patriotism program as a part of the Joe Foss Institute, and I am honored to submit into the CONGRESSIONAL RECORD the following commentary from the program in Osage.

''Osage American Legion Post 278 Presents program at Sacred Heart School:

Betty McCarthy of Osage American Legion Auxiliary Unit 278 was the facilitator of the Joe Foss Institute's program 'Veterans Inspiring Patriotism' for Sacred Heart students grades K–6th. Joe Foss achieved international fame as America's top Marine fighter pilot in World War II with a record of more than 60 missions in the South Pacific and shooting down 26 Japanese Zeroes. His bravery in combat earned him the Congressional Medal of Honor.

Joe's many lifetime achievements are told in his autobiography 'A Proud American.'

In 2001, he founded the Joe Foss Institute as a non-profit organization with its mission of promoting Patriotism, Public Service, Integrity and an Appreciation for America's Freedoms. The 'Veterans Inspiring Patriotism' is designed for school children from grades K–12. Through this program, American Flags for the classroom and replicas of the United States Constitution and the Bill of Rights are made available at no cost to be presented along with the program.

An age appropriate video was part of the presentation which helped the students understand the freedoms established by the Constitution and the Bill of Rights. Following the video, John Ross, member of Osage Legion Post 278, told of his service in the military and what it means to be a patriot. This was followed by questions from the students.

The presentation ended with John Ross presenting American Flags as well as the laminated copies of the Constitution and Bill of Rights to 5 students, each of whom were wearing the uniforms of the 5 branches of the service. These uniforms were worn by veterans of World War II, Korea and Desert Storm.

McCarthy told of the final tribute, the military rites at the graveside of a veteran, the presentation of the American Flag under which they served and then TAPS was played by a 6th grade student. The program ended with the singing of God Bless America!

Osage American Legion Post 278 and Sacred Heart School are indebted to the Joe Foss Institute for making this program possible.''

INTRODUCTION OF THE JERUSALEM EMBASSY AND RECOGNITION ACT OF 2009

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. BURTON of Indiana. Madam Speaker, forty-two years ago, during the Six Day War of 1967, Israeli troops reunified the city of Jerusalem. Since then, people of all religious faiths have been guaranteed full access to holy sites within the city, and the rights of all faiths have been respected and protected.

In 1995, the U.S. Congress declared that it is the official position of the United States that Jerusalem is, and rightly ought to remain, the undivided capital of Israel. Since that time, the Congress has repeatedly and overwhelmingly adopted multiple resolutions reaffirming this commitment to Jerusalem's continued status as a unified, undivided city. President Obama has also pledged his personal support for Jerusalem as the capital of Israel. On June 4, 2008, while still serving as a United States Senator, President Obama said that: ''Jerusalem will remain the capital of Israel, and it must remain undivided.''

Despite this apparent unanimity, however, the United States has inexplicably never acted to move the United States Embassy from Tel Aviv to Jerusalem. United States officials do conduct diplomatic meetings and other business in the city of Jerusalem in de facto recognition of its status as the capital of Israel, but the Embassy remains firmly grounded in Tel Aviv.

Every sovereign country has the right to designate its own capital and the United States maintains its Embassy in the functioning capital of every country. The one exception is Israel, a great friend and ally to the United States. The President of Israel, the Knesset—Israel's Parliament—and the Israeli Supreme Court are all located in Jerusalem; and that is where the Embassy of the United States rightfully should be as well.

I rise today to introduce the ''Jerusalem Embassy and Recognition Act of 2009'' which mandates the relocation of the U.S. Embassy to Jerusalem, and reaffirms U.S. policy that Jerusalem must remain the undivided capital of Israel; for two reasons. First, passing this bill and immediately relocating the United States Embassy to Jerusalem will, in my opinion, send a strong message to the Iranian regime that the United States stands in strong solidarity with the people of Israel—we will not tolerate the mullahs' constant threats against Israel, and we will not accommodate their pursuit of a nuclear bomb. Second, passing this bill will send a bipartisan message to the Administration that the United States Congress remains strongly committed to Jerusalem's continued status as a unified, undivided city; a position that President Obama—despite his comments from June 4, 2008—appears to be backing away from.

For example, Presidential Determination 2009–19, which was transmitted by the Administration to Congress just a couple of months ago, renewed a legally required waiver which allows the Administration to continue to delay the May 31, 1999 deadline for moving the U.S. Embassy in Israel from Tel Aviv to Jerusalem. While the renewal of the waiver was not unexpected or unusual, the actual text of the waiver message did contain a surprise. The Obama Administration neglected to include a key sentence that the previous Administration had included in previous determinations; specifically: ''My Administration remains committed to beginning the process of moving our embassy to Jerusalem.''

Madam Speaker, I sincerely hope that the crucial omission in Presidential Determination 2009–19 was an inadvertent oversight. Even if it was, I believe it is well past time to revisit the Jerusalem Embassy Act and close, once and for all, the ludicrous waiver loophole that has continued to allow the diplomatic embarrassment of not having our Embassy located in the capital city of Israel to continue for ten years. I strongly urge my colleagues to demonstrate their support for the people of Israel by co-sponsoring this important bill.

EARMARK DECLARATION

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. NEUGEBAUER. Madam Speaker, pursuant to the Republican standards on member requests, I am submitting the following information regarding a congressionally directed appropriation project I sponsored as part of H.R. 3326, FY 2010 Department of Defense Appropriations Act.

Agency/Account: Department of the Army—RDT&E

Amount: $1,500,000

Requesting Entity: Texas Tech University, The Institute of Environmental and Human Health (TIEHH), 2500 Broadway, Lubbock, TX 79409

The funding for the Zumwalt National Program for Countermeasures to Biological and Chemical Threats is requested to further the understanding and ability of operational military forces to identify, prevent, and mitigate any threats war fighters may face from biological and chemical weapon agents in any environment at any time.

INTRODUCING HOUSE RESOLUTION TO RECOGNIZE THE DYKE MARSH WILDLIFE PRESERVE AS A UNIQUE AND PRECIOUS ECOSYSTEM

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. MORAN of Virginia. Madam Speaker, I rise today to introduce a resolution recognizing one of the national capital area's most unique and cherished wetland and wildlife preserves and to celebrate the 50th anniversary of the legislation that was enacted to ensure its survival.

In 1959, the U.S. Congress passed legislation designating Fairfax County's Dyke Marsh as a protected ecosystem, for the purpose of promoting fish and wildlife development and preserving their natural habitat. Until that time, the Dyke Marsh, which is the largest remaining freshwater tidal marsh along the Potomac

River shoreline in this area, was in danger of disappearing as a result of commercial dredging and dumping operations.

One of the key driving forces behind this legislation was our very own Honorable JOHN DINGELL of Michigan. His leadership, determination, and dedication to conservation and habitat preservation were essential to ensuring that the Dyke Marsh was not destroyed at the expense of further dredging and filling activities. Representative DINGELL, along with the late Honorable John P. Saylor of Pennsylvania and the late Honorable Henry S. Reuss of Wisconsin, are to be commended on their efforts in championing this legislation 50 years ago, and one purpose of this resolution is to do just that.

The Dyke Marsh was formed over 5,000 years ago and today provides a delicate, yet critical, habitat for a diverse array of more than 6,500 species of plants and animals, including some that are threatened or endangered. Thanks to this insightful legislation and continued restoration efforts since that time, the value of Dyke Marsh today extends beyond its role as a preserve and protected ecosystem; it provides natural flood control, stemming of shoreline erosion, water quality enhancement, and aesthetic and recreational enjoyment for people of all ages.

Please join me in celebrating the 50th anniversary of this legislation, in recognizing the importance and significance of the local treasure that the legislation protects, in reaffirming our commitment to protecting our precious threatened wetlands, and in honoring three individuals whose leadership and commitment to environmental stewardship were instrumental in the Dyke Marsh's preservation.

I urge my colleagues to support this resolution.

HONORING WOMEN AIRFORCE SERVICE PILOTS FROM WORLD WAR II

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. WOLF. Madam Speaker, I rise today to honor the Women Airforce Service Pilots (WASP) of World War II. They were the first women to fly military aircraft for the United States and deserve to be commended for their bravery.

From 1942 to 1944, these women flew in various non-combat missions, allowing male pilots to be deployed into combat. Their success in flying fighter, bomber, transport, and training aircraft eventually led to the integration of female pilots into the United States Armed Services.

There were 1,102 female WASP trained during World War II, and 300 survive today, two of whom currently reside in Virginia's 10th Congressional District. Joan Lemley of Purcellville and Barbara Ross of Warrenton are two of these brave pilots who served their country during World War II.

On July 1, President Obama signed S. 164 into law, which awards our nation's highest honor—the Congressional Gold Medal—to each of these women pioneers of World War II. They will finally receive the recognition they deserve for their wartime military service to our country. I was pleased to be an original cosponsor of the House version of this measure, which was introduced by Congresswoman ILEANA ROS-LEHTINEN.

I ask that my colleagues join me today in commending Barbara Ross, Joan Lemley and the other women pilots for serving their country in World War II.

TRIBUTE TO RYAN NOVAK

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. LATHAM. Madam Speaker, I rise today to recognize and honor Ryan Novak, a native of rural Decorah, Iowa and current University of Iowa student. Ryan is riding his bicycle across the United States this summer to raise money for people with disabilities.

Ryan is participating in the Journey of Hope, a 64-day, 4000-mile bicycle ride from San Francisco, California to Washington, DC to benefit Push America. Push America was founded in 1977 through Pi Kappa Phi as a way for undergraduate fraternity brothers to experience leadership development through serving people with disabilities.

During this bicycle ride, Ryan is not only raising money but educating people about the needs of those with disabilities. He is also stopping at local organizations and a variety of community events to meet people with disabilities and to tell his story and promote the cause.

I know that my colleagues in the United States Congress join me in commending Ryan Novak for his leadership and commitment to serving people with disabilities. I consider it an honor to represent Ryan in Congress, and I wish him the best in his future endeavors.

EARMARK DECLARATION

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. SIMPSON. Madam Speaker, in accordance with the policies and standards put forth by the House Appropriations Committee and the GOP Leadership, I would like to list the congressionally-directed projects I have requested in my home State of Idaho that are contained in the report of H.R. 3326, the FY2010 House Defense Appropriations Bill.

Project Name: 3–D Technology for Advanced Sensor Systems

Amount Received: $2,000,000

Account: Electronics Technology Account in the Department of Defense RDT&E

Recipient: Boise State University

Recipient's Street Address: 1910 University Drive, Boise, Idaho 83725

Description: The 3–D packaging approach offers the promise of a dramatic decrease in the system weight and volume, together with increased system performance. This project will provide funding to continue to develop 3–D processing techniques on silicon and LTCC platforms. These include technologies for die- and wafer-scale bonding and 3–D interconnects. These techniques will be applied to create 3–D integration and packaging solutions applicable to a general category of high performance sensor systems. The military has a need for new three-dimensional (3–D) packaging of electronic systems, particularly sensor systems for portable (i.e., on-soldier) applications. 3–D integration and packaging of sensors will result in smaller electronics with expanded capability, allowing the soldier in the field to be more effective.

Project Name: Accelerator-Driven Non-Destructive Testing

Amount Received: $2,000,000

Account: Support Systems Development Account in the Air Force RDT&E

Recipient: Idaho State University

Recipient's Street Address: 921 South 8th Avenue, Stop 8007, Pocatello, Idaho 83209

Description: The Idaho Accelerator Center (IAC) will develop a research, education and commercialization program that takes non-destructive testing techniques developed at the IAC and advances their development. The penetrating and non-destructive techniques that are under development include new techniques in positron annihilation spectroscopy with accelerator-based gammabeams, the use of mono-chromatic x-ray beams and the use of photon activation (via photonuclear reactions) for trace element analysis of materials and manufacturing processes. The development of practical non-destructive testing (NDT) techniques will help the U.S. Air Force reduce aircraft downtime necessary for inspection and enhance turn-around times by more quickly identifying needed repairs through spectroscopy and the use of x-ray. The development of practical NDT techniques will be of immense value to the armed forces in four critical areas: quicker return of aircraft to the line by reducing the tear-downs necessary for inspection; non-destructively addressing the enormous 'aging fleet' problem of the U.S.A.F. and the private sector; better economics by replacing parts on an on condition inspections basis instead of a 'life limited' basis; and the ability to successfully apply NDT techniques to composite materials. Currently, no commercialized NDT technique works on composite materials.

Project Name: Domestic Manufacturing of 45nm Electronics (DOME)

Amount Received: $2,000,000

Account: Advanced Spacecraft Technology Account in the Air Force RDT&E

Recipient: American Semiconductor, Inc.

Recipient's Street Address: 3100 South Vista Avenue, Suite 230, Boise, Idaho 83705

Description: Funding for this program will deploy a new foundry capability to address the most critical electronics sourcing issue faced for secure supply of advanced DOD integrated circuits in 2012 and beyond. DOME is an AFRL-sponsored initiative to implement a 45nm state-of-the-art wafer fabrication capability to meet current and future system requirements for fabrication of specialized integrated circuits in a broadly available foundry capacity to serve DOD. Microelectronics capability for defense applications requires advancement of technology for each generation of new defense system. Defense system requirements are often highly specialized and include capability beyond that of standard commercial devices due to their unique operational environments. An advanced and sustainable defense microelectronics supply solution is required that can provide parts in low volume at

reasonable costs and be fabricated on-shore to meet security requirements. This advanced process technology enables higher speed, lower power electronics that are of vital importance to the military and intelligence communities. The DOME program will deliver the capability to manufacture semiconductors at the most advanced technology node currently in production, 45nm, at an American run on-shore facility optimized for DOD/IC business.

Project Name: Hybrid Energy Systems Design and Testing

Amount Received: $2,000,000

Account: Military Engineering Advanced Technology Account in the Army RDT&E

Recipient: Idaho National Laboratory

Recipient's Street Address: 2525 Fremont Avenue, Idaho Falls, Idaho 83415

Description: The Hybrid Energy Systems Development and Testing Program will provide the Army transformational technologies that advance Army leadership in global energy security and carbon reduction. Hybrid energy concepts provided through this program could allow the Army to simultaneously address energy supply (electrical grid and fuel supply) security and surety, environmental (CO_2) footprint reduction, and provide national economic benefits. This project will leverage unique assets at the INL, such as its Hybrid Testing Lab, engineering-scale energy test beds, supercomputing capabilities, and hybrid systems design teams, and nuclear technology designs, to develop, validate, and assess hybrid and other advanced energy system concepts. This program will provide a foundation for Army leadership in clean, smart, secure energy for future defense and nondefense applications.

Project Name: Hybrid Power Generating System

Amount Received: $2,000,000

Account: Advanced Electronics Technologies Account in the Department of Defense RDT&E

Recipient: M2E Power, Inc.

Recipient's Street Address: 845 West McGregor Court, Suite 150, Boise, Idaho 83705

Description: Research at the Idaho National Laboratory resulted in a breakthrough technology using compressed magnetic fields which can generate power. M2E Power is expanding on this research to develop high density generators based on breakthrough configurations of permanent magnetic material, coil designs and advanced power electronics. With further development efforts, M2E Power's technologies will enable lightweight, compact power sources and highly power-dense components that will significantly reduce the logistics burden, while increasing the survivability and lethality of the warfighter. The continued research, development, testing and validation of the technology should result in mission extension for dismounted soldiers and considerable savings by reducing the reliance on disposable batteries. In addition, the technology will substantially increase the overall efficiency of motors, generators and propulsion systems used defense-wide.

Project Name: Integrated Passive Electronic Components

Amount Received: $1,700,000

Account: Advanced Spacecraft Technology in the Air Force RDT&E

Recipient: University of Idaho

Recipient's Street Address: 820 Idaho Ave., Morrill Hall 109, Moscow, ID 83844

Description: Spacecraft are critical for coordinating modern military operations, particularly for intelligence gathering, battle-space communications, resource deployment (e.g. Global Positioning System), and targeting. More accurate and timely information enables more effective deployment, but requires enhanced sensing, communications and computing, which require more power. Limited energy sources and cooling capacity aboard spacecraft restrict increased processing capability. Power consumption has become a limiting factor in the performance electronic and computing technologies. Microchip designers have addressed rising power consumption by reducing the voltage levels of the power delivered to the chips, with excellent results. However, this creates a new problem of how to deliver clean low-voltage power to the chips. This research will develop the technologies to enable low-voltage power regulation to be integrated onto the same piece of silicon that holds the computing circuits, thus making ultra-low-power microelectronics practical. The key to this technology is integrated passive components. In addition, this research will produce a new range of component options for analog circuit designers, enabling greater ability to program and increasing flexibility of on-board electronic systems.

Project Name: Material, Design, Fabrication Solutions for Advanced SEAL Delivery System external structural components

Amount Received: $2,000,000

Account: Operations Advanced Seal Delivery System (ASDS) Development in the Department of Defense Research, Development, Test and Evaluation (RDT&E)

Recipient: Premier Technology Inc.

Recipient's Street Address: 1858 West Bridge Street, Blackfoot, Idaho 83221.

Description: Premier Technology Inc. will work with the Idaho National Lab, Navy PEO Submarine (PMS 399), U.S. Special Operations Command, Naval Special Warfare Command and the Navy Office of Naval Research to provide material, design and fabrication solutions for ASDS external structural components allowing those components to withstand severe hydrodynamic, hydrostatic and shock loading while maintaining significant resistance to corrosion in situations where the ASDS is attached to the submerged host submarine operating at high speeds. Candidate components include the host submarine pylon assembly, ASDS lower hatch (buttress threads) and ASDS shaft line components. The goal of this project is to assist the U.S. Navy in bringing ASDS to its fullest operational capability by addressing challenges that it faces in key material issues.

Project Name: Radiation Hardened Cryogenic Read Out Integrated Circuits

Amount Received: $2,000,000

Account: Defense Production Act Purchases in Department of Defense Procurement

Recipient: ON Semiconductor, Inc.

Recipient's Street Address: 2300 Buckskin Road, Pocatello, Idaho 83201

Description: Readout integrated circuits (ROIC) are the foundation of thermal imaging systems. These systems have forever changed modern warfare and surveillance. The United States Air Force and the Missile Defense Agency have been investigating ways to improve manufacturing capabilities and improve cryogenic and radiation performance of these circuits. The thermal imagers of the future will operate in harsh environmental conditions for longer periods of time and will have increased resolution (through increased pixel count) than the detectors of today. Maintaining a domestic source of this technology, as well as working to enhance the manufacturing capabilities of this critical technology, are as equally important as increasing the yield. The DPA Title III Readout Integrated Circuit (ROIC) program will continue the improvement efforts to develop technology that includes a larger stitched die, smaller feature size (< 0.35um), improved yields, and reduced cycle times will enable a domestic U.S. source for ROIC manufacturing to meet our national defense needs.

I appreciate the opportunity to provide a list of Congressionally-directed projects in the report accompanying the FY2010 Defense Appropriations bill on behalf of Idaho and provide an explanation of my support for them.

EARMARK DECLARATION

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. ROGERS of Alabama. Madam Speaker, in accordance with the Republican Conference standards regarding Member initiatives, I rise today to provide a description for how funds appropriated in response to my requests submitted to the House Appropriations Committee will be allocated. In making those requests, I submitted a financial certification letter to Chairman OBEY which accompanied my requests, and included the following information:

I hereby certify that to the best of my knowledge these requests (1) are not directed to any entity or program that will be named after a sitting Member of Congress; (2) are not intended to be used by any entity to secure funds for other entities unless the use of funding is consistent with the specified purpose of the earmark; and (3) meet or exceed all statutory requirements for matching funds where applicable. I further certify that should any of the requests I have submitted be included in the bill, I will place a statement describing how the funds in each of the included requests will be spent and justifying the use of federal taxpayer funds.

In order to fully comply with these standards, Madam Speaker, I hereby submit a description of how the funds appropriated in the Department of Defense Appropriations Act for Fiscal Year 2010 will be used for the projects to follow.

Requesting Member: Congressman MIKE ROGERS (Alabama)

Bill Number: H.R. 3326, Department of Defense Appropriations Act for Fiscal Year 2010

Account: RDT&E, Army

Legal Name of Receiving Entity: SCRA, Institute for Solutions Generation (funding will benefit the Anniston Army Depot)

Address of Receiving Entity: 5300 International Boulevard, N. Charleston, SC 29418

Description of Request: Provide $2,500,000 in funding for the Highly Integrated Production for Expediting RESET. This funding was requested by the Calhoun County Chamber of Commerce to benefit the Anniston Army Depot, located at 7 Frankford Avenue, Anniston, AL 36201. A critical readiness issue facing the military today is repairing and restoring

military equipment that has been damaged or worn out in battle. Resetting small arms and crew served weapons is particularly challenging, given their sheer numbers and the fact that, there is a growing incidence of nonconforming parts used to support reset operations there. In addition, under the current system, a lot of time and cost are required to design and apply product improvements during reset. HIPER ensure a quick and efficient RESET turn-around for weapons to the theater. The requested funding will drive downstream efficiencies in manufacturing and quality inspection by enabling the utilization of laser scanning technology to significantly shorten the time and lower the cost for resetting and modernizing the military's small arms and crew-served weapons. This funding will provide for integration, collaboration, scanning and reverse engineering technology, and supply chain improvements to enhance and expedite RESET efforts.

Requesting Member: Congressman MIKE ROGERS (Alabama)

Bill Number: H.R. 3326, Department of Defense Appropriations Act for Fiscal Year 2010

Account: RDT&E, Army

Legal Name of Receiving Entity: BAE Systems

Address of Receiving Entity: 1101 Wilson Blvd., Suite 2000, Arlington, VA 22209

Description of Request: Provide $2,000,000 for the Paladin Integrated Management for work to be completed in Anniston, AL. The FY 10 President's Budget contains funding for research and development Army funds to assist in making the M109A6 Paladin and its companion vehicle the Field Artillery Ammunition Support Vehicle (FAASV) sustainable through the year 2050. The changes to this vehicle will incorporate the Bradley's drive train and suspension components that will reduce the logistics footprint thereby reducing operational and support costs. This funding is needed for this program be reinstated to its original schedule (the program was Congressionally reduced by that same amount during the FY09 budget process). Procurement funds to initiate low rate initial production are in the FY 10 procurement budget. The Army intends to fund this program through completion. This is a national defense program which provides firepower to our troops engaged in combat.

Requesting Member: Congressman MIKE ROGERS (Alabama)

Bill Number: H.R. 3326, Department of Defense Appropriations Act for Fiscal Year 2010

Account: RDT&E, Army

Legal Name of Receiving Entity: Electric Fuel Battery Corporation (Arotech Subsidiary)

Address of Receiving Entity: 354 Industry Drive, Auburn, AL 36832

Description of Request: Provide $2,500,000 for the Novel Zinc Air Power Sources for Military. This funding will develop Zinc-Air battery technology that will provide the soldier with a high energy density power source that significantly reduces battery carry weight. Previous advances in the technology have helped to cut warfighter battery carry weight in half. Continued development of body-worn energy distribution systems, coupled with further development of Zinc-Air battery technology, promises to cut warfighter battery carry weight further, while reducing battery quantities carried on long missions. Reducing battery type and count lowers operational risk by reducing the need for re-supply. In addition, Zinc-Air battery's intrinsic safety (cannot combust or explode even when penetrated by hot projectiles) enhances warfighter safety. Lithium-Air battery technology is in its infancy but has the highest possible energy density of any battery system promising a quantum leap in the warfighter mission length.

Requesting Member: Congressman MIKE ROGERS (Alabama)

Bill Number: H.R. 3326, Department of Defense Appropriations Act for Fiscal Year 2010

Account: RDT&E, Army

Legal Name of Receiving Entity: Auburn University

Address of Receiving Entity: 102 Samford Hall Auburn, AL 36849

Description of Request: Provide $1,500,000 for the Logistical Fuel Processors Development to Meet Army/TARDEC/TACOM Needs. The technical focus of this program is the development and demonstration of logistical fuel processor-fuel cell combinations that operate at significantly higher efficiencies than current IC engines used by the Army. System attributes to be optimized include: overall efficiency, fuel flexibility, activity maintenance and poison tolerance of the various catalysts, start-up/shutdown time-scales, process robustness, reliability/ruggedness, safety, thermal/acoustic signature and integration, and reductions in overall weight and volume. Additional efforts will be conducted to design and adapt fuel processor/fuel cell systems to appropriate electrical loads with respect to voltage, current, AC/DC operation, peak power requirements versus average power and overall autonomy time. More efficient forms of energy conversion and power production are of key importance to the Army and can be leveraged many times as a gallon of fuel or a pound of food is transported from its point of origin to a forward deployed base of operations. For reasons of inter-operability, the Army must utilize existing and readily available fuel sources such as JP–8 and diesel.

Requesting Member: Congressman MIKE ROGERS (Alabama)

Bill Number: H.R. 3326, Department of Defense Appropriations Act for Fiscal Year 2010

Account: OM, Army

Legal Name of Receiving Entity: Intergraph Corporation

Address of Receiving Entity: 170 Graphics Drive, Madison, AL 35758

Description of Request: Provide $5,000,000 for the Fort Benning National Incident Management System (NIMS)-Compliant Installation Operations Center. In January 2009, the Department of Defense (DOD) released an instruction sheet (NUMBER 6055.17) on the Installation Emergency Management (IEM) program to establish policy, assign responsibilities, and prescribe procedures for developing, implementing, and sustaining IEM programs at DOD installations. IEM directly supports the Homeland Security Presidential Directive (HSPD)–5, which orders the Secretary of Homeland Security to develop and administer a National Incident Management System (NIMS). A NIMS-compliant installation operations center provides a unified approach to incident management, standard command, and management structures, as well as creates an emphasis on preparedness, mutual aid, and resource management. Without this system in place, it is very difficult for responders from different jurisdictions to communicate and work together effectively. Because Fort Benning extends across the Alabama-Georgia border, the implementation of a NIMS-compliant installation operations center directly supports HSPD–5 by providing interoperability and cross-jurisdiction capabilities among local and multi-state response agencies. The request will allow Fort Benning to create a NIMS-compliant state-of-the-art operations center. This system will provide Fort Benning with the critically needed capability to track and protect new incidents and existing activities. The final solution will integrate first responder force protection and the fire fighting common operational picture into one comprehensive command and control/decision support capability that will provide visibility to the commander to gain status and direct response, analyze the current anti-terrorism and force protection mission, and allow for appropriate reporting to other operations centers throughout the country.

EARMARK DECLARATION

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 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. 3326, "Making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes."

Requesting Member: Congressman JOHN DUNCAN

Account: RDTE—Air Force

Project Amount: $2,000,000

Legal Name of Requesting Entity: University of Tennessee, 328 Ferris Hall, 1508 Middle Drive, Knoxville, Tennessee 37996

Description of Request: The funding will be used for design, testing, and evaluation of systems needed for the harvesting and storage of green energy. The need for the nation to design, implement, and test systems and processes capable of producing renewable energy at a large scale is vital for the U.S. military and the nation as a whole.

TRIBUTE TO DONNIE D. CHIZEK

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. LATHAM. Madam Speaker, I rise today to recognize Mr. Donnie D. Chizek as a member of Troop A, 1st Squadron, 11th Armored Cavalry Regiment. This military unit was recently awarded the Presidential Unit Citation. This rare and prestigious citation honors the Unit's courageous actions in the Republic of South Vietnam.

In 1970 Troop A, 1st Squadron, 11th Armored Cavalry Regiment distinguished itself through a series of serious combat missions over a period of several months. The Presidential Unit Citation has been awarded less than 100 times since its inception in 1941. I am very pleased with the Department of Defense's review and recommendation to recognize this unit with this esteemed honor.

The bravery and sacrifice displayed by Donnie Chizek during his service to our nation goes above and beyond what we are asked of as citizens of this country. I know that members of the House of Representatives join me in congratulating Donnie on his well deserved award and wish him the best in his future endeavors.

HONORING THE SERVICE OF U.S. MARINE CPL. NICHOLAS G. XIARHOS

HON. BILL DELAHUNT

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. DELAHUNT. Madam Speaker, I rise today so that my colleagues in the House of Representatives can join me in honoring the service of U.S. Marine Corporal Nicholas G. Xiarhos—a loving son and brother, exceptionally dedicated soldier, and a constituent of mine.

On July 23, Nick died after being injured by a roadside explosive while serving in the Garmsir District, an area in the volatile region of southern Afghanistan. If ever there was an individual who went above and beyond to answer the call of service to his country, Nick was that man. He returned from a tour of duty in Iraq this past October only to change battalions so that he could be redeployed to Afghanistan in May. At the time of his death, Nick was serving with the 2nd Battalion, 8th Marine Regiment, and was scheduled to return home around Christmas.

Beloved and admired by his family, peers, fellow men and women in uniform, and his hometown community of Yarmouth, Massachusetts, 21-year-old Nick was the epitome of a true American hero. He eschewed being singled out for his achievements and admirable sacrifices, telling others that he was no different from the thousands of other Marines who shared the same mission. As he told his parents only two weeks before his death, he was living his dream while serving in Afghanistan despite the physical and emotional toll that combat takes on even the most seasoned soldiers.

Six feet tall, athletic, and muscular, Nick had a heart of gold that instinctively drew others to him. During his years at Dennis-Yarmouth Regional High School, he was dubbed ''the mayor of DY'' for his outgoing, amiable, friendly nature and popularity. As a senior, he received the ''Does Most For Others'' title—a well-deserved moniker that embodied how Nick approached relationships, his military service, and life in general. Upon returning from Afghanistan, Nick's goal was to attend college and—following in his father, Lieutenant Steven Xiarhos', footsteps—to become a police officer.

Nick's life was one of immense promise, tragically ended too soon. As he is laid to rest tomorrow, I want to extend my deepest condolences to the Xiarhos family—his parents, Steven and Lisa; his younger brother, Alexander; and his twin sisters, Ashlynne and Elizabeth. While he will be truly missed by all those whose lives he touched, Nick's memory and the sacrifice he made for our country will forever live on.

Thank you, Nicholas Xiarhos, for your service. May you rest in peace.

IN RECOGNITION OF WATCHMAN NEE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. SMITH of New Jersey. Madam Speaker, I rise today to acknowledge the immense spiritual achievement of Watchman Nee, a great pioneer of Christianity in China.

Christianity Today magazine recently honored Watchman Nee as one of the 100 most influential Christians of the twentieth century. Watchman Nee died over thirty years ago but his life and work continue to influence millions of Protestant Christians in China. Today more than three thousand churches outside of China, including several hundred in the United States, look to him as one of their religious and theological leaders.

Watchman Nee was an astonishingly devoted and energetic man, which I think can be seen from a capsule summary of his life. He became a Christian in 1922. In the 1930s, he traveled to Europe and North America, where he delivered sermons and speeches. Later his sermons were collected and published as books. By the late 1940s, Nee had become the most influential Chinese Christian writer, evangelist, and church builder. In 1952, the Chinese government imprisoned Nee and many other Christian leaders for their faith. Nee was never released, though during the 1960s and 1970s several of his books continued to grow in influence and popularity, particularly in the United States, and his best-known book, The Normal Christian Life, sold over one million copies world-wide and became a twentieth-century Christian classic. In 1972 he died at the age of 71 in a labor farm; his few surviving letters confirm that he remained faithful to God until the end.

Madam Speaker, it is estimated that China has more than one hundred million Christians, and millions of them consider themselves the spiritual heirs of Watchman Nee. Millions more are rightly proud of the contribution Watchman Nee made to global Christianity—he was the first Chinese Christian to exercise an influence on Western Christians—and indeed of his contribution to world spiritual culture. It is sad that the works of Watchman Nee are officially banned in China—even as they are being discovered afresh by a new generation of Western Christians. It is my hope that Watchman Nee's collected works can be freely published and distributed within China.

After Watchman Nee's death, when his niece came to collect his few possessions, she was given a scrap of paper that a guard had found by his bed. What was written on that scrap may serve as Watchman Nee's testament: ''Christ is the Son of God Who died for the redemption of sinners and was resurrected after three days. This is the greatest truth in the universe. I die because of my belief in Christ. Watchman Nee.''

RECOGNIZING THE CITY OF LEANDER, TX

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. CARTER. Madam Speaker, I would like to recognize the City of Leander and its staff for their great work within the community for the Adopt-a-Unit Program. The City of Leander adopted troops from the 4th Infantry Division out of Fort Hood, Texas through the Adopt-a-Unit program. The city offered support to the troops and their families with supplies, care packages and moral support during their deployment to Iraq over the last year.

I appreciate the work and dedication of the City of Leander staff and commend them for their commitment to the soldiers of the United States Army.

It is an honor to recognize the City of Leander for their great work.

PROTECTING THE SURVIVORS OF OUR JUDICIAL OFFICIALS

HON. HENRY C. ''HANK'' JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. JOHNSON of Georgia. Madam Speaker, I am honored to bring to the floor the Judicial Survivors Protection Act of 2009. The bill would provide a limited six month period for incumbent Federal judges to opt into the Judicial Survivors' Annuities System (JSAS) and begin contributing toward an survivors' annuity for their spouses and dependent children.

The JSAS is a critical optional benefit for Federal judges. Currently, unlike the survivors of other Federal employees, judges' spouses and dependent children receive no survivor income benefits unless the judge elects to participate. In addition, the judge must have specifically elected JSAS for a spouse to continue health insurance coverage under the Federal Employees Health Benefits program after the judge's death.

The judges of our Federal judiciary frequently give up lucrative jobs with many benefits for the honor and privilege of serving on our judiciary. Allowing a JSAS open season is a small way to allow judges to provide for their families despite the financial sacrifice of accepting a Federal judgeship.

Judges are bound by their initial decision regarding contributing to JSAS for the remainder of their career. However, circumstances change, and while initially judges may have chosen not to opt into the program due to financial pressure at the time, conflicting priorities such as the need to pay the expense of a dependant education, or simply the failure to plan ahead, this leaves the survivors of forty percent of Article III and non-Article III judges at risk.

Currently only sixty percent of Article III and non-Article III judges participate in JSAS. This bill would provide those forty percent of active or senior Federal judges, who did not initially enroll in JSAS, a limited open season to enroll in the program.

To compensate for the Judge's delay in opting into the program, new enrollees who previously declined to participate in JSAS would

pay an enhanced contribution rate of 2.75 percent of their salaries to preserve the financial integrity of the JSAS Fund. Should these new enrollees later retire from the bench, they, like all other retired judges participating in JSAS, will pay the contribution rate of 3.5 percent of their retirement salary.

Additionally, the bill would authorize Federal judges to voluntarily increase their contributions to JSAS in order to enhance the value of their survivors' annuities.

According to the Congressional Budget Office, this bill would carry a negligible cost as any impact on the JSAS system by the new enrollees would be entirely borne by the new enrollees.

Congress has previously authorized such a JSAS open season three times: in 1976, 1985 and 1992. It has been seventeen years since the last open season, and this bill is but a small step towards lightening what is often the financial burden of judicial public service.

The Senate unanimously passed this important legislation. I am proud to join the Senate and send this important measure to President Obama.

HONORING AND RECOGNIZING THE PASSING OF MR. YOSEMITE, NIC FIORE

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to pay honor and respect to one of my friends and heroes, Mr. Nic Fiore, who lived a full 88 years of life, and passed away on June 16, 2009 from pneumonia.

Nic was a legendary ski instructor and community leader who taught nearly 140,000 people to ski at Yosemite's Badger Pass Ski Area. Nic served in several different capacities in Yosemite for 57 years after first coming to Yosemite in 1947 from his hometown in Montreal, Canada. Nic originally came to Yosemite for one season but fell in love with the crowned jewel of America's national parks and stayed for the rest of his life, building community, friendship, and family in the area. He is survived by his daughters, Cindy and Nicole, and eight grandchildren.

In describing his experience moving to Yosemite from Canada in 1947, Nic said, ''I had never been in love, but the feeling hit me like a ton of bricks. Like a bolt of lightning. Right then and there, down deep, in the corner of my heart, I said to myself, 'I doubt you'll ever leave this place.' And I never have.''

In 1956, Nic was named director of the Yosemite Ski School, and in 1963 he was appointed director of the Yosemite High Sierra Camps. During this time, Nic also managed the Wawona and Glacier Point hotels among other concession facilities.

Many of the aspects of Yosemite and Badger Pass Ski Area that are most beloved by myself and families everywhere who have the privilege to visit and enjoy Yosemite National Park can be attributed to Nic's legacy. Nic was a visionary in making the Badger Pass Ski Area the family-oriented teaching ski facility that it is today by preserving old skiing tradition.

I can attest to what Nic's Yosemite colleagues have said about Nic's generosity of heart, his ability to make everyone who met him feel as though they were his best friend, and his mastery of Yosemite. Nic had a special ability to share his passion and enthusiasm for skiing, and recreation with generations of visitors to Yosemite as well as the permanent Yosemite community.

The list of Nic's accomplishments is long. In 2006, Nic was chosen by the Yosemite Fund as their person of the year, and was designated as ''Yosemite's Ambassador-at-Large.'' In January 2009, Nic was inducted into the California Outdoors Hall of Fame, an enshrinement award presented by the Sportsmen's Exposition. To be considered for this considerable award, nominees must have inspired thousands of Californians to take part in the great outdoors and must have taken part in an overriding range of adventures. I personally cannot think of a more qualified individual to fit that description than Nic.

Nic held the position of executive director of the Professional Ski Instructors of America (PSIA) Western Divison. He was recognized as the ''Most Valuable Ski Instructor'' of PSIA in 1971. Nic also received the ''Charlie Proctor Award'' in 1986, which honors individuals who have made outstanding contributions to the sport of skiing in Northern California and Nevada. It is the highest award given by the Sierra Chapter of the North American Ski Journalists Association. Additionally, in 1987, Fiore was nominated for the U.S. Ski Hall of Fame, as well as received the ''Outstanding Contributions to the Sport of Skiing'' award.

In addition to all of these accomplishments, Nic was also an author, writing a best selling book, ''So You Want to Ski'' along with a newspaper column titled ''Ski Tips by Nic Fiore.''

Again, Madam Speaker, I rise in recognition of my friend and Yosemite community builder Mr. Yosemite, Mr. Nic Fiore. Nic will be missed by many. His legacy in the Yosemite community will live on, as will his passion and enthusiasm for the sport of skiing.

CELEBRATING THE 120TH ANNIVERSARY OF BISHOP MUSEUM

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Ms. HIRONO. Madam Speaker, August, 2009 marks the 120th anniversary of Bernice Pauahi Bishop Museum, the State of Hawai'i's Natural and Cultural History Museum. Founded more than a century ago, in the memory Princess Bernice Pauahi Bishop by her husband, Charles Reed Bishop, Bishop Museum has contributed to the world's understanding of the natural and cultural history of the Pacific and Hawai'i. It has collected and preserved nearly 25 million scientific animal and plant specimens and 2.4 million cultural objects that together help tell the full story of Hawai'i and the Pacific.

Bishop Museum recently completed a major restoration of one of its original buildings, Hawaiian Hall. Listed on the National Register of Historic Places, Bishop Museum's Hawaiian Hall has traditionally housed Hawai'i's most sacred and beloved artifacts. With its volcanic stone exterior and extensive use of native koa wood, Hawaiian Hall is considered a masterwork of late Victorian museum design.

With this important renovation, hundreds of thousand visitors and local residents will enter the world of Hawai'i. They will hear the oral tradition of oli and mo 'olelo. They will experience Hawai'i's deep connection between its natural and cultural worlds. Bishop Museum has served as an essential repository and education institution for over a century.

In honor of this important anniversary and the major restoration of Hawaiian Hall, Congressman ABERCROMBIE and I introduced H. Res. 541, which we are hoping will pass the House in the near future. I urge my colleagues to join me in commending the important efforts of the Museum and in celebrating the 120th anniversary of its founding with the restoration and reopening of its Hawaiian Hall. Mahalo!

BILL TO CLOSE OFFSHORE REINSURANCE TAX LOOPHOLE

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. NEAL of Massachusetts. Madam Speaker, today I am pleased to come before the House to introduce legislation ending the use of excessive affiliate reinsurance by foreign insurance groups to strip their U.S. income into tax havens, avoid tax, and gain a competitive advantage over American companies. In the past, I have offered a number of bills to limit offshore tax avoidance. Today's bill follows on that trend but focuses specifically on one area of the financial services sector.

The financial services industry has, like all us, experienced a tough year with the economic upheaval. As businesses realign, merge, and in some cases, cease operations, the advantages of a no- or low-tax jurisdiction from which to operate is tempting. The benefits of being headquartered in a tax haven can be quite significant for a company with investment income over long periods of time. Use of affiliate reinsurance allows foreign-based companies to shift their U.S. reserves and their investment income overseas into tax havens, thereby avoiding U.S. tax.

The President has recently suggested a number of proposals tightening tax rules for U.S.-based companies operating overseas. Those proposals deserve a thorough review to assess their merits. But before we consider cracking down on the foreign earnings of U.S. companies, we should make sure we are taxing the earnings of foreign groups that do business in the United States the same way we do for those based here. Ending the tax advantage for foreign-based insurance groups from use of affiliate reinsurance was even a platform issue for candidate Obama last year.

There is no doubt that there is a legitimate role for reinsurance. It is a fundamental business technique for risk management and is to be fostered. However, reinsurance among affiliates can serve other purposes as well, including tax avoidance. Just as Congress and Treasury have attempted to measure what is legitimate in debt transactions between affiliates, there have been previous attempts to address the problem of excessive reinsurance between related entities. Unfortunately, as recent data shows, those attempts have been unsuccessful.

Since 1996, the amount of reinsurance sent to offshore affiliates has grown dramatically,

from a total of $4 billion ceded in 1996 to $33 billion in 2008, including nearly $21 billion to Bermuda affiliates and over $7 billion to Swiss affiliates. Use of this affiliate reinsurance provides foreign insurance groups a significant market advantage over U.S. companies in writing direct insurance here in the U.S. We have seen in the last decade a doubling in the growth of market share of direct premiums written by groups domiciled outside the U.S., from 5.1 percent to 10.9 percent, representing $54 billion in direct premiums written in 2006. Again, Bermuda-based companies represent the bulk of this growth, rising from 0.1 percent to 4 percent. And it should be noted that during this time, the percentage of premiums ceded to affiliates of non-U.S. based companies has grown from 13 percent to 67 percent. Bermuda is not the only jurisdiction favorable for reinsurance. In fact last year, one company moved from the Cayman Islands to Switzerland citing ''the security of a network of tax treaties,'' among other benefits.

Congress first recognized the problem of excessive reinsurance in 1984 and provided specific authority to Treasury under Section 845 of the tax code to reallocate items and make adjustments in reinsurance transactions in order to prevent tax avoidance or evasion. In 2003, the Treasury Department testified before Congress that the existing mechanisms were not sufficient. In 2004, Congress amended this provision to expand the authority of Treasury to not only reallocate among the parties to a reinsurance agreement but also to recharacterize items within or related to the agreement. Congress specifically cited the concern that these reinsurance transactions were being used inappropriately among U.S. and foreign related parties for tax evasion. Despite this grant of expanded authority, Treasury has still been unable to stem the tide moving offshore.

Recently, a coalition of U.S.-based insurance and reinsurance companies has been formed to express their concerns to Congress. With more than 150,000 employees and a trillion dollars in assets here in the U.S., I believe it is a message of concern that we should heed. Last month, they wrote to the leadership of the House and Senate tax-writing committees urging passage of my bill because, as they wrote, ''This loophole provides foreign-controlled insurers a significant tax advantage over their domestic competitors in attracting capital to write U.S. business.''

That is why I am again filing legislation to disallow deductions for excess reinsurance premiums with respect to U.S. risks paid to affiliated insurance companies that are not subject to U.S. tax. The excess amount will be determined by reference to an industry fraction, by line of business, which will measure the average amount of reinsurance sent to unrelated parties by U.S. companies. The bill allows foreign groups to avoid the deduction disallowance by electing to be treated as a U.S. taxpayer with respect to the income from affiliate reinsurance. Thus, the bill merely restores a level-playing field, treating U.S. insurers and foreign-based insurers alike. The legislation provides Treasury the authority to carry out or prevent the avoidance of the provisions of this bill.

My colleagues may be thinking that this sounds similar to another provision in the code, and they would be right. The tax code currently tries to limit the amount of earnings stripping—that is, sending U.S. profits offshore through inflated interest deductions—by disallowing the interest deduction over a certain threshold. In the reinsurance context, U.S. affiliates of foreign based reinsurance entities may be sending offshore excessive amounts of reinsurance to strip those premiums out of the purview of the U.S. tax system. My bill limits the deduction for those premiums to the extent the reinsurance to a related party exceeds the industry average.

I hope that in the coming weeks, my colleagues and experts in the industry will carefully review this new proposal and provide constructive commentary on it. A fuller technical explanation of the bill will be posted on my website, which will provide some background on the industry as well as a technical description of the bill. Madam Speaker, I appreciate the opportunity to address the House on this important matter and I assure my colleagues that I will continue my efforts to combat offshore tax avoidance, regardless of what industry is impacted.

THE GENERATING RETIREMENT OWNERSHIP THROUGH LONG-TERM HOLDING

HON. PAUL RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. RYAN of Wisconsin. Madam Speaker, I, along with Congressman ARTUR DAVIS and Congressman JOSEPH CROWLEY, re-introduce today the Generating Retirement Ownership Through Long-Term Holding (''GROWTH'') Act of 2009. At a time when our economy is struggling to recover, this bipartisan bill would provide a valuable tool to hardworking Americans saving for retirement and other financial goals.

Mutual fund investors are overwhelmingly middle-income Americans investing for the long term. For many of these investors, mutual funds provide a low-cost, professionally managed, diversified opportunity in which they can save for their own retirement. Currently, investors who buy shares in a mutual fund and hold them for the long term find themselves taxed as they go—even though no fund shares were sold and no cash was received. This legislation allows mutual fund shareholders to keep more of their own money working for them longer by deferring capital gains taxes until they actually sell their investment. The GROWTH Act makes it easier for these individuals to meet their retirement savings goals.

Most of our Nation's mutual fund shareholders report that retirement is the primary reason why they are saving. More than 29 million Americans are saving through long-term mutual funds held in taxable accounts, either to supplement their employers' retirement plans, or because they do not have access to such plans. Seventy-six percent of mutual fund investors say that their primary financial goal is to save for retirement. At the same time, almost half—about 76.2 million of 158.1 million workers—are not offered any form of pension or retirement savings at work.

Meanwhile, the costs once in retirement are growing. For example, the Employee Benefit Research Institute estimates that, depending on their source of health insurance coverage and their comfort level with having a 50-percent, 75-percent, or 90-percent chance of having enough savings to cover health insurance premiums and out-of-pocket health care expenses in retirement, men retiring at age 65 in 2019 will need between $114,000–$634,000, while needed savings for women range from $164,000–$754,000.

Mutual fund investors who automatically reinvest are doing the right thing. They are saving for the longer term, contributing to our national economy, and building up their own retirement nest egg. These Americans should be encouraged to save not punished for doing so through a tax on automatic reinvestments. The tax code needs to help, not hinder, saving for retirement. I urge my colleagues to join us in this effort and cosponsor this legislation.

RECOGNIZING THE GREATER LEANDER CHAMBER OF COMMERCE

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. CARTER. Madam Speaker, I would like to recognize the Greater Leander Chamber of Commerce for its great efforts within the community and serving as a helpful resource for the Adopt-a-Unit Program in Leander. The city of Leander participated in adopting troops from the 4th Infantry Division, Fort Hood, Texas. The Program provided soldiers and their families back home with supplies, care packages and moral support during their deployment to Iraq over the last year.

I appreciate the hard work and commitment of the Greater Leander Chamber staff and look forward to what great things it will do in the future.

It is an honor to recognize the Greater Leander Chamber of Commerce and its staff.

EARMARK DISCLOSURES

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. LATHAM. Madam Speaker, pursuant to the new House Republican standards on earmarks, I am submitting the following information.

Bill Number: H.R. 3288—Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010

Project Name: Alice Road

Amount Provided: $750,000

Account: FHWA TCSP—Transportation & Community & System Preservation

Recipient: Iowa Dept of Transportation

Recipient's Street Address: 800 Lincoln Way Ames, IA 50010

Description: This funding would be used for the constructing of a 6-lane arterial blvd. as part of a north-south economic development corridor.

Bill Number: H.R. 3288—Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010

Project Name: Ames Intermodal Facility

Amount Provided: $350,000

Account: FTA—Buses & Bus Facilities

Recipient: Ames Transit Agency

Recipient's Street Address: 1700 University Blvd. Ames, IA 50010

Description: This project would construct an intermodal transportation facility that would consolidate three essential transportation functions in Ames, IA. within a single, intermodal facility (intercity bus operations, public transit and parking law enforcement). The funds would accommodate the design phase of this project, in support of a multi-modal and ''green'' transportation resource. Funding would move the project forward.

Bill Number: H.R. 3288—Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010

Project Name: Ames Transit Facility Expansion

Amount Provided: $500,000

Account: FTA—Buses & Bus Facilities

Recipient: Ames Transit Agency

Recipient's Street Address: 1700 University Blvd. Ames, IA 50010

Description: The current bus storage facility is built for 25 vehicles; the facility now houses 70 vehicles on the same site, crowding both storage and maintenance operations. The new facility would be built on the existing site or a satellite site.

Bill Number: H.R. 3288—Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010

Project Name: Earthworks Engineering Research Center—EERC

Amount Provided: $500,000

Account: Transportation Planning, Research, and Development

Recipient: Iowa State University

Recipient's Street Address: 1750 Beardshear Hall Ames, IA 50011

Description: The EERC is an effort that does research in the area of geo & construction engineering approaches to U.S. civil infrastructure needs. The research initiatives are aimed at finding better ways to evaluate those technologies and techniques used in earth moving related to new and improved transportation infrastructure. This project is all the more relevant as we approach solutions to infrastructure needs.

Bill Number: H.R. 3288—Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010

Project Name: Iowa Highway 92 Reconstruction

Amount Provided: $750,000

Account: FHWA TCSP—Transportation & Community & System Preservation

Recipient: Iowa Dept of Transportation

Recipient's Street Address: 800 Lincoln Way Ames, IA 50010

Description: The project would consist of improvements to Iowa Highway 92 located in Warren County, Iowa. Project would begin approx. 1,000' west of Warren County Road R63 and extend east for approximately 1.3 miles to the city of Indianola. This project is necessary because the existing highway no longer meets current roadway design standards, and has areas of limited passing and sight distance. The area has an above average crash rate.

Bill Number: H.R. 3288—Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010

Project Name: Jefferson, Iowa Streetscape

Amount Provided: $385,000

Account: HUD EDI

Recipient: City of Jefferson

Recipient's Street Address: 220 Chestnut St. Jefferson, IA 50129

Description: This is phase I of a multi-phase streetscape initiative that includes underground wiring for signal controls, sidewalk refacing and general improvements from the back of curbs to building fences in a four-block area around the Greene County Courthouse.

Bill Number: H.R. 3288—Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010

Project Name: Jet Engine Technology Inspection to Support Continued Airworthiness—JET

Amount Provided: $700,000

Account: Research (FAA)

Recipient: Iowa State University

Recipient's Street Address: 1750 Beardshear Hall Ames, IA 50011

Description: The JET program at Iowa State Univ. develops advanced inspection techniques for jet engine components to enable the use of more fuel efficient engine technologies, and to ensure that new material & design approaches do not compromise safety. Aviation safety is important to the industry, particularly as new materials are driven close to margins of safety.

Bill Number: H.R. 3288—Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010

Project Name: Marshalltown Bus Replacement

Amount Provided: $315,000

Account: FTA—Buses & Bus Facilities

Recipient: City of Marshalltown

Recipient's Street Address: 24 N. Center St. Marshalltown, IA 50158

Description: The City of Marshalltown is seeking to replace one ''low-floor'' bus that is 17 years old. The funding is needed to assist in the purchase of a replacement bus for use as part of the city public transportation fleet.

Bill Number: H.R. 3288—Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010

Project Name: Roger Snedden Dr. Extension/Grade Separation—Phase 1

Amount Provided: $1,000,000

Account: FHWA TCSP—Transportation & Community & System Preservation

Recipient: Iowa Dept of Transportation

Recipient's Street Address: 800 Lincoln Way Ames, IA 50010

Description: This project is oriented toward safety improvement with the reconstruction of Industrial Park Road, including the widening of this heavily traveled road, and planned construction of a railroad overpass. Funding is needed for reconstruction of Industrial Park Rd, in anticipation of overpass construction. The overpass grade separation will allow safe crossing over a busy railroad switchyard, improving safety and environmental impacts.

Bill Number: H.R. 3288—Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010

Project Name: West Grand Avenue Extension

Amount Provided: $750,000

Account: FHWA TCSP—Transportation & Community & System Preservation

Recipient: Iowa Dept of Transportation

Recipient's Street Address: 800 Lincoln Way Ames, IA 50010

Description: This project is comprised of three roadway segments that will be part of the transportation infrastructure in SE Dallas County, IA. The roadway corridor improvements will provide access from I-35 to a technology park and, ultimately, connect to I-80 and the SW Beltway in Madison County, IA. The funding in the bill is for necessary planning and environmental reports.

Bill Number: H.R. 3326—Department of Defense Appropriations Act, 2010

Project Name: Portable Rapid Bacterial Warfare Detection Unit

Amount Provided: $4,000,000

Account: Research, Development, Test and Evaluation, Defense-Wide

Recipient: Advanced Analytical Technologies, Inc.

Recipient's Street Address: 2901 South Loop Drive, Ames, IA 50010

Description: The project objective is to develop portable instrumentation that provides biological warfare identification in drinking water samples in hours or minutes instead of days. This technology provides the rapid response needed to protect our troops from exposure to harmful agents on the battlefield, and could also have homeland security applications. For example, early bird flu virus identification in remote areas could help avert a pandemic flu scenario. This technology would provide for the rapid detection of biological warfare agents both domestically and internationally.

Bill Number: H.R. 3326—Department of Defense Appropriations Act, 2010

Project Name: Shared Vision

Amount Provided: $3,000,000

Account: Research, Development, Test and Evaluation—Army

Recipient: Mechdyne Corporation.

Recipient's Street Address: 11 East Church Street, Marshalltown IA 50158

Description: The project objective is to develop software and hardware to achieve a capability to provide all levels of military command with access to real-time, visual information about a battle space, for use in mission planning and after action review. The result will be a battlefield-ready Army Battle Command System that integrates information collected using a wide range of methods (reconnaissance imagery, direct surveillance, sensors, etc.) to create virtual representations of a given area, providing an operational picture for all mission phases. The request will provide funding needed to proceed with field-testing and evaluation of the system, the next stage of development with the U.S. Army.

Bill Number: H.R. 3326—Department of Defense Appropriations Act, 2010

Project Name: Wireless Medical Monitoring System (WiMed)

Amount Provided: $3,000,000

Account: Research, Development, Test and Evaluation—Army

Recipient: Athena GTX

Recipient's Street Address: 3630 SW 61st Street, Suite 395

Description: The purpose of the project is to greatly improve casualty care in combat situations, where medics are unable to effectively monitor injured soldiers' conditions. Current medical triage monitors and vital signs data tracking tools are complex, heavy, and have numerous wires with bulky connections. Wounded soldiers in Iraq will see care within one hour, and in Afghanistan the time may exceed four hours. There are often extensive delays in air evacuations during fire fights and a definitive lack of medical state monitoring.

The Wireless Medical Monitoring System ensures that medical triage can be performed effectively by medics on the battlefield, and that medical information about the casualty is retained to improve treatment following evacuation. The system includes a stick-on sensor that integrates pulse oximetry, blood pressure, temperature, skin humidity, and electrocardiograms into a single unit. Information from these units is broadcast to a single monitoring screen used by the medic, using Wi-Fi technology. The U.S. Army and the National Trauma Institute are currently conducting comprehensive clinical trials across numerous Level 1 Trauma Centers using this system.

Bill Number: H.R. 3326—Department of Defense Appropriations Act, 2010

Project Name: HyperAcute Vaccine Development

Amount Provided: $4,500,000

Account: Research, Development, Test and Evaluation—Army

Recipient: BioProtection Systems Corporation

Recipient's Street Address: 2901 S. Loop Drive, Suite 3360, Ames, IA 50010

Description: The project objective is to develop anti-viral vaccines for use against Ebola, Crimean Congo and other biological warfare agents. Although millions of dollars have been spent on Biological Defense over the past several years, only a handful of vaccines/medications have been developed to counter known threats. Unfortunately, most have proven to be weak and impractical to administer because they require multiple doses for protection or treatment. Importantly, these vaccines would not protect against genetically engineered biological weapons, which are relatively easy to produce. The vaccine technology is being developed to (1) enhance current vaccines, making them more effective and practical for use, (2) generate vaccines for known threats where a vaccine does not exist, and (3) develop a vaccine platform that could be adapted for newly developed biological agents. This request covers the third year in a three-year development plan for this vaccine technology, which was selected by the Department of Defense to satisfy existing military requirements, and has received funding through the National Institutes of Health, and the Defense Threat Reduction Agency.

Bill Number: H.R. 3326—Department of Defense Appropriations Act, 2010

Project Name: Advanced Live, Virtual, and Constructive (LVC) Training Systems

Amount Provided: $3,500,000

Account: Research, Development, Test and Evaluation—Army

Recipient: Iowa State University

Recipient's Street Address: 1750 Beardshear Hall, Ames, IA 50011–2035

Description: The Virtual Reality Applications Center (VRAC) located at Iowa State University has a scientific team leading research in the development of advanced software prototypes that utilize immersive virtual warfighting environments, in collaboration with the U.S. Army. Keeping up with the unique demands of urban combat and ever-changing environments in counterinsurgency warfare requires flexible and adaptive training systems that can be modified rapidly and deployed effectively in the field. This project is intended to help the Department of Defense meet its training objective to ensure soldiers can improvise and adapt to emerging challenges.

Bill Number: H.R. 3326—Department of Defense Appropriations Act, 2010

Project Name: Multi-Utility Materials for Army Future Combat Systems

Amount Requested: $1,000,000

Account: Research, Development, Test and Evaluation—Army

Recipient: Iowa State University

Recipient's Street Address: 1750 Beardshear Hall, Ames, IA 50011-2035

Description: This initiative is designed to enable Iowa State University, in partnership with Florida A&M University and the South Dakota School of Mines & Technology, to support the U.S. Army in developing and evaluating weapons and protective armor materials, with emphasis on survivability. This includes the development of new materials and non-destructive techniques to assure that the materials have the desired properties to provide the best and most reliable physical protection to the soldier.

Bill Number: H.R. 3326—Department of Defense Appropriations Act, 2010

Project Name: Low Cost GPS Receivers

Amount Provided: $4,000,000

Account: Defense Production Act

Recipient: Rockwell Collins

Recipient's Street Address: 400 Collins Rd., Cedar Rapids, IA, 52498

Description: This initiative is funded under the ''Defense Production Act,'' which ensures that certain products are manufactured in America—for national security reasons. The primary objective of the program is to bring production of the ''substrate'' used to construct military GPS microchips back to the U.S. from overseas. The funding will also further development of the next generation military GPS receiver, which will be smaller, more accurate, more secure, and cheaper to produce. Cost savings will allow the purchase of a higher number of receivers so that each squad of soldiers could have one. Due to the current shortage of military GPS units, soldiers are purchasing and using commercial handheld devices that are highly vulnerable to electronic interference, jamming, and spoofing.

INTRODUCTION OF THE ''MEDICAL DEBT RELIEF ACT OF 2009''

HON. MARY JO KILROY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Ms. KILROY. Madam Speaker, today I introduce legislation, the ''Medical Debt Relief Act of 2009,'' which would protect those hard-working Americans who play by the rules, pay or settle their medical debts, yet find their economic well-being and their credit scores adversely affected for years due to medical debt, large or small, that has gone to collection.

The ''Medical Debt Relief Act of 2009'' would prohibit all consumer credit agencies and creditors from using paid off or settled medical debt collection in assessing a consumer's creditworthiness.

Medical debt is unique. Americans don't choose when accidents happen or when illness strikes. Medical debt collection issues affect both insured and uninsured.

According to credit evaluators, medical debt collections are more likely to be in dispute, inconsistently reported, and of questionable value in predicting future payment performance because it is atypical and non-predictive.

Nevertheless, medical debt that has been completely paid off or settled can significantly damage a consumer's credit score for years. As a result, consumers can be denied credit or pay higher interest rates when buying a home or obtaining a credit card.

The issue of medical debt affects millions. In fact, according to the Commonwealth Fund, medical bill problems or accrued medical debt affects roughly 72 million working-age adults in American. For 2007, 28 million working-age American adults were contacted by a collection agency for unpaid medical bills.

RECOGNIZING THE CITY OF ROUND ROCK, TX

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. CARTER. Madam Speaker, I would like to recognize the City of Round Rock and its staff for their great work within our area with the Adopt-a-Unit Program. The City of Round Rock adopted soldiers from the 4th Infantry Division, Fort Hood, Texas. The city provided troops with supplies, and support over the last year during their deployment to Iraq. Jill Goodman and Eric Whitfield were key players in the cities operation to offer support to these soldiers and their families.

I appreciate the work and dedication of the City of Round Rock staff and citizens and look forward to all that their efforts will bring in the future.

It is an honor to recognize the City of Round Rock for its great work.

TRIBUTE TO MR. JOSEPH CANNON HOUGHTELING

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Ms. ESHOO. Madam Speaker, I rise today to pay tribute to a Bay Area icon, Joseph Cannon Houghteling, who passed away at his home on June 23, 2009, in San Francisco, California, at the age of 84. He was a distinguished American, a dedicated publisher, and a devoted husband, father and grandfather.

Joe Houghteling was born in San Francisco and attended Phillips Academy in Andover, Massachusetts. He graduated from Yale in 1947 and throughout his life lived in Palo Alto, Los Gatos, Atherton and Portola Valley.

In the 1950s, 1960s, and 1970s, Joe Houghteling and his partners published a string of newspapers that included the Los Gatos Times-Observer, The Sunnyvale Standard, The Mountain View Register-Leader, The Gilroy Dispatch, and The Pleasanton Times. He was a California delegate to the Democratic Conventions in 1956, supporting Adlai Stevenson, and in 1960, supporting John F. Kennedy.

He was Northern California Treasurer of the 1960 Kennedy campaign and he actively participated in many other campaigns, including those of Governors Pat and Jerry Brown, Senator John Tunney, Senator DIANNE FEINSTEIN

and former Congressman Pete McCloskey. He also served on the State Park Commission, the State Highway Commission, the San Francisco Bay Conservation and Development Commission, and the Metropolitan Transportation Commission.

Joe Houghteling was President of the National Maritime Museum Association in San Francisco from 1992–1994 and served on the boards of many distinguished nonprofits including Stanford Hospital, California Tomorrow, the Planning and Conservation League Foundation, the Coro Foundation, Peninsula School and the California Newspaper Publishers Association.

Joe Houghteling lived his life beautifully, gracefully, and full of commitment and our country and our community are immensely better because of him. I was blessed to know him, to have had his wise counsel and to have his loyal support throughout all the years of my public service.

Madam Speaker, I ask my colleagues to join me in extending our deepest sympathy to Mr. Houghteling's wife, Signa Judith Irwin Houghteling, his daughters, Anne of Palo Alto, Elizabeth of Cambridge, Massachusetts, and Mary of Berkeley, and his grandson, Philip Cannon Houghteling Balboni of Cambridge, Massachusetts. Joseph Cannon Houghteling gave our country a lifetime of service and we are a grateful nation for all he did throughout his special life.

RECOGNIZING 30 YEARS OF LAW ENFORCEMENT SERVICE FROM CHIEF RICHARD A. JAMISON

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. CUELLAR. Madam Speaker, I rise today to publicly celebrate 30 years of service in law enforcement by Chief Richard A. Jamison.

Richard Jamison joined the Converse Police Department on August 23, 1979. Within just 1 year, he was promoted to Corporal in Patrol. Through his hard work and dedication to the job of protecting the citizens of Converse, Mr. Jamison was promoted to Chief of Police on April 24, 1999.

He has shown such a devotion to Converse that he does more than just act as Chief of Police; he also serves his community. Chief Jamison was voted citizen of the year by the Converse Lions Club 2003–2004, for his many service contributions to the community.

He has also supported Project Graduation at Judson High School for 21 years, to protect our high school graduates from the dangers of drunk driving. He has been instrumental in fundraising efforts to support this program.

Madam Speaker, it is a great honor to recognize 30 years of service from Chief Richard A. Jamison. I am proud to be here today to publicly honor this great citizen of the 28th district of Texas.

HONORING THE VIRGINIA GARCIA MEMORIAL HEALTH CENTER

HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. WU. Madam Speaker, I rise today to recognize the significant and enduring contributions of the Virginia Garcia Memorial Health Center and all community health workers in Oregon.

Virginia Garcia Memorial Health Center was founded in 1975 following the tragic death of 6-year old Virginia Garcia. Accompanying her parents from Texas to Oregon to work in the strawberry fields, an untreated foot wound turned deadly when Virginia couldn't get basic medical treatment because of linguistic and cultural barriers. In an effort to prevent similar tragedies from occurring, the community came together to establish the Virginia Garcia Memorial Health Center.

As we celebrate Migrant Farmworker Health Day and recognize our special partners—Providence Health System, Marie Napolitano, and Rosalia Ginsberg—it is important to take a moment and reflect on how far we've come.

Today Virginia Garcia employs 300 people and provides high-quality, comprehensive, and culturally appropriate services to more than 30,000 patients a year in Washington and Yamhill counties. It operates four primary care clinics, three dental offices, and two school-based health centers, as well as providing outreach to schools, community centers, and migrant and seasonal farm workers through its mobile clinic.

Without clinics like Virginia Garcia and its network of community partners it isn't clear where many of our region's most vulnerable residents would turn for essential, basic health care. I applaud Virginia Garcia's commitment to providing important health care services to the residents of the 1st Congressional District and stand by its mission to eliminate barriers to access.

It is an honor for me to recognize the Virginia Garcia Memorial Health Center and its special partners for their contributions to health in Oregon.

EARMARK DECLARATION

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. UPTON. 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. 3326, the Department of Defense Appropriations Bill for fiscal year 2010.

1. Advanced Digital Hydraulic Drive Systems

Account: Research, Development, Test and Evaluation—Army

Legal Name of Requesting Entity: Eaton Corporation

Address of Requesting Entity: 26201 Northwestern Highway, Southfield, MI

Amount: $2,500,000

Description of Request: The objective of this project is to develop and demonstrate a hybrid hydraulic drive system on military 4x4 vehicles, This compact drive system will enable vehicles to be operated more safely and effectively on even the harshest terrains, and also save a substantial amount of fuel. Having seen firsthand the challenges vehicles currently face with respect to immobilization, rollover or forced-slow speeds due to weight, the value of such a system is very apparent. The additional weight of important armor results in increased problems with maneuverability, so the reduced weight of the new hybrid system addresses this problem. In addition to reducing the weight of the drive system, this project will also increase fuel efficiency by roughly 60 percent. The increased fuel efficiency will provide clear logistical benefits by increasing vehicle range and decreasing vehicle re-fueling requirements. This is not at the expense of vehicle performance, however, as the reduced weight will actually add to vehicle traction and performance.

Funding Breakdown: Funding for Phase III funding of this program will be used specifically to (1) develop and demonstrate a laboratory-scale advanced digital hydraulic system and (2) create and demonstrate a retrofit-kit prototype inserted onto a demonstrator vehicle. Approximately 10 percent of the funds will be use for high pressure component and system reliability testing, 10 percent will be used to develop drivetrain-specific parametric models from vehicle drive-test data, 35 percent to develop the retrofit kit and 45 percent to develop the lab-scale system integrating advanced components.

Justification for the use of taxpayer dollars: This project will dramatically increase fuel efficiency in military vehicles, and hence, provide logistical benefits as well as preserve fuel. The new hybrid system will also reduce vehicle weight, which will add to vehicle performance and allow for vehicles to carry increased armor or supplies.

2. University of Michigan Center for the Genetic Origins of Cancer

Account: Research, Development, Test and Evaluation—Army

Legal Name of Requesting Entity: The University of Michigan Comprehensive Cancer Center

Address of Requesting Entity: 1500 E Medical Center Drive, Ann Arbor, MI

Amount: $2,500,000

I am supporting Rep. JOHN DINGELL'S request for funding for the University of Michigan's Center for the Genetic Origins of Cancer. The goal of the Center for Genetic Origins of Cancer is to accelerate the discovery of molecular signatures of cancers and rapidly develop personalized treatments for cancer patients. This initiative's purpose is to deliver the right treatment to the right patient at the right time. Specifically, the funding will be going to three things integrative oncogenomics, which would identify novel gene fusions in tumors of the breast, prostate, lung, and colon; unique animal models, which would use recent breakthroughs in gene fusion research in animals to mimic tumors in humans; and lastly, to study the functional genomics of cancer stem cells, which are believed to be the cells that actually start the growth of tumors. This is very exciting research, and it could very soon benefit thousands of my constituents, and millions of folks across the country.

Funding Breakdown: The DOD funding will account for roughly 18 percent of funds for

this program. 36 percent of the funding will go toward research costs, 30.5 percent of this funding will go toward equipment and cores, 23.5 percent will go to miscellaneous needs, including a sequencing machine, cell sorter, and auto starter.

HONORING RECIPIENTS OF THE 2009 THIRD DISTRICT EXCELLENCE IN ECONOMIC DEVELOPMENT AWARD

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. SMITH of Nebraska. Madam Speaker, I rise today to honor ten individuals, organizations and businesses from Nebraska for receiving the 2009 Third District Excellence in Economic Development Award.

Nebraska, like many rural states, unfortunately has seen a ''brain drain'' in recent years and, now more than ever, needs entrepreneurs and innovators.

In May, I called for nominations for individuals, businesses, and organizations which have helped strengthen Nebraska communities. These entrepreneurs do more than just build successful businesses. They host charity events, serve on local chambers of commerce, and shape the character of our towns and cities.

The nominations came from many different people, from a teenager starting his own lawnmowing business to a mainstay in the Nebraska business community. All of the nominees have shown they are striving to help their home towns succeed into the future.

Steve Brown, of Thedford, began an entrepreneurial scholarship for graduating seniors if they return to the community and begin a business, which was matched by the Custer County Chief He is also the president of the Thedford Area Community Foundation board. The TACF has held a banquet for the past 5 years and has brought in close to $25,000 every year. They then have given up to $15,000 back to the community for repairs and improvements.

Since 1977 Adam Broughton has helped promote the City of York, saved jobs, and established and expanded a number of businesses. He has served with the York Chamber of Commerce, the York County Development Corporation, and Sertoma. He was instrumental in obtaining two $500,000 grants for the community of York, one for Gerber Foods Corporation and the other for Great West Teeuwissen Corporation. Those grants have helped keep over 40 jobs and the businesses in York. Adam helped to start Crystal Lake Foods, which processes food products for the United States and Asian Rim countries.

In less than 4 years, Clark Swihart of Columbus has built a company employing 14 Nebraskans and is a rapidly growing e-commerce company, specializing in unique promotional products—such as custom silicone wristbands, t-shirts, and more. He has created a unique service, jobs, and revenue.

Began as a combined effort of Twin Valleys Public Power District in Cambridge, Southwest Nebraska RC&D in Cambridge, and Trail Blazers RC&D in Red Cloud, the Furnas/Harlan Partnership of Arapahoe is striving to build a unified vision for economic development in Furnas and Harlan counties. The Partnership works with individual communities to help promote the surrounding communities and educate residents to help further their careers.

GROW Nebraska of Holbrook is a non-profit organization which has helped hundreds of small businesses and entrepreneurs in Nebraska for more than 10 years. From training sessions to networking and access to new markets through cooperative ads, GROW has helped Nebraska business grow and succeed. Recently GROW Nebraska was selected as a finalist for the eBay Seller's Challenge. GROW has also introduced a Flavors Project. The project gives people ''GROW bucks'' and allows them to use them at various participating locations just like cash.

Rich and Kellie Patterson, owners and operators of Hometown Hardware in Kimball, have made a name for themselves through their dedication to customer service and devotion to community. The young couple have been described as an ''anchor of our downtown'' and in just 2 years have already expanded their store.

Though only in high school, Ryan Grossnicklaus of Aurora owns and operates a lawn mowing company in Aurora and was recently awarded a scholarship by the National Federation of Independent Business Young Entrepreneur Foundation.

Todd Messing of Columbus started his own business, Messinc, in 2004. Todd is involved in the New Neighborhoods Initiative grant process to provide affordable housing to those with low to moderate income. His main goal is to provide assistance to community and economic development using education and volunteerism while keeping a profitable and environmentally-friendly business process.

Finally, Xpanxion LLC of Kearney is an international software development company which has placed a priority on hiring Nebraskans, has opened a quality assurance center in Kearney, and has focused on working closely with the University of Nebraska-Kearney. Xpanxion's has already created 16 full-time jobs and 4 part-time positions, and plan to add more jobs in the future. Xpanxion has helped curb the ''brain drain'' by hiring employees back to rural Nebraska from places outside of Nebraska.

I am proud to be able to recognize all of the honorees today and I thank them for their service to Nebraska.

HONORING KIMBERLY BRAZIER UPON RECEIPT OF THE GIRL SCOUT GOLD AWARD

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge a young woman in my district, Kimberly Brazier.

Kimberly will receive the Girl Scout Gold Award on August 3, 2009. For her project, she made two decorative wall quilts for the Huntington Hills Center for Health and Rehabilitation for senior citizens there to enjoy. I wish to commend Kimberly for her community service.

EARMARK DECLARATION

HON. FRANK A. LoBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. LoBIONDO. Madam Speaker, as per the requirements of the Republican Conference Rules on earmarks, I secured the following earmarks in HR 3326:

Requesting Member: Congressman FRANK LoBIONDO (NJ–02)

Bill Number: H.R. 3326

Account: Army—Research, Development, Test, and Evaluation

Legal Name of Requesting Entity: (1) Drexel University, (2) Waterfront Technology Center

Address of Requesting Entity: (1) 3141 Chestnut Street, Philadelphia, PA 19104; (2) 200 Federal Street, Suite 300, Camden, NJ 08103

Description of Request: Provide an earmark of $3.8 million for Applied Communications and Information Networking (ACIN). ACIN enables the warfighter to rapidly deploy state-of-the-practice communications and networking technology for warfighting and National Security. This funding will build on funding from previous years to fully develop this technology.

Requesting Member: Congressman FRANK LoBIONDO (NJ–02)

Bill Number: H.R. 3326

Account: Air Force—Research, Development, Test, and Evaluation

Legal Name of Requesting Entity: Accenture

Address of Requesting Entity: 200 Federal Street, Suite 300, Camden, NJ 08103

Description of Request: Provide an earmark of $4.0 million for Distributed Mission Interoperability Toolkit (DMIT). DMIT is a suite of tools that enables an enterprise architecture for on-demand, trusted, interoperability among and between mission-oriented C4I systems. This spending will build on funding from previous years to allow DMIT to be extended to Joint and coalition requirements, and address current weaknesses in Air Force management years ahead of current schedules. Adoption by major programs and commercial entities would lead to savings in the $100 millions on current and future DOD programs.

Requesting Member: Congressman FRANK LoBIONDO (NJ–02)

Bill Number: H.R. 3326

Account: Navy—Research, Development, Test, and Evaluation

Legal Name of Requesting Entity: Absecon Mills Inc.

Address of Requesting Entity: Vienna and Aloe Avenues, PO Box 672, Cologne, NJ 08213

Description of Request: Provide an earmark of $2.5 million for Force Protection—Non Traditional Weaving Application for Aramid (Ballistic) Fibers and Fabrics. By re-evaluating standard Industry design and manufacturing techniques for force protection technology, we believe Non Traditional weave designs of Aramid (ballistic) fiber coupled with new applications of microwave plasma treatments can enhance the strength of the fiber and result in enhanced individual mobility, ease of medical access, reduced weight, increased ballistic protection, cost effective savings and weight reduction of ballistic materials currently used.

Requesting Member: Congressman FRANK LoBIONDO (NJ–02)

Bill Number: H.R. 3326
Account: Air Force—Advance Procurement
Legal Name of Requesting Entity: L–3 Communications Systems
Address of Requesting Entity: 1 Federal Street, Camden, NJ 08103
Description of Request: Provide an earmark of $3.0 million for Senior Scout COMINT (Communications Intelligence) Capability Upgrade. As part of the Senior Scout ongoing mission, there is an immediate need to add improved COMINT capability to detect and characterize new, modern, low-power radio signals at extended standoff ranges in the presence of interference. The current systems are not able to detect these specific signal sets, which limits intelligence collection capabilities.

GOD BLESS, THANK YOU AND GOOD LUCK, LIEUTENANT COLONEL REBECCA LEGGIERI, MILITARY FELLOW TO THE 13TH CONGRESSIONAL DISTRICT OF MICHIGAN

HON. CAROLYN C. KILPATRICK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Ms. KILPATRICK of Michigan. Madam Speaker, I rise today to say thank you and wish continued blessings of God upon U.S. Army LTC Rebecca Leggieri. Lieutenant Colonel Leggieri served as a 90-Day Military Fellow in the office in my 13th Congressional District Office of Michigan in Washington, DC, and is due to report to the Pentagon's Office of Public Affairs in a few days as she continues her service to our Nation.

Lieutenant Colonel Leggieri was invaluable in her ability in educating the office about the valued role that America's servicemembers perform every day to protect our freedom. As a mother, Army warrior and patriot, Lieutenant Colonel Leggieri offered a unique perspective on the impact and effect of the decisions that Congress, in general, and the House Appropriations Committee on Defense, in particular. I am proud that, in the United States of America, women who have ability, character and quality can advance to the upper levels of the military as Lieutenant Colonel Leggieri.

Lieutenant Colonel Leggieri was born in Schenectady, New York to Joseph V. Palowich and the late Monica Palowich. She graduated from Notre Dame-Bishop Gibbons High School in Schenectady, New York where she excelled at basketball, track and swimming. Today, Lieutenant Colonel Leggieri is still involved in athletics with her children and continues to maintain a healthy lifestyle.

Rebecca graduated from Saint Lawrence University in May 1989 with a bachelors of arts degree in English Writing and Government. Lieutenant Colonel Leggieri was a 4-year Army Reserve Officers Training Corps (ROTC) scholarship student at Saint Lawrence University and was commissioned as a Second Lieutenant in the Quartermaster Corps upon her graduation from college. She served in command and staff positions in Quartermaster and Logistics units in New York, Virginia, Nebraska and Arkansas before being assigned to Washington, DC. She later earned a masters degree in Public Communications from American University in May 2004.

Rebecca began her career in Army Public Affairs at the Pentagon in 2002 as the Speechwriter for the Chief of the Army Reserve. Lieutenant Colonel Leggieri then served as the Public Affairs and Media Officer at the White House Office of National Drug Control Policy from June 2004 until June 2005. She is currently serving as the Community Relations Public Affairs Officer for the Army's Chief of Public Affairs in the Pentagon.

While Lieutenant Colonel Leggieri has served for the last 3 months on Capitol Hill as an Army Fellow in the Army Congressional Orientation Program, ACOP, and assigned to me, Congresswoman CAROLYN C. KILPATRICK, I have learned much about the contributions of our individual servicemembers and their families. I thank the Secretary of the Army and former Congressman Pete Geren and Army Chief of Staff General George W. Casey, Jr. for this wonderful program that is a tremendous benefit to all Members of Congress.

Lieutenat Colonel Leggieri is also very active in the local community, serving for the past 4 years as Public Relations Chair on the Board of Directors for Coles Little League in Manassas, Virginia.

In thanking and wishing the continued grace of God to Lieutenant Colonel Leggieri, I also extend the same to her family. Rebecca is married to COL John Leggieri, also in the United States Army and from New York State. John and Rebecca were married 16 years ago, on July 24, 1993. They have two children, 14-year-old Olivia, who is entering high school this fall and 11-year-old Gabriel, who will be entering middle school.

Thank you Lieutenant Colonel Leggieri for your continued public service to the people of the 13th Congressional District of Michigan, to our Nation, and to the world. May you, your family and all of America's military have God's continued good grace and infinite blessings.

TRIBUTE TO LTJG EDWIN NORTH

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. CAMP. Madam Speaker, I rise today to pay tribute to LTJG Edwin North in recognition of the 11 years of honorable service in the United States Navy during and after World War II.

Edwin North started his military career in the U.S. Army ROTC at Michigan State University. In 1943, he decided to join the U.S. Navy where he served with distinction on various ships in the Pacific Theater, including the heavy cruiser USS *Tuscaloosa*. He also served as captain of a Landing Craft Tank, LCT, where amongst his other duties, he ferried sailors, rescued from the sinking of the USS *Indianapolis*, from the USS *Doyle* to the island of Peleliu for treatment. On his LCT he performed other tasks like transporting equipment ship-to-shore, and transporting slave labor survivors, who had been rescued from Japanese capture, from Peleliu Island to resettlement on Koror Island.

In addition, Lieutenant junior grade North served with great honor and distinction in numerous other activities in the Pacific Theater, performing reconnaissance missions and deliveries ship-to-shore on his LCT, mostly in areas of potential danger to life and craft that were still under Japanese control. In another instance, Lieutenant junior grade North was handpicked to be an observer in the turret of an amphibious PBY observation plane. He performed these duties calmly and courageously, gaining praise for his surveying and observation skills in the midst of a high level of danger while reconnoitering active Japanese emplacements and other potential Naval targets on New Guinea. Lieutenant junior grade North was seriously injured in a fire resulting from the collision of his combat ship with its supply ship. He spent several months in various hospitals recovering from his injuries before returning to duty.

Following his service in the Pacific Theater, Lieutenant junior grade North was assigned stateside to the Great Lakes Naval Training Center near Chicago, Illinois. On January 19, 1954, LTJG Edwin North was honorably discharged from active duty after eleven years of service in the United States Navy. In more recent times, Lieutenant junior grade North served as a volunteer with distinction in the Michigan Governor's Home Guard.

On behalf of the Fourth Congressional District of Michigan, I am honored today to recognize LTJG Edwin North in gratitude for his eleven years of service to our country. I hope the years to come will bring him health, happiness, and special memories with family and friends. We are thankful for his dedication to this nation, and wish him and his family the best.

CONGRATULATING THE PARTICIPANTS OF THE HOUSE FELLOWS PROGRAM

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. LARSON of Connecticut. Madam Speaker, I rise today to congratulate the participants of the House Fellows Program. The House Fellows Program, run by the Office of the House Historian, is a unique opportunity for a select group of secondary education American history and government teachers to experience firsthand the inner-workings of Congress. These educators have demonstrated excellence in the classroom, are dedicated to educating our Nation's youth and are truly deserving of our recognition.

One of the goals of the House Fellows Program is to develop curriculum on the history and practice of the House for use in schools. During the program, fellows prepare a brief lesson plan on a congressional topic of their choosing, which is then shared with the other fellows. These plans will become part of a larger teaching resource database on the House. During the school year following their participation in the House Fellows Program, each Fellow is responsible for presenting his or her experience and lesson plans to at least one in-service institute for teachers of history and government.

Since the House Fellows Program began in 2006, 63 teachers from across the country have participated in this innovative program, with 12 more enrolled for this summer. With plans to select a teacher from every congressional district over the next several years, the

House Fellows Program will impact thousands of high school teachers and their students and will energize thousands of students to become informed and active citizens.

As a former U.S. history teacher, I believe strongly in the importance of civic education. We must continue our efforts to get our youth involved in the political process in districts across the country. Educating teachers about the ''People's House'' is one of the best ways to do that. I congratulate the following educators who are participating in the 7th session of the House Fellows Program:

Ms. Rachel Snell (CAMP, MI–4); Mr. Ronald Hailey (MCDERMOTT, WA–7); Ms. Rosemary Quirk (NEAL, MA–2); Ms. Jennifer S. Venable (BARTON, TX–6); Ms. Cheryl Anderson and Mr. David Martin (LEWIS, GA–5); Ms. La-Shanda West (ROS-LEHTINEN, FL–18); Ms. Rhonda Rush and Ms. Jessica Newman (BACHUS, AL–6); Mr. Michael Feldman (CASTLE, DE–AL); Mr. Don Woods (HALL, TX–4); Mr. George Blackledge (TAYLOR, MS–4).

Madam Speaker, I urge all of my colleagues to join me in thanking the Office of the Historian for sponsoring this program. Thanks to Dr. Robert Remini and Dr. Fred Beuttler for their outstanding leadership, and Dr. Thomas Rushford, Dr. Charles Flanagan, Mr. Dave Veenstra, Mr. Anthony Wallis and Mr. Benjamin Hayes for providing the crucial staff support. Thank you also to the Office of the Historian interns: Mr. Maurice Robinson, Mr. Parker Williams, Ms. Kaitlin Utz and Ms. Debbie Kobrin.

HONORING JOHN AND GINNY MCELENEY

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. BRALEY of Iowa. Madam Speaker, I rise to commend John and Ginny McEleney for their dedication to the City of Clinton and the State of Iowa, and for their leadership in the U.S. auto industry.

John and Ginny McEleney are third generation automobile dealers and their children are continuing this tradition. John became a dealer-operator when he was only 24 years old. Today, he is President of McEleney Autocenter Inc., in Clinton, Iowa, and McEleney Autoplex, Inc., in Iowa City, Iowa.

John is a past chairman of the Iowa Automobile Dealers Association and has served on multiple national dealer councils. In 2003, he was elected to the National Automobile Dealers Association (NADA) Board of Directors and he is currently chairman of the NADA. Over the past months the international auto industry has experienced unprecedented change. Throughout this period John McEleney has been a tireless and effective advocate for his colleagues and the thousands of Americans who work in auto dealerships. He has fought to protect jobs and chart a profitable course for the industry in the future.

The McEleney family and their businesses have made Clinton and communities across Iowa better places to live and work. Madam Speaker, I join the Iowa Automobile Dealers Association, the National Automobile Dealers Association, and the entire Clinton community in thanking John and Ginny McEleney for their generosity and leadership.

NATIONAL FLOOD INSURANCE PROGRAM EXTENSION ACT OF 2009

SPEECH OF

HON. LYNN JENKINS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2009

Ms. JENKINS. Mr. Speaker, I rise in support of H.R. 1525, whose language has been incorporated into H.R. 3139.

Agriculture is the lifeblood of the economy in Kansas' 2nd District. Doniphan County, Kansas is home to some of the most fertile farm land in the United States.

The levees along the Missouri River in Doniphan County protect three vital communities, White Cloud, Elwood and Wathena, as well as thousands of acres of farmland.

The 1993 floods devastated these communities and the surrounding farmland. And they should serve as a reminder of the importance of sound floodplain management. H.R. 1525, which I cosponsored with my colleague Representative MATSUI from California, will allow communities, like the ones that I represent in Northeast Kansas, the flexibility to find sources to quickly and efficiently repair levee systems.

I thank my colleague for her leadership on this important legislation. And I encourage the House support its passage.

HONORING THE SERVICE OF CLARENCE ''CAL'' W. MARSELLA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. PERLMUTTER. Madam Speaker, I am submitting this statement to express congratulations and gratitude to Clarence ''Cal'' W. Marsella on the occasion of his retirement as General Manager of the Regional Transportation District (RTD).

Under Mr. Marsella's leadership, RTD built partnerships with local, state and federal officials to realize a vision of an innovative public transit system that meets the unique needs of our region.

During his tenure with RTD, Mr. Marsella oversaw the successful completion of three new light rail lines, including the T-REX light rail project that opened November 17, 2006. In 2004 metro area voters overwhelmingly approved the FasTracks transit expansion program for the eight-county metro area. This represents the largest transit-only voter approved program in the United States. With Mr. Marsella's determination, progress on the FasTracks program has moved ahead swiftly, and construction is currently underway on the West Corridor which runs from downtown Denver to Golden, Colorado.

Mr. Marsella began his transportation career in the highway engineering division of the State of Connecticut Department of Transportation in 1974. He now serves on the National Academy of Sciences Transportation Research Board and regularly lectures at the University of Denver and the University of Colorado masters degree programs in Transportation and Public Administration. He also speaks to numerous groups on the benefits and nuances of public-private partnerships. He was selected by the American Public Transportation Association as the Outstanding Public Transportation Manager in 2006 and, under his leadership, RID was selected as the Outstanding Transportation Agency in North America in 2003 and 2008.

I congratulate and extend my sincere gratitude to Cal Marsella for his service to the Denver region. I wish him continued success and all good fortune in his work ahead.

INTRODUCTION OF THE FAIR HOUSING COMMEMORATION BILL OF 2009

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Ms. NORTON. Madam Speaker, today I rise to introduce The Fair Housing Commemoration Act of 2009 to commemorate The Fair Housing Act (FHA), enacted in April 1968, the last of the three great civil rights acts of the 1960's, with a monument in the Nation's Capitol. The Fair Housing Commemorative Foundation is raising funds and is working with the National Capital Memorial Advisory Commission (NCMAC) to adhere to the requirements and process established by the Commemorative Works Act of 1986. This may be the first time that a sector of our economy has decided to raise a monument commemorating a statute that regulates some of its practices. The Foundation's precedent is commendable.

Fair housing and the movement to bring equal opportunity in the real estate markets are intertwined with our nation's history. The federal government has both been a part of the problem and an integral part of its solution. Every branch of the federal government has played a key role in our national progress towards fair housing. It is fitting that we commemorate not only the passage of the Fair Housing Act, but also the history of our nation's path towards equal opportunity in housing.

THE NATION'S BEGINNING

The Fifth Amendment to the Constitution establishes a right to own private property that the government cannot take without just compensation. Early immigrants sought a place where they could own and transfer real estate without the arbitrary interference of the government. That right was not universal. Slavery denied basic rights to a whole class of Americans based on race, and reduced some of our people to the subhuman status of property. Among the effects of slavery was the denial of the right to own and use real property.

POST CIVIL WAR

The Civil War and the constitutional amendments ending slavery were accompanied by laws that gave all citizens the same rights as white citizens to own and use real property. The Civil Rights Act of 1866 was our nation's first ''fair housing'' law. Subsequent years saw that law ignored and severely limited by court decisions, culminating with the philosophy of ''separate but equal'' in the Plessey v Ferguson case. In addition, Congress and some states passed laws that restricted access to private property ownership and use by Latinos and Asian Americans.

In the early 20th century, social scientists and leaders within the real estate community

established guides for neighborhood desirability based on racial composition. Homogeneous communities for white, northern European background residents were seen as best investment for homeowners and others. Some early zoning laws sought to limit, by race, people who could live in certain communities, as did some practices of the real estate sector. Although the Supreme Court, in its 1917 decision in Buchanan v. Worley, struck down these racial restrictions, these racial biases were incorporated into FHA rules and formed the basis for many private agreements to segregate and form racially restrictive covenants.

WW II

Following the Second World War, returning GIs, through the GI bill, were offered a path to homeownership. African Americans and other minority group members were excluded from these GI bill benefits in many communities. The great migration of the middle class to suburbs was largely a white phenomenon, creating segregated white suburbs and large isolated urban minority communities. There was little response by the government or the courts. Most notable, was the Supreme Court in 1948 ended judicial enforcement of racially restrictive covenants in the case Shelley v. Kraemer.

THE CIVIL RIGHTS MOVEMENT

The Civil Rights movement, including Dr. Martin Luther King, Jr.'s work in Chicago, brought renewed attention to housing discrimination. The federal government, first through executive order then through the Civil Rights Act of 1964, banned discrimination in federally funded housing. By 1961, seventeen states had passed fair housing or open housing laws. It was not until April 1968, following the assassination of Dr. Martin Luther King, Jr., that Congress passed the Fair Housing Act.

Also in April 1968, the Supreme Court ruling in Jones v. Mayer held that the Civil Rights Act of 1866 prohibited discrimination in private real estate transactions. That law lacked an effective government enforcement mechanism, and covered racial and religious discrimination. Gender discrimination was prohibited in 1974. In 1988, in response to growing awareness of the housing issues faced by families with children and persons with disabilities, the adoption of the Fair Housing Act Amendments established effective government enforcement and extended protections to families with children and persons with disabilities.

Madam Speaker, in light of this long battle for fair housing, I ask that the House pass this bill.

RECOGNIZING BILLIE RAY HUDDLESTON

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. HALL of Texas. Billie Ray Huddleston was born in Celina on August 23, 1929. His love for church, family, school and community continues even as he celebrates his 80th birthday.

Billie Ray has lived his entire life in Celina, where he attended Celina High School and graduated in 1946. He then attended North Texas State College, now known as the University of North Texas, and graduated in 1950 with a Bachelor of Science. He taught math for 10 years until deciding to farm full time, first with his father and then with his son, and continues to help his son and grandson as needed.

During his farming years, Billie Ray served on the Celina Cooperative Gin Board for 37 years. He has been a longtime director of the Collin County Farm Bureau and for six years served as a director of the Texas Farm Bureau. During part of this time he served on the Southern Farm Bureau Insurance Boards and continues to be involved in federal and state legislative affairs. He also served on the Project 2000 Committee for long-range planning to carry Texas Farm Bureau into the next century. He has been the recipient of many awards, including the Collin County Conservation Farmer of the Year, Denton Wise County Conservation Farmer of the Year, Collin County Farmer of the Year and the Collin County Farm Bureau Pioneer Award.

In 1955, Billie Ray married Jane Merritt and they have four children: Charles and his wife Sherry of Celina, Janet and her husband Randy of Celina, Laurie and her husband Russell of Waco, and Mike and his wife Ingrid of Keller. They are the grandparents of 11 beautiful grandchildren.

During the time his children were in the Celina schools he served for 13 years as a trustee of the Celina Independent School District. He was also a member of the Quarterback Club for many years, serving as captain in 1973.

His civic involvement includes serving on the Celina City Council for 2 terms during which the first Comprehensive Plan was formed, and recently he served on the committee for the current comprehensive plan which is in its final stages. Seeing the need for a public park, he was instrumental in securing the land and negotiating the purchase of more than 40 acres, where a wonderful park was dedicated in 2006 to the City of Celina. In 2002 he and his wife, Jane, were awarded the Lifetime Achievement Award from the Chamber of Commerce ''in recognition of their continuous service and support.'' In July of 1976 he was recognized by The American Revolution Bicentennial Commission of Texas for his participation in celebrating the Bicentennial.

Billie Ray has been a member of the First Baptist Church in Celina since 1951 and has served as a deacon for 53 years. He has been such an important and influential member of the Celina community, and his many friends today join his family in wishing a wonderful 80th birthday to this great citizen, Billie Ray Huddleston.

CONGRATULATING THE PLANO EAST AND PLANO WEST JROTC ACADEMIC TEAMS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. SAM JOHNSON of Texas. Madam Speaker, congratulations are in order. This June, the Plano East JROTC Academic team placed fifth in a competition from schools around the globe in Washington, D.C. Out of 1,645 Army JROTC programs, 72 teams (24 academic/48 leadership) from around the globe competed in Level III of the 2009 U.S. Army JROTC Academic and Leadership Bowl competition, the final level of the Army JROTC Academic and Leadership Championship. Plano East JROTC deserves special recognition for their achievement.

In addition, on March 5th, the Plano East and Plano West Senior High School JROTC Academic Teams earned 1st and 3rd place honors, respectively, out of 198 teams/schools, in the U.S. Army JROTC 5th Brigade portion of the 2009 U.S. Army JROTC Academic and Leadership Bowl competition.

The Panther JROTC Academic Team is comprised of: Team Commander c/1LT Zen Ren upcoming Senior, c/CSM James Untiedt upcoming Senior, c/1SG Amber VanHecke upcoming Junior, c/SSG Sabrina Gibson upcoming Junior. The two alternates were Plano East Senior cadets Mary Walker and Harrison Stone.

Competition questions are based on the SAT, ACT, JROTC curriculum and current events. The test is administered jeopardy-style, via the Internet, with a 30 second time limit for each question. The team members are able to quickly read, discuss, and exchange information before finalizing an answer.

According to Major (Ret) John Napoli, Jr., who serves as the Director of Army Instruction for the Plano Independent School District, ''we are proud of the academic accomplishments of all our students. This bowl is one of many ways we challenge our students on a daily, weekly, and monthly basis. Our foremost priority in JROTC is to the academic and professional development of all our students. In the last two years alone our graduating seniors have earned over $4.5 million in college scholarship monies.''

The cadets and the Plano East Senior Army Instructor LTC (R) Bernard Aikens are shining examples of the future leadership and military excellence that you can only find in America.

PERSONAL EXPLANATION

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. MARKEY of Massachusetts. Madam Speaker, on rollcall No. 460, I inadvertently did not vote, but intended to vote ''yes.''

SEVERELY INJURED VETERANS' BENEFITS IMPROVEMENT ACT OF 2009

HON. STEVE BUYER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. BUYER. Madam Speaker, today I join my good friends and colleagues, MIKE MICHAUD of Maine and HENRY BROWN of South Carolina, in introducing the Severely Injured Veterans' Benefits Improvement Act of 2009. This bill will provide increased benefits to our most severely injured veterans.

Madam Speaker, as servicemembers are returning from the Global War on Terror with

more severe and complex injuries than in previous conflicts, the services and benefits that the Department of Veteran Affairs provides must change as well in reflection of their needs.

This bill recognizes this need and provides significant increases for these veterans and their families. The bill increases compensation for catastrophically injured veterans who are in need of regular aide and attendance by fifty percent. Qualifying veterans would receive a monthly payment of $7,552, and those in need of the highest level of care would receive $8,642.

We are all aware of the impact of attending to daily personal needs such as bathing and eating can have on family caregivers. Increasing the rate of the aid and attendance benefit for veterans would support family caregivers who experience a loss of income, and allow veterans to remain in their homes.

This legislation would also expand eligibility for aid and attendance benefits to include veterans with service connected residuals of severe traumatic brain injury (TBI). It would permit these veterans in need of constant supervision and assistance to remain in their residences rather than being institutionalized.

More servicemembers of Operation Enduring Freedom and Operation Iraqi Freedom are surviving blast head injuries cause by an IED explosion than in any previous war. These servicemembers and veterans may not have any physical disabilities, but may suffer extreme cognitive disabilities as a result. A veteran with severe TIM can require constant supervision and assistance to perform all activities of daily living. However, current law does not provide veterans with severe TBIs with the same level of compensation that is available to veterans with severe physical disabilities.

Further, the bill codifies a U.S. Court of Appeals for Veterans Claims ruling that protects non-service connected pension payments for elderly, indigent, and severely disabled or house-bound American veterans. The bill also increases this benefit by ten percent.

It would also authorize veterans with severe burns to receive specially adapted auto grants.

Lastly, the bill honors the recipients of our nation's highest award for bravely by doubling the monthly pension given to Medal of Honor Recipients to $2,000.

Madam Speaker, this bill makes all of these needed improvements without new increases in direct spending. I urge my colleagues to join me in improving the lives of these veterans by co-sponsoring this bipartisan bill.

SUDAN: U.S. POLICY AND IMPLEMENTATION OF THE CPA

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. WOLF. Madam Speaker, I would like to share with our colleagues testimony that John Prendergast, co-founder of the Enough Project, gave yesterday before the House Foreign Affairs Subcommittee on Africa and Global Health on the critical issue of U.S.-Sudan policy, specifically as it relates to implementation of the Comprehensive Peace Agreement (CPA). During the Clinton administration John was director of African Affairs at the National Security Council and special advisor at the Department of State. I respect his views given his long-time involvement in Africa and Sudan.

SUDAN U.S. POLICY AND IMPLEMENTATION OF THE CPA

Thank you Congressman PAYNE and members of this subcommittee for the opportunity to testify on a topic that will help determine the future of millions of people from Sudan and the surrounding region.

At this subcommittee hearing, members will hear a very different message than that which will be communicated at tomorrow's Senate Foreign Relations Committee hearing. Today, this subcommittee's members will hear a bipartisan critique of the current direction of U.S. policy towards Sudan. Rich Williamson, Roger Winter and I all have negotiated extensively with the regime in Sudan, have roughly a combined six decades in working on or in Sudan, and have a very clear idea of what is required for lasting peace to have a chance in that embattled country.

This hearing comes at a moment in Sudan's history fraught with danger and potential. There is no effective peace process for Darfur, but one could be built with U.S. leadership. The CPA is on the brink, but could be salvaged if U.S. engagement deepens. Next year's elections are at risk, but could become an important opportunity to strengthen opposition parties and democratic structures crucial for the referendum and for Sudan's political future. The referendum itself is doubtful, but its prospects could be enhanced with a credible international roadmap.

The major unknown variable that will help determine whether the dangers or the opportunities get maximized is the unresolved internal debate over the direction of U.S. policy towards Sudan. In the absence of any agreement on the policy, U.S. diplomatic engagement has been energetic, for which Special Envoy Gration should be credited. But the substance of this robust engagement has been fraught with missteps, lack of internal coordination, and an overall aversion to pressuring the ruling National Congress Party (NCP). Sustained pressure leveraged by meaningful and focused sticks is the principal tool that has moved the NCP to change its behavior during the 20 years of its authoritarian rule. This substantial track record of empirical evidence of the value of pressure makes the direction of U.S. diplomacy all the more questionable.

There is also a broader inconsistency in U.S. foreign policy when it comes to Sudan. The Obama administration has resolutely worked to craft more formidable international coalitions to isolate North Korea and Iran for important U.S. policy objectives. However, the U.S. is not doing the same for Sudan, despite the existence of a regime there that is responsible directly or indirectly for the loss of two and a half million lives in the South and Darfur.

U.S. GOALS IN SUDAN AND HOW TO ACHIEVE THEM

In the context of its policy review, the U.S. should spell out clear goals:

(1) U.S. leadership in constructing a more effective Darfur peace process, using as a model the process that led to the CPA involving a lead role for the U.S. and a multilateral support structure that provided international leverage, expertise, and support;

(2) U.S. leadership in supporting the implementation of the CPA, continuing the trend of deeper engagement over the last few months but structuring clear penalties for non-implementation of any of the key provisions;

(3) U.S. leadership in supporting the democratic transformation of Sudan by supporting the electoral process, providing institutional support to opposition parties and civil society organizations, and building the capacity of the Government of Southern Sudan;

(4) U.S. leadership in preparations for the South's referendum in 2011, which will be a make-or-break process for the future of both North and South.

The essential word that repeats throughout all these goals is ''leadership.'' U.S. leadership—multilaterally and when necessary unilaterally—will be an enormously influential ingredient in a successful transition to peace and democracy in Sudan.

But success will require greater leverage than that which presently exists. The debate internally within the U.S. Government in part rests on the degree to which incentives or pressures ought to be favored instruments for changing the behavior of the Sudanese regime, the Darfur rebels, and the GOSS. It is the view of this panel and the activist organizations that comprise the Darfur movement that the way forward should involve deeper diplomatic engagement that is rooted in multilateral pressures and the credible threat of significant consequences for policies or actions by Sudanese parties that undermine peace efforts and lead to worsening humanitarian conditions. In the absence of these pressures, and if incentives are all that are put forward, then failure is guaranteed.

Success will also require the construction of credible and effective processes that allow for the achievement of U.S. policy goals. First and foremost, the glaring lack of an effective peace process for Darfur calls out for greater U.S. leadership in constructing from the existing elements a revitalized process that has the chance of ending Darfur's war. Secondly, the U.S. should intensify its early efforts to revive the CPA and back these efforts with the construction of clear multilateral consequences for violations or non-implementation of key elements of the deal.

U.S. policy must be shaped by the fact that these complex conflicts have a common core: Flawed governance by a center that exploits and marginalizes an underdeveloped periphery. Not only does the CPA provide a roadmap for resolving the longest and bloodiest of these conflicts, but it also offers a framework for the kind of democratic, structural transformation necessary to alter the root cause of Sudan's many recurring conflicts. The successful model of the CPA could and should be replicated in a revitalized Darfur peace process. The U.S. cannot afford to allow the CPA to fail, nor can it allow the continuation of an ineffective Darfur process that obstructs any real possibility of peace.

PRIORITIES FOR CPA IMPLEMENTATION

The troubling reality is that Sudan's North-South peace remains precarious at best. Given the mounting tensions between the North and South and the spate of violence in the South in recent months, deeper international engagement is required. Renewed Sudanese civil war could bring wholesale violence on a terrible scale while further destabilizing the entire region. I will focus the remainder of my testimony on the key priorities for the U.S. Government in CPA implementation.

I am encouraged by recent positive steps by the Obama administration to prioritize CPA implementation and to revitalize international efforts to urge the Sudanese parties to work on an array of outstanding provisions in the agreement in the remaining year and a half. These new efforts should be followed up with an approach that penalizes failure of one of both of the Sudanese parties to implement key provisions of the agreement. The hard work begins now. It is time

for the administration to pursue specific priorities in order to meet the key benchmarks in the crucial final stages of CPA implementation.

The U.S. must direct renewed energy and commitment toward the following strategic priorities:

1. Protect the People: Due to a worrisome upsurge in intercommunal violence, the death toll in the South this year now exceeds the number of violent deaths in Darfur in the same period, and as elections draw closer, instability may well increase. Tribal clashes are occurring among a heavily armed civilian population that the poorly disciplined southern army has proved incapable of securing. Some of the latest clashes highlight the flaws and dangers of the so-called the Joint Integrated Units, or JIUs, whose presence has often led greater violence, instability, and civilian casualties. The U.S. should take two specific measures to help improve security and decrease the risk of further violence in communities throughout the South:

Work with the U.N. Security Council to ensure that the United Nations Mission in Sudan (UNMIS) has the necessary capacity to fulfill its mandate and protect civilians. The United States should lead efforts within the U.N. Security Council to strengthen UNMIS' ability to support the CPA, but this support must be matched with clearer strategic vision by UNMIS on how it can best allocate its resources to operationalize its mandate amidst ongoing security threats throughout the South. Other guarantors of the CPA can support UNMIS' efforts by contributing to coordinated programs such as security sector reform within the SPLA.

Encourage the Government of Southern Sudan (GoSS) to take leadership in promoting local peace-building initiatives to defuse tensions between communities that have taken up arms against each other.

2. Build the ''peace dividend'': Since the signing of the CPA, progress has been slow in providing basic infrastructure and services to the peripheral areas of Sudan. Insecurity and underdevelopment remain a fact of life for most Sudanese. As long as that is the case, the southern government will have difficulty consolidating the peace and holding together an ethnically divided South with competing political visions. The GoSS has also been hit hard by the financial crisis, and is in need of significant economic support, but this support should be aimed specifically at capacity building efforts that can strengthen the fledgling government. Additional investments in agriculture and microcredit would make a difference on the ground for the people of southern Sudan, more than two million of whom have returned home to very little after decades of war.

3. Defuse North-South tensions: A number of contentious issues between the North and South must be resolved in next year and a half, all of which necessitate robust support from the international community in order to keep the negotiations and processes on track. The U.S. should direct renewed energy and commitment toward the following strategic priorities:

Urge meaningful reforms from the Sudanese parties before the 2010 elections. The United States and other key actors, operating on a tight timeline, need to lower their expectations for the election and develop a multilateral strategy to press the Government of National Unity—the ruling National Congress Party in particular—to enact meaningful reforms regardless of who wins in 2010, revitalize CPA implementation, and establish a framework for talks in Darfur that are consistent with the power-sharing provisions of the CPA. There also has to be a clear and unified international posture with regard to addressing the issue of Darfur, given the near-impossibility of holding a free and fair ballot there.

Keep the parties on track in the dual processes of implementing the legal ruling on the boundaries of the Abyei region and demarcating the North-South border. Two crucial issues regarding contested borders between Sudan's North and South need sustained attention from the international community. The failure to establish clear international penalties for a failure to implement these key CPA provisions such as the demarcation of the disputed North-South border has been a clear drag on the CPA. However, last week's legal decision on the boundaries of Abyei—an oil-rich, contested region along the disputed North-South border within Sudan—is a crucial litmus test of the parties' will to implement the CPA moving forward. Now that the ruling on Abyei has been accepted by both parties, the U.S., the U.N., and the rest of international community must follow through on its commitments to help implement the ruling and monitor the status of the demarcation of the Abyei boundaries.

Encourage negotiations between the NCP and SPLM on long-term wealth-sharing arrangements before the 2011 referendum. Track-two diplomatic efforts can get both parties to consider various scenarios for wealth sharing after the referendum and mitigate the likelihood that these discussions will short circuit into a zero-sum game leading directly to conflict after the referendum. Discussions of access to land for populations with diverse needs and livelihoods and planning for mutually beneficial development of oilfields in the contested border region could ease current tensions over border demarcation and generate momentum for further cooperation.

Urge passage of the referendum law before the elections. Applying pressure on Sudan's Government of National Unity to urge the National Assembly to review and pass the law on the southern referendum before the elections could reduce tensions between the parties after the elections and enable preparations for the referendum to begin now. Once the law is passed and the Referendum Commission is created, potential disputes, such as questions over whether or not certain populations—such as southerners in Khartoum—are eligible to vote, can be addressed before tensions escalate in the immediate run-up to the referendum.

4. Prevent a return to war: The likelihood of a return to war between the North and South, or of conflict breaking out within the South, is real. An arms race between the Northern and Southern government is just one warning sign of a tenuous situation that could explode into outright conflict. Several preventive measures can mitigate the risks of violence in the run-up to the 2010 general elections and the 2011 referendum:

Enhance efforts to professionalize and modernize the SPLA. The SPLA has struggled to transition from a guerilla movement to a formal army, a process complicated by attempts to integrate southern militias that opposed the SPLA during the war. To ensure that the south is stabile and the GoSS can deliver a peace dividend, the SPLA must continue to modernize through a well-supported process of security sector transformation that improves discipline, command and control, capacity, and competency. Toward this end, the Obama administration should explore the sale of an air defense system to the GoSS. Although introducing new weapons systems into a volatile military environment could be interpreted as contrary to donors' responsibility to make unity attractive, it is in the interests of lasting stability that the GoSS spend money on defense wisely. Unlike the aforementioned refurbished tanks, an air defense is non-offensive and helps level the playing field by neutralizing the north's major tactical advantage in the event of renewed hostilities.

COMPREHENSIVE PEACE: THE ONLY OPTION IN SUDAN

Ending genocide in Darfur and fulfilling the promise of the Comprehensive Peace Agreement requires a comprehensive approach to Sudan rather than reactive crisis management. The U.S. must lead the international community in working now to ensure that the CPA does not collapse and spark a devastating new round of conflict in Sudan. With a significant diplomatic reinvestment in the CPA that prioritizes protecting civilians, building peace in the South, and defusing tensions between the North and South, the U.S. can help prevent the catastrophic consequences of a potential collapse of the CPA.

HONORING DARRELL ''SHIFTY'' POWERS

HON. RICK BOUCHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. BOUCHER. Madam Speaker, I rise today to honor a southwest Virginia resident whose service to this Nation will long be remembered. On June 17, 2009, Darrell ''Shifty'' Powers, a distinguished World War II veteran, passed away. I would like to take this occasion to recognize his many contributions through his military service to our great Nation. Mr. Powers, who was portrayed in the HBO documentary film ''Band of Brothers,'' is a true American hero from southwest Virginia.

A native of the Dickenson County, Town of Clinchco, Virginia, Mr. Powers volunteered for the United States Army during the early stages of the Second World War in 1942. He was quickly assigned to the newly formed 506th Parachute Infantry Regiment and began training at Camp Toccoa, Georgia. Each day, the new recruits would train by running 6 miles up and down the Curahee Mountain. As a result of the steadfast dedication of Mr. Powers and the other members of what came to be known as Easy Company, the regiment was quickly transformed into one of the Army's toughest fighting units.

In 1943, after completion of parachute school at Ft. Benning, Georgia, the 2nd Battalion of the 506th Parachute Infantry was attached to the 101st Airborne Division and was transferred to England, where they would spend a year preparing to invade the European continent.

At about 1 a.m. on June 6, 1944, Mr. Powers and the other members of Easy Company boarded a plane which transported them across the English Channel in order to parachute into Normandy behind German fortified positions. Shortly after landing, Mr. Powers and 2 fellow soldiers realized that they were a day's walk from their intended drop zone. The Airborne troops spent almost a week fighting German soldiers before they were sent back to England to prepare for an invasion of Holland.

In September 1944, Mr. Powers' unit, along with Polish and English divisions, parachuted into Holland to secure a road for tanks and supply shipments to prepare for a push across

the Rhine River into Germany. During the attack, the English troops landed in a German tank division and were immediately killed. Mr. Powers and the rest of Easy Company spent the following 3 months fighting for control of the same road, laying low during the day and moving at night.

After securing the road and moving out of Holland, Easy Company was then ordered to defend the town of Bastogne, Belgium, when they learned that German troops had counter-attacked along the Adrennes forest. For nearly a week, the undermanned and under-supplied Easy Company fought off a much larger German force. Easy Company lost 16 men during that week of fighting at Bastogne, and 34 more during fighting at Normandy and Holland.

A little more than a month after Hitler's forces were pushed back in mid-January, General Dwight Eisenhower met with Mr. Powers' unit in France and awarded them the Distinguished Unit Citation for holding Bastogne.

Soon after, Mr. Powers earned enough combat points to step away from the front lines of battle and return home to southwest Virginia. Mr. Powers was on his way out of combat when the truck he was riding in collided head-on with another Army truck, killing one soldier and badly injuring Mr. Powers.

After recovering from these injuries he returned home to work for Clinchfield Coal Company in Dickenson County, Virginia, for 33 years. Mr. Powers rarely spoke of the horrors of the combat he faced until producers came to him with the ''Band of Brothers'' HBO miniseries idea. After the success of ''Band of Brothers,'' Mr. Powers often would receive countless expressions of support and thanks for the role he and his combat unit played in World War II. Upon Mr. Power's passing his online obituary received comments from people across the Nation and several individuals from Europe paying tribute and expressing deep appreciation for the sacrifices he made to help free Europe during World War II. In his later years, Mr. Powers dedicated a great deal of time to speak to current soldiers stationed or returning from Iraq and Afghanistan about his experiences in war and life.

The outstanding dedication and sacrifice that Mr. Darrell ''Shifty'' Powers displayed during his time with the United States Army will be remembered not only by countless citizens in my congressional district in southwest Virginia but also by citizens across this country and across Europe. The effects of his service to our country will be forever lasting. I want to honor the passing of a great Virginian and a great American.

MEDICARE VA REIMBURSEMENT ACT OF 2009

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. FILNER. Madam Speaker, I recently introduced H.R. 3365, the Medicare VA Reimbursement Act of 2009. This legislation authorizes the establishment of a Medicare VA reimbursement program where HHS reimburses the VA for the provision of health care to Medicare eligible veterans for the treatment of non-service-connected conditions at VA medical facilities.

Today, there are veterans who have earned VA health care benefits with their service to our country, as well as Medicare benefits, by paying into the Social Security system during their working years. Even though these individuals have clearly earned both of these benefits, current law unfairly prohibits them from using their Medicare benefits at VA facilities even though they may feel more comfortable seeking care among their fellow veterans from VA providers who specialize in caring for veterans.

This is also inconsistent with the authorities granted to other Federal entities such as the Indian Health Service (IHS) and the Department of Defense's (DoD) TRICARE for Life that are allowed to bill Medicare. IHS and DoD are able to augment their resources with Medicare collections and reinvest the extra funding back into their programs and services. H.R. 3365 would provide equity in such billing practices among the Federal entities. In other words, the VA would be able to access an important new source of revenues from Medicare which may be reinvested to further strengthen the VA's health care system.

In detail, this legislation requires the Secretaries of VA and HHS to establish a Memorandum of Understanding (MOU) no later than six months after the date of the enactment of the Act. The MOU must establish such program elements as the frequency of reimbursement, the billing system, the data sharing agreement, and the payment rate.

H.R. 3365 also provides some guidelines on setting the payment rate so that the terms that contributed to the failure of the Medicare DoD Subvention Demonstration Project are not repeated again. For example, this legislation prohibits setting a reimbursement rate which is less than 100 percent of the amount that Medicare would pay a participating provider. It also prohibits annual caps on reimbursement and does not allow for a maintenance of effort requirement, which refers to the requirement that VA maintain a certain level of spending before they can be reimbursed from HHS.

Finally, H.R. 3365 requires an annual report to Congress providing program data, as well as a triennial GAO report assessing the program impact.

I urge the support of all Members for this important legislation.

THE INTRODUCTION OF THE GANDHI-KING SCHOLARLY EXCHANGE INITIATIVE ACT OF 2009

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. LEWIS of Georgia. Madam Speaker, I am proud to introduce the Gandhi-King Scholarly Exchange Initiative Act of 2009. The purpose of this legislation is to create three international initiatives that take the philosophy and examples of Mahatma Gandhi and Dr. Martin Luther King, Jr. and apply them to current day issues.

In recent years, increasing youth violence has been the center of national headlines. Gangs, drug abuse, stabbings, shootings, bullying, unnecessary harm and heartache plagues schools and communities from Atlanta to Chicago and in unsuspecting urban, rural, and suburban areas all around and in between. In response to this alarming trend, I introduced the SAFETY through Nonviolence Act, a bill that would teach the doctrine of nonviolence in thought, words and actions to students, educators, local police, and community leaders. In reality, Madam Speaker, violence, human rights abuses, discrimination, unprecedented poverty, and terrorism are devastating every corner of our globe, and despite so much progress, much work remains.

In February, I led a congressional delegation with my good friend, the Gentleman from Alabama (Mr. BACHUS) to India to commemorate the 50th anniversary of Dr. Martin Luther King, Jr. and Mrs. Coretta Scott King's visit to the country. With an official send-off from Secretary Clinton, the delegation was welcomed by the Indian government and Indian people. Martin Luther King, III, his wife, Mrs. Arndrea Waters, and outstanding musicians from the Thelonius Monk Institute of Jazz also celebrated this historic visit with concerts, meetings, and ceremonies across the country.

The congressional delegation also met with Indian government officials, business leaders, and non-governmental organizations on issues of terrorism, democracy, human rights, child labor and trafficking, poverty, and international conflicts. Each of us returned to the United States inspired and determined in our own way to see how we could apply our experiences, our shared history, and the legacies of these two great men to some of the issues facing the international community. How can we build a new generation that understands the benefit of peace?

This legislation responds to that question. The Gandhi-King Scholarly Exchange Initiative Act of 2009 would create an undergraduate, graduate, and post-graduate student exchange program in which students would travel to significant sites of the American Civil Rights Movement and the Indian Independence Movement. They would then develop proposals on how to apply the philosophies of Mahatma Gandhi and Martin Luther King, Jr. to modern issues such as human rights, peaceful conflict resolution, civil rights, and democracy.

The second initiative created by this bill is a professional training module for international state, local and national government employees from conflict regions to develop international conflict solutions based on Gandhian principles.

Last but not least, the Gandhi-King Scholarly Exchange Initiative Act would develop an annual public diplomacy forum to be held alternately in the United States and India which will focus on the philosophies of Mahatma Gandhi and Martin Luther King, Jr. in the resolution of global conflicts.

I believe that each person must ask themselves how we can make this little piece of real estate that we call Earth, a little cleaner, a little greener, a little safer, a little more peaceful. Gandhi once said that, ''If we are to reach real peace in this world, and if we are to carry on a real war against war, we shall have to begin with the children.'' The Gandhi-King Scholarly Exchange Initiative Act of 2009 does just that and a little bit more.

Madam Speaker, I hope all of my colleagues will support this good, common-sense legislation that should be a cornerstone of our public diplomacy efforts.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. BARRETT of South Carolina. Madam Speaker, unfortunately I missed recorded votes on the House floor on Tuesday, July 7, 2009.

Had I been present, I would have voted "aye" on rollcall vote No. 478 (on motion to suspend the rules and pass H. Con. Res. 135), "no" on rollcall vote No. 479 (on motion to suspend the rules and pass H.R. 1129).

HONORING MS. JANE MARKHAM

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. QUIGLEY. Madam Speaker, I rise today in honor of Ms. Jane Markham, a dedicated member of my district office staff. Jane's last day as a Congressional Aide and District Representative in our office will be August 1, 2009, and she deserves our wholehearted appreciation for her work.

Jane Markham began her career working for Congress in 1997 as District Director and Field Representative for Congresswoman Darlene Hooley and in 2003 she came to Chicago, Illinois to work for Congressman Rahm Emanuel, serving as a Congressional Aide and District Representative. She was instrumental to my transition into Congress and has served the needs of countless constituents of the 5th District.

While Jane's dedication and integrity will be sorely missed, her infectious personality and jovial attitude will be irreplaceable. Her sense of humor and vivacity are her trademark and our district staff will be at a loss without her unfaltering ability to make a person smile. Jane's family has always been a priority in her life. She and her husband David Cameron are the proud parents of their children, Mira and Julia.

We thank Jane for her time in our office, both as a co-worker tirelessly dedicated to constituent services and as a friend. We wish her all the best in the future knowing wherever that she may be, Jane will be going there with a confidence and liveliness that will be felt by all.

EARMARK DECLARATION

HON. W. TODD AKIN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. AKIN. Madam Speaker, in accordance with House Republican Conference standards, and Clause 9 of Rule XXI, I submit the following member requests for the record regarding H.R. 3327, Department of Defense Appropriations Act, 2010.

Project: Hyperspectral Imaging for Improved Force Protection (HYPER–IFP)

Account: Department of Defense, Army, RDT&E (CERDEC, NVESD, Special Projects)

Legal Name of Requesting Entity: Clean Earth Technologies, LLC.

Address of Requesting Entity: 13378 Lakefront Drive, Earth City, MO, USA

Description of Request: To provide $2,000,000 for the Hyper-IFP (Hyper spectral Sensor for Improved Force Protection) Program. The introduction of a Hyper-IFP in FY08 is allowing the detection and recognition of humans (with a near zero false alarm rate) and providing indication of other certain physiological triggers that can indicate that a person is under extreme stress such as contemplating "bad" behavior. To date successful development, test and evaluation has been done in the lab, though these systems have not been fully optimized for theatre operation or for costs. The continued funding of Hyper-IFP will operationalize and integrate the knowledge gain in the lab and apply it in a true-fielded application at an affordable cost. The Hyper-IFP system will also be environmentally hardened to allow field deployment and allow integration with other FP sensors in the last quarter of 2009. Hyper-IFP is focused on the missions of Perimeter Security, Suicide Bomb Detection and Urban Route Recon. Utility will be demonstrated through an evaluation in both the Southwest border and contingency mission in Southwest Asia. This effort will require leveraging the current Force Protection sensor suite designs for the missions sites to maintain interoperability. In the end, this request focuses on both achieving data verification, and the delivery of sufficient hardware to validate the Technical Data package for re-procurement as well as demonstrate the system's ability to deploy to DoD/DHS users for the missions described. The Night Vision Electronic Sensors Directorate, Ft. Belvoir Virginia, is very supportive of this project.

Project: Aircrew Body Armor and Load Carriage Vest System

Account: Other Procurement—U.S. Air Force

Legal Name of Requesting Entity: Eagle Industries

Address of Requesting Entity: 1000 Biltmore Drive, Fenton, MO 63026

Description of Request: To provide $3,000,000 to issue the Aircrew Body Armor Load Carriage Vest System, an integrated body armor vest system, to aircrew personnel. The system provides fire retardancy and ballistics protection from a wide array of threats including small arms fire, fragmenting shrapnel and spall, while decreasing the heat stress and weight burdens faced by airmen. Currently issued aircrew flight equipment survival vests are not body armor-compatible due to weight, heat, and survivability concerns. Current issue is not fire retardant and fails to meet the present needs of the U.S. Air Force. Of the $3 million, approximately 25% is for materials; 25% is for labor; and 50% is for armor and armor integration.

This request is consistent with the intended and authorized purpose of the U.S. Air Force-Other Procurement account. If funded in full, this is a one-time funding request with the goal of the Air Force using internally budgeted funding to continue fielding the system to aircrew personnel.

A TRIBUTE TO TUMBLEWEED SMITH

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. NEUGEBAUER. Madam Speaker, I would like to take this time to recognize distinguished writer, speaker, and entertainer, Bob Lewis, better known as Tumbleweed Smith. Tumbleweed Smith is both creator and producer of the renowned radio program The Sound of Texas. August 1, 2009 will mark the celebration of 40 prosperous years on the air, making The Sound of Texas the longest running syndicated radio program in Texas.

In his 40 years of interviews, Tumbleweed Smith has accumulated the largest private collection of oral history in the United States. His one-man shows have been performed all over Texas, as well as six other states, and three other countries.

In addition to being an influential entertainer, Tumbleweed Smith has won international recognition for his advertising and production work. His honors include two CLIO advertising awards, the Governor's Award for Tourism, the West Texas Chamber of Commerce Cultural Achievement award and two Freedom Foundation awards.

The Texas House of Representatives has recognized Tumbleweed "for creating a priceless resource of Texas folk tales, lore and wisdom." He was honored by the Texas House of Representatives in 1999 for his outstanding communication skills and radio service to West Texas. In 2008 he was recognized by the Texas State Senate for celebrating his 10,000th program of The Sound of Texas.

Mr. Lewis resides in Big Spring, TX with his wife Susan and they have two sons, two daughters-in-law, and four grandsons. He writes a syndicated weekly news column and teaches radio production in the Permian Basin. Tumbleweed Smith is a true gem to West Texas. I am proud to honor his achievements and look forward to more of his unique and entertaining work in the future.

TAXPAYER RESPONSIBILITY, ACCOUNTABILITY, AND CONSISTENCY ACT

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. McDERMOTT. Madam Speaker, earlier today I introduced legislation—the Taxpayer Responsibility, Accountability, and Consistency Act. The aim of this legislation is to reverse the growing trend of the misclassification of employees as independent contractors. Independent contractors serve a legitimate purpose in our workforce, our economy, and in many business models. These contractors are important to our economy and often provide the flexibility that many businesses need. Some employers, however, are using a loophole that exists in the Internal Revenue Code to treat workers that are actually employees as contractors in order to reduce their own tax liability and avoid federal and state labor law. When employees are misclassified as contractors, responsible companies lose business,

workers lose rights and protections, and the federal and state governments lose out of billions of dollars in much-needed revenue.

This legislation is similar to the measure I introduced last year, along with Representatives RICHARD NEAL, and JOHN TIERNEY. I am pleased we have joined together again this Congress to reintroduce this initiative. Our efforts to construct this bill were informed by information obtained through public hearings on this issue in the House Committee on Ways and Means and the House Committee on Education and Labor.

The Taxpayer Responsibility, Accountability, and Consistency Act would close the tax loophole that allows employers to misclassify employees as contractors at will. It aims to put all employers on a level playing field, protect workers, and reduce the federal budget deficit. The intention of the bill is not to deny businesses the ability to use legitimate independent contractors; instead it is to ensure that laws that determine what an employee or independent contractor is are evenly applied. They are not today.

I recognize that this issue is one that has vexed the Congress for some time and that forging the necessary degree of consensus to address this problem will be difficult. I intend for the legislation introduced today to serve as a basis for discussion and look forward to working with many stakeholders to perfect the bill and help push for its passage.

RECOGNIZING TREENA TUBBS

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. SIMPSON. Madam Speaker, I rise today to pay tribute to Treena Tubbs of Malad, Idaho. Treena is celebrating her twentieth year of work for the U.S. Government. She began her career with the USDA–FSA in the Malad office. After three years, she was recruited to work for the Veterans Administration. She traveled to Pocatello to work at the Veterans Affairs Community-based Outreach Clinic of the George E. Wahlen Department of Veterans Affairs Medical Center in Salt Lake City, Utah.

Treena quickly became known as a friendly and helpful assistant to the veterans who came to the clinic for services. Throughout her career, she has proved herself to be a compassionate ally of those who have bravely served their country and now are in need of medical care. By contributing her time and talents, Treena has ensured a brighter future for our veterans.

It is not enough for Treena to assist in meeting the needs of veterans during office hours. She always makes time from home to help fill out paperwork, answer questions, and remind of appointments. Because it is often difficult to remember all the questions while in the doctor's office, Treena welcomes calls at home to clarify issues the veteran may have regarding his or her care.

The son of one veteran tells of Treena calling in the evening to make sure his father was alright, as he had missed his appointment that day. Another vet said he spent several hours asking questions at Treena's kitchen table on a Saturday.

Although the drive from Malad to Pocatello is difficult, Treena makes it to the clinic unless the winter roads become truly impassable.

In keeping with her commitment to make positive contributions to her community and her sincere willingness to serve, Treena has recently been appointed to the Oneida County Hospital Board.

Madam Speaker, I am proud to have a constituent in my district who is dedicated to improving the lives of our veterans and who devotes her time in selfless service to others.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. BARRETT of South Carolina. Madam Speaker, unfortunately I missed some recorded votes on the House floor on Wednesday, July 29, 2009.

Had I been present, I would have voted ''no'' on rollcall vote No. 655 (on agreeing to H. Res. 685), ''present'' on rollcall vote No. 656 (on motion to table the Boehner Privileged Resolution).

HONORING MR. DAVID HAWPE

HON. BEN CHANDLER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. CHANDLER. Madam Speaker, I rise today in recognition of one of Kentucky's premier journalists, a man who has shaped countless events and policies in the Commonwealth of Kentucky for decades, Mr. David Hawpe. After 40 years of public service journalism, tough reporting, and insightful analysis as editorial director, he will retire on August 14, 2009. I cannot begin to adequately describe the immeasurable contributions Mr. Hawpe has made to better the lives of all Kentuckians.

After graduating from the University of Kentucky in 1965 with a focus in journalism, Mr. Hawpe began his career as a reporter for the Associated Press and then moved to the The St. Petersburg Times in Florida, where he was an editorial writer.

In 1969, he came back to his home state and took charge of the Hazard bureau of The Courier-Journal in Eastern Kentucky, and in 1972, he moved to the Louisville home office. Mr. Hawpe held many positions, including editorial writer, assistant regional editor, managing editor and editor of The Courier-Journal and also served as city editor of the former afternoon newspaper, The Louisville Times.

Through his decades of reporting, Mr. Hawpe's influence can be seen in nearly every corner of the state.

He covered the Hyden mine disaster in 1970, bringing to light the many hazards and realities of coal mining. In later years, he played a significant role in strengthening laws and regulations governing the mining industry, and attacked abuses related to the broad form deed and strip mining.

Through his reporting and advocacy, he helped bring about new regulations of toxic chemicals, improved school bus safety, better enforcement of drunk driving laws, and reform in the medical license system.

Through his and his colleagues' legislative coverage, Mr. Hawpe and his coworkers literally helped reshape the Kentucky General Assembly—my home state's legislative body—into a more influential, co-equal branch of state government. In conjunction with formidable investigative reporting, Mr. Hawpe also played a critical role in the momentum to rewrite Kentucky's campaign finance laws.

And also, very notably, Mr. Hawpe has been instrumental in the reform of Kentucky's public education system. Through his direction of relentless and informed reporting, he helped convince the public that Kentucky was in need of meaningful, extensive higher education reform, which paved the way for the 1997 Kentucky Higher Education Reform Act. He has been credited by many, including a former governor and key policy makers, with being the main force behind this historic legislation.

In light of these achievements, it should be no surprise the newspaper won four Pulitzer prizes under his direction.

Mr. Hawpe is a member of the Kentucky Journalism Hall of Fame and has long been a strong advocate for ethics and diversity initiatives. A Nieman Fellow at Harvard, he was also prominent in national news organizations, having served as president of the Associated Press Managing Editors Association.

Through Mr. Hawpe's editorials and columns, he has been called ''the voice and conscience of The Courier-Journal'' and, in my opinion, in many ways, he has been the voice and conscience of reform and good policy in the Commonwealth of Kentucky.

Over the years, he has held individuals and institutions accountable for their actions, reined in unfair practices, and been an unwavering advocate for the underprivileged. Mr. Hawpe will be sorely missed, but the impact of his work will be felt in my state, and, indeed the nation, for many years to come.

Madam Speaker, there is no doubt in my mind that he has made our great state even better.

EARMARK DECLARATION

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. ALEXANDER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the Commerce, Justice Science, and Related Agencies Appropriations Act, 2010, H.R. 2847.

Congressman RODNEY ALEXANDER

H.R. 2997

ARS

Louisiana State University located at 156 Thomas Boyd Hall, Baton Rouge, LA 70803

Formosan Subterranean Research—$2,600,000. The Formosan subterranean termite has infested 32 of the 64 parishes in Louisiana, with the most severe infestations in the New Orleans and Lake Charles areas. This insect has caused millions of dollars worth of damage including over $300 million in New Orleans alone. Clearly, it is the most costly

pest in the state and the management of this termite is essential to Louisiana's economic well-being. For the last seven years, the LSU AgCenter has participated in the USDA/ARS project, Operation Fullstop. The AgCenter is the lead agency in management programs for this termite in the French Quarter and 16 public schools in Orleans and Jefferson parishes. The AgCenter has received approximately $10.4 million since the initial appropriation in FY 1998. Sixty-six percent (66%) or ($6,874,724) of these funds has been pass-through money to the pest management professionals (PMPs) and thirty-four percent (34%) or ($3,520,606) has been used to conduct research and extension educational programs. During the past year, the AgCenter received $750,000 for research and extension activities. Plans for 2010 include expansion from 77 blocks currently to the entire French Quarter (95 blocks), funding permitting. Termite numbers in the French Quarter have been reduced 75% in Part 1 blocks and 50% in other blocks after two years in the program. Plans for 2010 also include an education program with residents in New Orleans to develop neighborhood programs, in which residents would receive education, inspections, and program evaluation from the AgCenter. Significant numbers of property owners outside the program are adopting the French Quarter model of the program. Research would include use of molecular methods (mainly microsatellite genotyping) to determine colony affiliations of termites. This permits tracking of colony movement and permits assessment of colony elimination after treatment and floods (Katrina), i.e., are colonies detected after treatment survivors or new colonies. Research would also include use of molecular markers to establish colony origin and flight range of alates. This aids in understanding termite swarm behavior. Extension would continue to provide the critical tasks of educating the citizenry on all aspects of integrated pest management (IPM) of structural pests. Results of research and education outreach conducted within this request will benefit the State of Louisiana and the rest of the nation in combating the spread of the Formosan Subterranean Termite and in educating the public regarding its control.

Congressman RODNEY ALEXANDER
H.R. 2997
ARS
USDA Sugarcane Lab, 5883 USDA Road, Houma, La

ARS Sugarcane Research $3,654,000. The domestic sugarcane industry and others are interested in developing cellulosic opportunities to reduce our dependence on foreign sources of fossil fuel. The ARS's Sugarcane Research Laboratory (SRL) scientists at Houma are involved in a multidisciplinary team effort to develop superior varieties of sugarcane, for both sugar production and for the bio-energy industry that is evolving across the southeast. Additionally, the SRL is developing production practices needed for profitable production of sugarcane for both sugar and energy. The current facilities are not designed to handle an expanded program and lack many of the safeguards (environment, employee, and security) required by current federal standards.

Congressman RODNEY ALEXANDER
H.R. 2997
NIFA SRG
Louisiana State University located at 156 Thomas Boyd Hall, Baton Rouge, LA 70803

Aquaculture $150,000. Louisiana contains one of the most diverse aquaculture industries in the U.S. The state continues to lead the nation in production of crawfish, oyster, alligator, and pet turtle sales. Catfish production has declined in recent years but is still important. The total farm-gate value of aquaculture production in 2007 exceeded $281.6 million. Research is needed to: 1) enhance crawfish harvesting technology and efficiency and to improve crawfish broodstock reproduction, 2) to further develop tools to facilitate genetic improvement of cultured finfish, 3) to determine the economic potential and effective culture techniques to facilitate the development of a marine baitfish industry, 4) to further refine finfish nutrition and feeding practices so that feed cost is reduced and water quality is improved, 5) to further protect cultured aquatic species from disease, and 6) to develop new value-added aquaculture food products and waste by-products.

Congressman RODNEY ALEXANDER
H.R. 2997
NIFA SRG
Louisiana State University located at 156 Thomas Boyd Hall, Baton Rouge, LA 70803

Tillage Silviculture $188,000. This special grant addresses critical environmental concerns in Louisiana. Alternatives to traditional tillage in southwest Louisiana rice production are needed to improve floodwater quality, reduce soil erosion, and reduce production costs. Stand establishment and early-season plant density have been shown to be critical components of a reduced tillage system. Development of herbicide-resistant rice varieties has allowed drill seeding of rice, which increases flexibility with nutrient and vegetation management. However, the effect of rotational crops on rice grain yield and soil physical condition is not well understood and requires more research. Cotton and corn production are major components of the agricultural economy in northeast Louisiana. Reduced tillage practices and herbicide tolerant crops are being adopted to sustain soil productivity and reduce surface water contamination and are improving production efficiency. However, conservation tillage systems provide a favorable microenvironment for insect populations, which have the potential to limit economic value. Basic biological information is needed on insect population dynamics in reduced tillage systems. The animal waste management component of this project will develop data and systems that allow proper use of waste products and dairy lagoon effluent in two areas of the state. The dairy industry in southeast Louisiana and the poultry industry in north Louisiana will benefit from research on pasture runoff, background indicator organisms, optimum land disposal rates for poultry litter, and new uses for poultry litter particularly as it relates to forest productivity. Treatment alternatives that generate additional revenue to the dairy and poultry operator will also be explored. Critical environmental concerns relative to agriculture and forestry production practices on water quality will also be addressed. Enhanced research on Best Management Practices (BMPs) will help reduce both point and non-point source discharges associated with crop, animal, and timber production activities.

Congressman RODNEY ALEXANDER
H.R. 2997
NIFA SRG
Louisiana State University located at 156 Thomas Boyd Hall, Baton Rouge, LA 70803.

Wetland Plants $188,000. Since the 1930s, 1,000,000 acres of Louisiana wetlands have been lost by human activities and natural forces such as the hurricanes of 2005. This directly affects U.S. security, navigation, energy consumption, and food supply. The potential for loss of life, industry, ecosystems, and infrastructure is enormous. The Coastal Plants Program (CPP) represents a major commitment to focus proven scientific technologies and outreach capabilities on issues critical to restore the coastal wetlands of Louisiana. This program combines the expertise of AgCenter plant breeders, ecologists, and other plant and soil scientists to facilitate the development and utilization of improved native plant resources to preserve remaining marshes and stabilize those that are being re-created. This project will develop strategies for genetic improvement leading to the economic and rapid establishment of critically important wetland plant species over large areas of threatened and reclaimed coastal wetlands. Native populations will be characterized and a genetic improvement program conducted to develop superior varieties/populations with enhanced value in the restoration and protection of wetlands. Plant cloning and molecular biology will facilitate genetic characterization and genetic improvement and provide superior plant materials to Louisiana's developing commercial wetland plant and seed industry. On-site marsh research will address issues concerning beneficial use of dredge material, sediment nourishment of deteriorating wetlands, and factors influencing vegetative response.

Congressman RODNEY ALEXANDER
H.R. 2997
Animal and Plant Health Inspection Service
Louisiana State University located at 156 Thomas Boyd Hall, Baton Rouge, LA 70803

Blackbird Management $94,000. Blackbird depredation of rice is a serious economic problem facing rice producers in Louisiana. Depredation of rice occurs at planting and just prior to harvest; however, the most serious problem is depredation of rice seed and seedlings at planting. Yield losses due to blackbird depredation have been estimated to vary from 77 million pounds in 1995 to slightly over 93 million pounds in 2002. Economic losses associated with blackbird damage have been estimated to average $9.3 million annually from 1995 to 2002. Damage does not occur uniformly across the state; consequently, severe economic losses may be experienced by some producers due to the concentration of blackbirds in a given area. The use of DRC–1339 has resulted in reducing the extent of damage and the magnitude of economic loss. DRC–1339 is a selective avicide specific to blackbirds, grackles, and starlings. As a result, reduction in blackbird damage to rice is achieved with little or no effect upon other bird species.

Congressman RODNEY ALEXANDER
H.R. 2997
Animal and Plant Health Inspection Service
Louisiana State University located at 156 Thomas Boyd Hall, Baton Rouge, LA 70803

Best Management Practices $267,000. Of more than 2,600 agricultural producers trained through Louisiana's Master Farmer program, 92 have completed the third tier of the program which ends with certification from the

Louisiana Department of Agriculture and Forestry. This represents a high benchmark in performance, which requires completion of eight hours of classroom instruction, participation in a Model Farm field tour, and development and implementation of an NRCS Resource Management System plan to address potential or occurring pollution. With the assistance of USDA programs and other technical assistance, these producers have installed research-based BMPs to address environmental issues. These certified producers manage more than 16,000 acres of Louisiana farmland, all within a 50-mile radius of 303d listed impaired state waters. In addition, multistate collaboration has resulted in the development of a template by the Louisiana Master Farmer Program that can be used by other states to develop similar programs, focusing on curriculum development, implementation and lessons learned. Land area impacted by targeted programs is 1,020,507 acres.

Congressman RODNEY ALEXANDER

H.R. 3082

Army

Fort Polk, La 71459

Multipurpose Machine Gun Range $6,400,000. Construct a standard design MPMG Range, required to train and test soldiers on the skills necessary to zero Squad Automatic Weapon, Machine Guns, 40mm Automatic Launcher, and Sniper Weapons to detect, identify, engage and defeat targets in a tactical array.

INTRODUCTION OF H.R. 3329, THE LOOK-BACK ELIMINATION ACT OF 2009

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. LEWIS of Georgia. Madam Speaker, I am proud to introduce the Look-Back Elimination Act of 2009.

I am proud to serve on the Ways and Means Committee Subcommittee on Income Security and Family Support led by Chairman MCDERMOTT. I would like to thank Chairman MCDERMOTT, my good friend, the Gentlewoman from Nevada (Ms. BERKLEY), and all of my colleagues on the Subcommittee for their hard work in the areas of child welfare and foster care.

Today, American families are struggling in ways not seen since the Great Depression. Rising unemployment, health care costs, and a struggling economy are all taking their toll, and children in the foster care system must not be forgotten during these very difficult times.

When Congress passed welfare reform legislation in 1996, they eliminated the existing Aid to Families with Dependent Children (AFDC) program, which was a cornerstone of President Franklin D. Roosevelt's New Deal, and replaced it with the Temporary Assistance for Needy Families program, or TANF. At the same time, Congress locked the income eligibility requirement for federal foster care and adoption assistance benefits at the various existing 1996 income thresholds established by States under the now nonexistent AFDC program. This is known as the look-back standard.

Since that time, the federal law has not been changed, and despite changing economic realities like inflation and wage growth, states cannot update their income eligibility requirements. As a result thousands of children in foster care and adoption assistance programs are ineligible to receive federal benefits.

Last year Congress passed and the President signed legislation to phase out the look-back standard for children in the adoption assistance program. The bill I am introducing today would assist the other children affected by the look-back standard—those in the foster care system. We need to help these children, and we need to help them now.

The look-back standard sets the income limit for eligibility at thirty-one percent of the federal poverty level—a level so low that even a parent's part-time job at minimum wage could render a family ineligible. As a result, states are prohibited from using federal funds to assist those most in need. In my home state of Georgia almost sixty percent of children in the child welfare system cannot receive federal IV-E assistance. Thousands more foster care children across the country are ineligible to receive benefits. This is wrong; it is just plain wrong.

Foster care children need this support, and states are struggling to juggle services to try and prevent children from falling through the cracks. You just cannot put a price on helping a child. We must have this oversight corrected. I urge all of my colleagues to join me in supporting this commonsense legislation.

HEREFORD WWII POW CHAPEL

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. NEUGEBAUER. Madam Speaker, I rise today in recognition of the rededication of a Texas Historical Landmark, Camp Hereford Italian Prisoner of War Camp memorial chapel. This World War II monument has survived more than 64 years as a symbol of the shared history that binds Texas, the United States, and Italy together.

During World War II, the Hereford POW camp stretched across 800 acres in Castro and Deaf Smith counties in West Texas. It was the second largest United States POW camp built during World War II. An estimated 5,000 Italian POWs were held at the site between February 1943 and June 1946, when the last of the POWs were repatriated.

In 1945, the Italian POWs received permission from the U.S. military to pay for and build a chapel within the camp to serve as a marker for the burial site of their fallen soldiers. In honor of their five comrades who died while interned, skilled artisan Italian prisoners constructed the thirteen-foot-square chapel. After the war, the deceased were exhumed and returned to Italy, leaving the chapel abandoned and vulnerable to deterioration.

n 1988, former POWs donated money, original sketches, and photographs for the first major restoration of the chapel. The project was completed in time for a reunion held in Hereford in June, 1989. In 1992, the Texas Historical Commission declared the chapel a Recorded Texas Historical Landmark.

In spite of its historical significance, the chapel was severely vandalized in 2008. Thanks to financial support from the Committee for Italians Living Abroad and the volunteer effort of Castro and Deaf Smith county residents, the chapel has once again been restored to its original beauty. The Castro County Historical Commission and Committee for Italians Living Abroad will co-host a rededication ceremony Saturday, August 8, 2009.

The restoration of this monument stands to preserve the history of the mutual regard that developed between the prisoners and their captors in rural Texas, and I congratulate the community for preserving this piece of history.

HONORING MRS. ERNESTINE NEITZEL

HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. WU. Madam Speaker, I rise today to pay tribute to a woman who has made a very generous contribution to Oregon's coastal health and to the recovery of Pacific salmon and steelhead.

Mrs. Ernestine Neitzel has spent almost all her life living in the Necanicum River valley within the first congressional district of Oregon. She moved to Oregon from Colorado in 1925 at the age of four. Her father had purchase some farmland on the edge of the Necanicum River where they grew vegetables to be sold at local stores in Seaside, Oregon.

In 1945, Ernestine married Mr. Herbert Neitzel, who had recently returned from serving in World War II. Together, they purchased an additional 25 acres of farmland adjacent to the existing farm and expanded it to include dairy cows. During this time, Ernestine also delivered bread to the soldiers stationed at Fort Lewis, Oregon and worked in several stores in Seaside.

In the fall of 2008, Ernestine made the decision to give her family farmland back to the Necanicum River. Before being cultivated, this land was prime estuarine and rearing habitat for Pacific salmon and steelhead. Now, she is working with individuals and organizations within the state of Oregon to restore the land to its pre-developed state. Upon completion, this new wetland and estuarine habitat will help strengthen runs of migratory Pacific salmon and steelhead as well as resident rainbow trout.

Ernestine and the Neitzel family have a long history in the Necanicum River Valley and have dedicated their lives to enriching the surrounding communities. With this contribution, she leaves a legacy of environmental conservation and dedication to the restoration of a natural resource that is an essential component to our way of life in the Pacific Northwest.

EARMARK DECLARATION

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. DUNCAN. Madam Speaker, I submit the following.

Requesting Member: Congressman JOHN DUNCAN

Account: RDTE—Defensewide

Project Amount: $2,000,000

Legal Name of Requesting Entity: Lentix, 800 South Gay Street, Suite 1625, Knoxville, Tennessee 37929

Description of Request: The funding will be used for the development of a very high resolution benchmarking vision system for long-range surveillance with focus on SOCOM and Navy tracking needs.

EARMARK DECLARATION

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. BARTON of Texas. Madam Speaker, I rise today to submit documentation consistent with the Republican Earmark Standards.

Requesting Member: Congressman JOE BARTON

Bill Number: H.R. 3326 Department of Defense Appropriations Bill

Account: Navy RDT&E

Legal Name of Receiving Entity: Carbon-Carbon Advanced Technologies (C–CAT)

Address of Receiving Entity: 4704 Eden Road, Kennedale, TX 76060

Description of Request: I have secured $4,000,000 in funding to be used for the continuation of the fabrication development process by refining the design and manufacturability, improving the necessary subscale hardware durability and finally, conducting a full scale demonstration of the hypersonic weapons system at an approved test facility as it relates to the Strike Weapon Propulsion (SWEAP) system.

HONORING BRIANNA LIND AND ERIKA SCHREIBER UPON RECEIPT OF THE GIRL SCOUT GOLD AWARD

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge two young women in my district, Brianna Lind and Erika Schreiber.

Brianna and Erika will receive the Girl Scout Gold Award on August 6, 2009. For their project, they put together a project to inform the public on global warming, global climate change, and risk management.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. BARRETT of South Carolina. Madam Speaker, unfortunately I missed some recorded votes on the House floor on Thursday, July 23, 2009.

I ask that the RECORD reflect that had I been present, I would have voted "aye" on rollcall vote No. 620 (on agreeing to the Hensarling of Texas Part A Amendment No. 2 to H.R. 3288), "aye" on rollcall vote No. 621 (on agreeing to the Latham of Iowa Part A Amendment No. 3 to H.R. 3288), "no" on rollcall vote No. 622 (on agreeing to the Frelinghuysen of New Jersey Part A Amendment No. 7 to H.R. 3288), "aye" on rollcall vote No. 623 (on agreeing to the Blackburn of Tennessee Part A Amendment No. 8 to H.R. 3288), "aye" on rollcall vote No. 624 (on agreeing to the Jordan of Ohio Part A Amendment No. 10 to H.R. 3288), "aye" on rollcall vote No. 625 (on agreeing to the Neugebauer of Texas Part A Amendment No. 11 to H.R. 3288), "aye" on rollcall vote No. 626 (on agreeing to the Stearns of Florida Part A Amendment No. 12 to H.R. 3288), "aye" on rollcall vote No. 627 (on agreeing to the Flake of Arizona Part B Amendment No. 1 to H.R. 3288), "aye" on rollcall vote No. 628 (on agreeing to the Flake of Arizona Part B Amendment No. 4 to H.R. 3288), "aye" on rollcall vote No. 629 (on agreeing to the Flake of Arizona Part B Amendment No. 7 to H.R. 3288), "aye" on rollcall vote No. 630 (on agreeing to the Flake of Arizona Part B Amendment No. 8 to H.R. 3288), "aye" on rollcall vote No. 631 (on agreeing to the Flake of Arizona Part B Amendment No. 9 to H.R. 3288), "aye" on rollcall vote No. 632 (on agreeing to the Flake of Arizona Part B Amendment No. 10 to H.R. 3288), "aye" on rollcall vote No. 633 (on agreeing to the Flake of Arizona Part B Amendment No. 11 to H.R. 3288), "aye" on rollcall vote No. 634 (on agreeing to the Hensarling of Texas Part C Amendment No. 3 to H.R. 3288), "aye" on rollcall vote No. 635 (on agreeing to the Hensarling of Texas Part C Amendment No. 4 to H.R. 3288), "aye" on rollcall vote No. 636 (on motion to recommit with instruction to H.R. 3288), "no" on rollcall vote No. 637 (on passage to H.R. 3288).

EARMARK DECLARATION

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. YOUNG of Alaska. 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 Department of Defense Appropriations Act.

Bill Number: H.R. 3326—Research, Development Test & Evaluation, Air Force.

Legal name and address of entity receiving earmark: Fairbanks North Star Borough, 809 Pioneer Road, Fairbanks, AK 99701.

Description of how the money will be spent and why the use of federal taxpayer funding is justified: Funding will be used to undertake necessary follow-up engineering studies of a synthetic liquid fuels facility at/or near Eielson Air Force Base. These studies will address the environmental, technical and economic feasibility of a facility benefits, technical and economic feasibility of a synthetic liquid fuels facility and the environmental benefits and economic and technical feasibility of the transportation and sequestration of carbon dioxide to enhance crude oil recovery in northern Alaska.

This project will supply the U.S. Air Force and other military branches a secure supply of synthetic fuels to operate fighters, bombers and other aircraft and military equipment. It will help the Air Force to achieve its stated goal of certifying its fleet of aircraft on a synthetic fuel blend and purchasing 50 percent of its fuels in the form of a synthetic fuel blend by 2016.

Description of matching funds: Funding will go to supplement funds from P.L. 110–329.

Appropriated Amount: $3,000,000.

Project Name: Synthetic Liquid Fuels.

Detailed Finance Plan: Of the $3 million, all will go to the Fairbanks North Star Borough to be expended to study the technical, economic and environmental feasibility of the transportation and sequestration of carbon dioxide to enhance crude oil recovery in northern Alaska produced by a synthetic fuel facility located in the vicinity of Fairbanks Alaska.

Bill Number: H.R. 3326—Research, Development Test & Evaluation, Defense Wide.

Legal name and address of entity receiving earmark: Kachemak Research Development, Inc., 59584 East End Road, Homer, AK 99603.

Description of how the money will be spent and why the use of federal taxpayer funding is justified: Kachemak Research Development, Inc. is a woman owned, HUBZone, 8(a) entity. AutoScan, an under vehicle inspection system developed by KRD, is a stationary system that captures the entire undercarriage image of vehicles, ranging in size from passenger vehicles to semi-trucks. Because of the unique capabilities of AutoScan, vehicles do not need to maintain a constant speed as they travel across the system. Funding will be used for product enhancement and beta testing of AutoScan generation 2 and 3 architecture. As part of the inspection protocol at every military base, CONUS and OCONUS, the undercarriage of every delivery vehicle must be inspected. Standard inspection protocols have been comprised of a mirror-mounted stick or search pits. AutoScan makes it possible for inspection personnel to maintain a safe stand-off distance. Additionally, it stores images for later comparison and analysis if needed. And it provides one, complete, clear image of any vehicle's under-side in real-time and capabilities that no similar system is able to provide.

Description of matching funds: KRD profit is reinvested back into the company to provide facilities that are needed to perform the work. KRD investment exceeds $750,000 to-date.

Appropriated Amount: $3,000,000.

Project Name: Under-Vehicle Inspection System.

Detailed Finance Plan: Of the $3M, roughly 25% will go to administrative support within OSD and the contracting agency. The remaining 75% of the funding, $2.25M, will cover labor: $1,290,000; materials (including equipment and fabrication) $238,000; benefits $262,000; OH $214,000; technical consulting $112,000; $31,000 travel; $95,000 installation and beta testing of generation 2 and 3 AutoScan before fielding.

HONORING YVONNE DESOUSA UPON RECEIPT OF THE GIRL SCOUT GOLD AWARD

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge a young woman in my district, Yvonne Desousa.

Yvonne will receive the Girl Scout Award on August 3, 2009. For her project, she put together sewing squares decorated by younger girl scouts for children at Huntington Hospital. I wish to commend Yvonne for her community service.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010

SPEECH OF

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2009

The House in Committee of the Whole House on the State of the Union had under consideration of the bill (H.R. 3326) making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes:

Mr. ETHERIDGE. Madam Chair, I rise today in support of H.R. 3326 the Fiscal Year 2010 Defense Appropriations Act. This bill makes important investments to keep the American people safe, strengthen our military, and support our troops.

This bill contains $636.3 billion for the Department of Defense next year to provide funding for our troops in Iraq and Afghanistan, enhance recruitment, address critical equipment needs at home, and, perhaps most importantly, support our troops and their families who give so much in defense of our nation. As a Member of the House Budget Committee, I am pleased that H.R. 3326 is fiscally responsible, for the first time including funding for ongoing needs for the war in Iraq and Afghanistan in the regular budgeting process. The decision to hide funding for our engagement abroad in ''emergency'' spending led to financial mismanagement, and it ends this year. The bill also calls for additional contracting reform and other efficiencies, while ensuring sufficient support for our men and women in uniform.

As a veteran of the U.S. Army, and the representative of Fort Bragg and Pope Air Force Base, I am proud of our troops who serve our country so bravely. Whether in the Army, Air Force or Navy, the Coast Guard, or the Marines; whether in the National Guard or in the Reserves; each soldier deserves our full support and respect. This bill provides our troops with a 3.4 percent pay raise and recognizes the hardship of stop-loss deployment by providing an additional $500 per month for involuntary extensions of active duty. It provides significant funding for readiness training and medical care, often overlooked aspects of our military support. Knowing that the mission at home for military families is often critical to the soldier's mission abroad, I am pleased that H.R. 3326 fully funds Family Support and Yellow Ribbon programs, as well as providing $472 million for family advocacy initiatives.

Madam Chair, there is no more important function for Congress than to protect the American people. This bill ensures our troops in Iraq and Afghanistan have the funding and equipment they need, provides support for our troops at home, and improves the health of our entire military. I urge my colleagues to join me in support of H.R. 3326.

HONORING BRITTANY LEAP'S FIGHT AGAINST NEURODEGENERATION WITH BRAIN IRON ACCUMULATION

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to recognize the bravery and fortitude of a very special and courageous constituent of mine, Brittany Leap; and her mother, Sandy, and father, Richard. In February 2006, Brittany was diagnosed with a debilitating and degenerative disorder—Neurodegeneration with Brain Iron Accumulation, NBIA.

NBIA is a very rare and devastating neurological disorder that only gets worse over time—resulting in constant muscle cramping, an inability to control one's body, difficulty with speech, a loss of peripheral vision, and even blindness. No cure or specific means of treatment currently exists for NBIA, and scientists are still baffled by the factors that influence the disease.

Imagine waking up one morning having lost the ability to walk, or talk, or even eat. In Brittany's case, however, this is no dream. This is a very real challenge that Brittany faces every day of her life. To make matters worse, one of the few laboratories dedicated to researching her disease is at risk of having to close its doors because of a lack of funding; doors that upon closing will forfeit the hope of Brittany, her family, and the thousands of other people suffering from NBIA, that a cure may one day be realized.

Brittany is determined to continue fighting this disease and the potentially devastating consequences of what will happen if the research to develop a cure is suspended. She is unwavering in her pursuit to raise the funds necessary to keep hope alive, not only for her, but for everyone else with NBIA. Brittany has taken it upon herself, with the help of her loving parents—and so many others across this great Nation—to raise $250,000 by year's end to keep the search for a cure alive.

Madam Speaker, I ask my colleagues to join me in wishing Brittany and her family and all others with NBIA our heartfelt regards for their efforts to bring an end to this devastating illness, and I ask they give their support in any way possible to help Brittany in her efforts. I am inspired by Brittany's determination and I am honored to bring her story to the floor of this chamber.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2009

The House in Committee of the Whole House on the State of the Union had under consideration of the bill (H.R. 3326) making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes:

Mr. VAN HOLLEN. Madam Chair, I rise in support of the 2010 Department of Defense Appropriations Act. This bill provides $636.3 billion to fund the defense, military family support, humanitarian assistance and oversight priorities of the American people.

This bill provides the resources to implement President Obama's national security strategy, including the new approach he is taking with respect to Iraq and Afghanistan. The bill also provides funding to support the general quality-of-life needs of our troops and their families. Specifically, the measure provides a 3.4 percent pay increase for military personnel; $8.3 million in additional funds to compensate personnel subject to ''stop loss'' requirements; and $2.6 billion to support military families—including $472 million for family advocacy programs that help children and families manage the many challenges of military service.

The bill also provides $29.9 billion for the defense health program, including $500 million for traumatic brain injury treatments and funds to treat Post-traumatic Stress Syndrome. And finally, the Defense Appropriations Act includes a number of provisions to improve oversight of defense contractors and $110 million for international humanitarian assistance including foreign disaster and emergency relief assistance.

EARMARK DECLARATION

HON. JEFF FORTENBERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 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 Defense Appropriations Bill:

Requesting Member: Congressman JEFF FORTENBERRY

Bill Number: H.R. 3326, FY10 Defense Appropriations Bill

Account: RDT&E, Army/Medical Technology/Program Element #: 0602787A/Line Item #: 28

Project Name: Understanding Blast-Induced Brain Injury

Amount: $3,000,000

Name and Address of Requesting Entity: University of Nebraska-Lincoln located at 302 Canfield Administrations Building, Lincoln, Nebraska 68583

Description: Most of the head and brain injuries occurring in current combat situations result from roadside explosions, but there is currently only limited understanding of blast-induced traumatic brain injury. This funding

would be used to model how blast waves from explosions cause short- and long-term brain injury to warfighters and to develop devices and equipment to mitigate the damage. This research will lead to devices for improved detection and optimized equipment designs to protect against multiple insults to the brain from the blast impact and blast waves.

Requesting Member: Congressman JEFF FORTENBERRY

Bill Number: H.R. 3326, FY10 Defense Appropriations Bill

Account: RDT&E, Air Force, University Research Initiatives, PE 0601102F, Line 2

Project Name: Safeguarding End-User Military Software

Amount: $1,500,000

Name and Address of Requesting Entity: University of Nebraska-Lincoln located at 302 Canfield Administrations Building, Lincoln, Nebraska 68583

Description: Military software increasingly is being created by ''end-user programmers,'' who use programming tools such as spreadsheets, military planning systems, and Matlab simulations to create software. This unvalidated software runs critical day-to-day operations and often is not dependable. The funding would be used to develop advanced software engineering safeguards that can be embedded in software programmed by military personnel to help them prevent and detect errors and produce more dependable military systems that save lives and money. Prototype safeguards implementing algorithms and mechanisms will be built and validated through carefully designed studies. These safeguards will be convenient for users and help them reason through the dependability of software as they develop it, protecting programmers and operators from errors and saving millions of dollars in programming development costs.

EARMARK DECLARATION

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. TIAHRT. Madam Speaker, in accordance with the February 2008 New Republican Earmark Standards Guidance, I submit the following in regards to H.R. 3288, the Fiscal Year 2010 Transportation, Housing and Urban Development, and Related Agencies Appropriations Act.

FEDERAL AVIATION ADMINISTRATION—NATIONAL INSTITUTE FOR AVIATION RESEARCH (NIAR) WICHITA STATE UNIVERSITY

H.R. 3288, the Fiscal Year 2010 Transportation, Housing and Urban Development, and Related Agencies Appropriations Act contains $1,000,000 for facilities and equipment to expand the capabilities of its National Institute for Aviation Research (NIAR) to conduct Advanced Materials Research in support and improvement of its ongoing aviation safety research in the areas of metallic and nonmetallic structures, crashworthiness, and aging aircraft effects. The entity to receive funding for this project is Wichita State University located at 1845 Fairmount St, Wichita, Kansas, 67260.

FEDERAL AVIATION ADMINISTRATION—NATIONAL INSTITUTE FOR AVIATION RESEARCH (NIAR) WICHITA STATE UNIVERSITY

H.R. 3288, the Fiscal Year 2010 Transportation, Housing and Urban Development, and Related Agencies Appropriations Act contains $1,000,000 for technical personnel, facilities and equipment at the National Institute for Aviation Research to provide a comprehensive education and training initiative for composite airframe maintenance and airworthiness awareness. The entity to receive funding for this project is Wichita State University located at 1845 Fairmount St, Wichita, Kansas, 67260.

FEDERAL HIGHWAY ADMINISTRATION—INTERSTATE MAINTENANCE DISCRETIONARY—CITY OF WICHITA, KS: INTERSTATE 235/US 54 AND I–235/CENTRAL AVENUE INTERCHANGE

H.R. 3183, the Fiscal Year 2010 Transportation, Housing and Urban Development, and Related Agencies Appropriations Act contains $750,000 for preliminary engineering and right-of-way costs for the reconstruction of the Kellogg (US–54) and Central interchanges on I–235 in western Wichita. The entity to receive funding for this project is the City of Wichita, located at City Hall, 455 North Main, Wichita, KS 67202.

FEDERAL HIGHWAY ADMINISTRATION—SURFACE TRANSPORTATION PRIORITIES CITY OF WICHITA, KS: 21ST STREET NORTH RAILROAD OVERPASS

H.R. 3183, the Fiscal Year 2010 Transportation, Housing and Urban Development, and Related Agencies Appropriations Act contains $500,000 for an elevated roadway overpass along 21st Street North from Broadway to I–135 in order to eliminate the lengthy vehicular traffic delays and vehicle entrapment issues associated with multiple at-grade rail crossings located along this segment of a busy east-west arterial city street. The entity to receive funding for this project is the City of Wichita located at 1845 Fairmount St, Wichita, Kansas, 67260.

COMMEMORATING THE VOTING RIGHTS ACT OF 1965

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. DAVIS of Illinois. Madam Speaker, as we enter into the month of August, I would like to take this opportunity to commemorate the anniversary of The Voting Rights Act of 1965. On August 6, 1965, President Lyndon Johnson signed the Voting Rights Act into law. The date marks a pivotal moment in our country's progress in extending equal membership in the political processes to every American. The right to vote is a fundamental principle of all democracies. Yet, in our great nation whose founding fathers and documents boasted of its creation to promote equality, there was a substantial period of history during which minority men and women were barred from that very right. The Fifteenth Amendment to the Constitution guarantees the right to vote for every citizen, but the discriminatory practices of Jim Crow in the antebellum south used taxes, literacy tests, gerrymandering, and language discrimination to prevent Blacks from voting and taking part in the government. Without the right to vote, many African Americans were subject to intolerable injustices and appalling prejudice.

The Voting Rights Act represents a culmination of the great efforts of civil rights organizations and activists to inform the nation of the extensive disenfranchisement taking place throughout the country. The anniversary of the enactment of this historic law provides an opportunity to acknowledge these activists. Most notably, their tremendous dedication and uncompromising pursuit of equality took the form of peaceful marches from Selma to Montgomery that were met with vicious attacks by state and local police forces. These events caught the attention of the President and Congress, contributing to a commitment to new civil rights legislation to counter the resistance and discrimination laws within the states. The enactment of the Voting Rights Act in 1965 allowed African-Americans across the country to finally have a say in the functioning of the country. Today, I celebrate the anniversary of this law as a reflection of what our country represents: a nation pledged to representing the views, values, and beliefs of all the people it serves.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010

SPEECH OF

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2009

The House in Committee of the Whole House on the State of the Union had under consideration of the bill (H.R. 3326) making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes:

Mr. BLUMENAUER. Madam Chair, it was my hope that this year would mark a turning point in the type and amount of we spend on the Department of Defense. Oregonians know I frequently vote against Defense Appropriations bills as spending too much money for the wrong priorities.

I was pleased to see the traditional military pay raise included, as well as an extension of current stop loss compensation to troops extended tours in 2010. I also continue to strongly support provisions that prohibit permanent bases in Iraq and Afghanistan and torture.

Yet the bill also includes funding for programs that have been outdated since the end of the Cold War two decades ago, and which even the Secretary of Defense would like to terminate. The list of these programs funded here is long and runs into the billions: $80 million for the Missile Defense, Kinetic Energy Interceptor Program, $369 million for parts for the F–22 and C–17, an extra $3 billion for Navy ships, and $674 million for still more unrequested C–17 planes.

These programs come at the expense of other, more worthy projects and investments. I offered two amendments to the Rules Committee for this bill, both of which would have shifted funding to environmental programs. My first amendment would have shifted $100 million from the unnecessary Joint Strike Fighter (F–35) Alternate Engine Program and toward the chronically-underfunded Defense Department's Environmental Restoration Program. These programs, responsible for the cleaning of toxic wastes and leftover bombs from all active bases and Formerly Used Defense Sites, will receive less funds than they did last year even though the number of sites needing clean up has increased.

My second amendment would have created a small pilot program to fund a practical demonstration of ordnance discrimination technology. Currently over 75 percent of material uncovered during the clearing of leftover and still dangerous bombs and shells is non-dangerous scrap metal. This type of technology, once proven through a live demonstration, would cut cleanup costs by two to three times.

These amendments were commonsense ways to reduce Pentagon liability, save money and resources in the long run, and make our lands safer for our communities and military personnel. I was extremely disappointed that these amendments were unable to receive an up-or-down vote. But I will continue to work to ensure the Federal government is a better partner to communities.

The Administration is moving in the right direction by being willing to make tough decisions to cut or terminate certain favored, yet expensive and unnecessary, programs. It is my hope that Congress can craft a bill in conference that more closely adheres to this principled and practical stance and that meets the needs of our military and our communities.

HEALTH CARE

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Ms. MCCOLLUM. Madam Speaker, on July 20th, I held a health care hearing in the Minnesota State Capitol to discuss the challenges and opportunities for health care reform presents for Minnesota. Representatives from patient advocate groups, health plans, hospitals, health plans, County Commissioners, and State House Representatives were in attendance. The speakers discussed the need to expand preventative care, to end the practice of denying coverage for pre-existing conditions, and to improve access to quality, affordable care.

In hearing I heard over and over again that the current flawed Medicare reimbursement formula is harming Minnesota. The people of Minnesota want health care reform that addresses the three major challenges in health care reform—cost, quality, and access—none of which can be addressed without fixing the Medicare reimbursement formula. I support moving towards a system that ensures that all patients will receive evidence-based, quality care as the standard.

OPENING STATEMENT BY CONGRESSWOMAN BETTY MCCOLLUM

FEDERAL HEALTH CARE REFORM: OPPORTUNITIES AND CHALLENGES FOR MINNESOTA

Good morning. Thank you all for joining me for this morning's hearing.

My goal today is to hear from a distinguished and diverse group of Minnesota experts on the subject of health care reform in Washington. I want to hear not just a view of the need for national reforms—but more specifically—the opportunities, challenges, costs, and consequences for Minnesota as we reform our nation's health care system.

Let me start by saying I support President Obama's goal of reforming health care with a focus on reducing cost, increasing access, and ensuring quality care for all Americans. The current system is not sustainable for our families, businesses, tax payers, or the providers of health care. In addition, almost 50 million Americans are uninsured and too often left to access care in the emergency room where it is too expensive and too late.

As we look ahead I want to maintain a system where people can keep their doctors and private insurance plans if they are working well for them.

I support a public insurance option that will expand the opportunity for coverage and create a competition in the marketplace to keep premium costs down and ensure quality care.

I believe we have both an opportunity and an obligation to ensure every child in America is not only covered by insurance but able to access the care they need to grow up healthy, safe and successful.

We can do all of these things, but I have a concern—a major concern. Comprehensive health care reform in my opinion must mean that all 50 states move forward under any legislation passed by Congress and signed by President Obama. In other words—I want a bill in which no state is left behind—and that means Minnesota.

In Minnesota we are doing a lot of things right. And, each and every one of the people testifying today is contributing to making health care in Minnesota successful. We are not perfect and I want to see even greater strides forward here at home, but when compared to many other places across the U.S. we are doing a good job.

In Congress health care reform is dominating the agenda and we are at a crucial time.

Minnesota's successes must not only be acknowledged, they should be rewarded. Instead, the legislation currently proposed has the real potential to actually harm Minnesota's delivery of health care and that is simply unacceptable.

About fifteen years ago while serving here in the Minnesota House of Representatives I worked on the issue of geographic disparities in Medicare reimbursement. The flawed and discriminatory formula that funds Medicare continues to penalize Minnesota tax payers and patients, doctors, hospitals, counties and the entire health care sector which is providing high quality, low cost care.

If the health care reform legislation moving through Congress simply extends the existing out-of-date Medicare reimbursement system into the future—rewarding high cost, low quality states while continuing to penalize Minnesota—then this is not reform.

Even worse, if this flawed Medicare reimbursement formula is extended as the basis of a public insurance option this will not only penalize Minnesota, it will undermine and deteriorate the very success our state has attained in delivering quality, low cost care.

In Congress, I have been outspoken about Minnesota's unfair treatment among the leaders of the Democratic Caucus and Chairmen Waxman, Rangel and Miller who are writing the bill.

I have distributed a letter I sent to Democratic leadership, signed by 19 other Democrats. Let me read from the letter:

''We represent states in which the quality of care exceeds the national average and per-beneficiary fee-for-service Medicare costs are substantially lower than the national average. Our ''low-cost, high quality'' states are setting the national standard for Medicare, yet we are penalized by the current Medicare reimbursement formula. Furthermore, any public insurance option that is based on Medicare's current reimbursement formula would only result in an unacceptable further penalization of our states.''

I was pleased to have Congressmen Walz, Ellison, and Oberstar join me on this letter because we got the attention of the leadership.

The next day I was invited by Speaker Pelosi to a meeting with leadership and the three committee chairman—Chairmen Waxman, Rangel, and Miller and Majority Leader Steny Hoyer to discuss this issue. In the meeting a study of the Medicare reimbursement formula was offered ... and quickly rejected. I made it clear that we don't need to study this problem; it has been studied to death. Now is the time to fix the formula.

I'm committed to working with President Obama and leaders in Congress to pass health care reform that works to make our system meet the needs of all Americans. But this doesn't mean I will allow Minnesota to be left behind or disadvantaged because we are a leader.

Our group of twenty Democrats will again be meeting tomorrow. My message to leadership is clear—I want to pass health care reform but I will not vote for a bill that hurts Minnesota while benefiting other states. That is not reform, but rather a recipe for disaster.

In closing, this is the most important legislation I've worked on in my nine years in Congress.

It must meet Minnesota's needs and if it does not it will be difficult for our delegation to support it.

In my first year in Congress—2001—education reform legislation was passed called ''No Child Left Behind.'' It was championed as a bill that would transform public education—except for one thing—I was sure it was going to hurt Minnesota and set back the reforms we already had in place. I was the only Democrat on the Education Committee to vote against ''No Child Left Behind'' and eventually 8 of the 10 members of the Minnesota delegation voted against it.

I want health care reform but I will not put my constituents and the State of Minnesota at a disadvantage or perpetuate a system that penalizes the excellent health care we deliver in our state.

I feel a sense of urgency as I return to Washington this afternoon. Your testimony today I hope will reinforce the need for reform and the need to ensure Minnesota's best interests are reflected in any legislation that is considered by Congress.

Thank you and I look forward to hearing your testimony.

TESTIMONY FROM BROCK NELSON, REGIONS HOSPITAL, CEO

Thank you Congresswoman McCollum for the opportunity to be here today and share our thought on health care reform legislation currently being debated by the United States House of Representatives.

My name is Brock Nelson. I am the CEO of Regions Hospital in St. Paul. Regions Hospital is part of the HealthPartners family of non-profit health care organizations.

Let me start by stating clearly, We wholeheartedly support President Obama's call for healthcare reform, and agree with his position that ''the status quo is the one option that is not on the table''. We applaud Congress and the White House for their ongoing efforts to obtain universal coverage for all Americans.

Legislation in the House is bold in its effort to obtain universal coverage through expanded subsidies and requirements on both individuals and business to provide coverage. Bold action is necessary if you want to address the problem of 50 million Americans who currently lack health coverage.

Unfortunately, these efforts to provide coverage for all will ultimately fall short unless Congress takes equally bold action to address how we pay for health care in this country. Our system currently rewards volume over value, and poor outcomes over good outcomes. We must change that equation if we want to make health care affordable in this country.

We urge you to insist that reform legislation includes a method that pays for value and quality, rather than the quantity of medical procedures. Currently, Medicare pays the most to less than one-half of the health care markets in a minority of states that generally provide poorer outcomes, safety, and service at higher cost, and much less to most of the country where providers demonstrate generally better outcomes, safety and service at lower cost. We believe that insertion of a measurement of value into the payment system is a critical step to change provider behavior throughout the country and ''bend the cost curve'' in U.S. health spending without compromising health.

Much of the discussion in Washington has focused on a ''public option'' and the development of an ''exchange'' or ''gateway'' to help deliver that option. We are not opposed to these mechanisms and in fact they could provide a benefit for parts of the market. But any new federal mechanism to provide coverage must operate under the same rules and market controls that exist today. A public option, like the current House proposal, that is based off of Medicare payments or an exchange that tilts the rules in favor of the public plan are bad choices and potentially devastating for local, non-profit health care markets like Minnesota.

'Pay for value' is the only tactic that will ''bend the cost curve'' in U.S. health spending, improve the quality of care that our citizens deserve, and create a long and healthy future for both the American people and the American healthcare system.

Congresswoman McCollum, you have been fearless in your efforts to address the geographic inequity in Medicare and these underlying problems in our payment system. Thank you! Please keep fighting and please let us know what we can do to provide help and support in your efforts.

TESTIMONY OF MELISSA WINGER, CHAIR OF FAMILY ADVISORY COUNCIL, CHILDREN'S HOSPITALS AND CLINICS OF MINNESOTA

I am the current Chairperson of the Family Advisory Council at Children's Hospital and have been involved with the Council for 11 years. Through the council I have met many families who have a similar story as mine.

Thirteen years ago my son Devin was born with a complex chromosome disorder: he is missing 45 genes on chromosome number 4 and has an extra 30 genes on chromosome 6.

Devin has 17 medical conditions involving all organ systems. This has required over 40 surgeries and procedures and double that of hospitalizations all at Children's Minneapolis.

He sees over a dozen pediatric specialists who have all been able to treat his unique needs.

All of his care has been coordinated and family centered which is something that Children's value with ALL their families and patients.

We are currently treating a virus in his bone marrow and a deficiency in the immune system and he is getting IVIG infusions. He also had a Brain Aneurysm in his carotid artery repaired and needs to have annual testing involving high tech imaging to make sure the aneurysm continues to be stable. He also receives genetic testing to be able to pinpoint potential problems before he even starts to have symptoms

If Children's could no longer provide this care for him, I am not sure he would survive. The aneurysm could return or his immune system could fail to respond to common infections.

I have my son today because of Children's. Through the outpatient rehab clinics he learned to walk, communicate, and manage table foods so he is no longer fully dependent on his feeding tube. He goes to school and performs in music shows and enjoys every minute of it!

I worry about my son, what if he gets sick? What if his bleeding disorder becomes too much to handle? What if he has difficulty with his respiratory condition? I am instantly reassured that Children's is just a few miles away with everything needed to care for him and make him well again.

There are hundreds if not thousands of families in this state who have depended on the specialty care that Children's provides when their child needed medical attention like my little Devin. Children's has never given up hope for Devin, I have certainly never given up hope and at the end of the day I hope that our lawmakers won't give up on my son.

I may hear one day ''that there is nothing more we can do for Devin,'' as hard as that sounds I will have to somehow accept that. However if that statement starts with ''because of budget cuts there is nothing more we can do for Devin,'' I will never be able to accept that.

I see things as a wall going up between my son and the care he needs at Children's. Everytime there is a Cut to Medicare funding. Everytime a service or prescription is denied. Everytime complex regulation and policy put into place. That wall continues to rise to the point the care my son needs may no longer be available.

My son and I are caught in a never-ending circle. He gets sick, he misses days of school, I am unable to go to work. If we can access the best pediatric effective, high quality, safe care that Children's provides, he can recover return to school and live up to his full potential and I can continue to work without being emotionally and financially ruined.

I know these are tough times and difficult decisions need to be made. But I urge you not to make decisions about health care that will effect the care my son so desperately needs and deserves.

TESTIMONY OF ALAN L. GOLDBLOOM, MD, PRESIDENT AND CHIEF EXECUTIVE OFFICER, CHILDREN'S HOSPITALS AND CLINICS OF MINNESOTA, MINNEAPOLIS/ST. PAUL, MN

I wish to thank Representative McCollum for inviting me to testify on behalf of Children's Hospitals and Clinics of Minnesota. I appreciate the opportunity to give a voice to children in the health care debate.

This is an exciting time in America. We have an unprecedented opportunity to reform the health care system and expand coverage to all. We applaud Congress for working toward this goal, but also want to remind lawmakers that expanding health insurance coverage doesn't automatically guarantee access to quality care. No matter what we do on the coverage side, if we don't also address Medicaid reimbursement levels, many patients will still find it hard to get the care and services they need.

Thus far, much of the debate has focused on Medicare. I will focus more on Medicaid. Medicaid is the single largest insurer of children in the United States. Throughout the country, children, and the children's hospitals that treat them, are particularly vulnerable to the impact of inadequate Medicaid reimbursement. At Children's of Minnesota, we served more than 42 thousand children on Medicaid in 2008.

Children's is the state's largest provider of care to children with cancer, heart disease, severe prematurity, and complex surgical conditions. We pride ourselves on superb outcomes, and are committed to turn no child away, regardless of insurance status.

Medicaid represented 40 percent of our revenue last year. Six years ago it was 30%. For most adult hospitals that number is closer to 10 percent, and often less. Yet Medicaid pays only 80% of our cost. Moreover, while the number of children relying on Medicaid insurance seems to increase each year, we have seen the reimbursement rates erode year by year, usually because of state budget cuts. As the gap between cost and reimbursement increases, our ability to provide necessary care is increasingly threatened.

Much of the health care reform debate has focused on reimbursement rates for Medicare—coverage for our seniors. It is generally 20–30% lower than private plans. The fact is that Medicaid rates are 30% lower than Medicare! Across the country, on average, Medicaid pays about 71% of the cost of care, if you exclude disproportionate share (DSH) payments. If you include those DSH payments it gets up to 77%. If coverage is expanded, but the rates continue to reimburse below the cost of care, then it will be even harder to assure appropriate access to care.

Here in Minnesota, we have an additional problem. The hospitals in our state have justly earned a reputation for providing some of the highest quality and lowest cost care in the nation. Our reimbursement rates are among the lowest in the country. We are therefore extremely concerned about legislative proposals that would apply across-the-board cuts to existing reimbursement rates, without taking into account the value of care already being delivered. The simple message to Minnesota appears to be: ''Thanks for leading the nation in keeping costs down and providing the highest quality care. As a reward for those efforts, we are going to cut your reimbursement even further!''

If health care reform is going to ensure real access to health care for children, Congress needs to address a number of issues.

First, health care reform bills must include provisions to set Medicaid reimbursements at a rate that is at least comparable to Medicare. Ideally, Medicaid should cover the true costs of care. The America's Affordable Health Choice Act of 2009 does propose to increase primary care physician payments under Medicaid to 100% of Medicare by 2012. But that won't be sufficient. To ensure true access to care, Medicaid must reimburse specialists and hospitals at this level as well. For the sickest children, access to specialist care in children's hospitals is essential.

Second, we need to protect Disproportionate Share Hospital payments, which help expand access to care by closing the gap between Medicaid reimbursements and actual costs. If more people are covered, but the reimbursement rates remain significantly below cost, then the need for DSH payments will in fact be even greater.

Finally, health care reform needs to help eliminate disparities, and address the unique health and developmental needs of children including coverage for the Early Periodic Screening, Diagnosis, and Treatment (EPSDT) Program.

The investment in children's health makes a difference that lasts for 70 or 80 years, not only in productive lives, but in avoidance of long term health costs. No other health care expenditure has that kind of return on investment. The needs of children must be front and center in this debate.

Again, thank you for allowing me to speak before you today. I am happy to answer any questions you may have.

HEARING ON ''MAKING SENSE OF IT ALL: AN EXAMINATION OF USPS'S STATION AND BRANCH OPTIMIZATION INITIATIVE AND DELIVERY ROUTE ADJUSTMENTS''

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. KUCINICH. Madam Speaker, I submit the following statement I made in the Subcommittee on the Federal Workforce, Postal Service, and the District of Columbia.

[Subcommittee on Federal Workforce, Postal Service and the District of Columbia, July 30, 2009]

HEARING ON ''MAKING SENSE OF IT ALL: AN EXAMINATION OF USPS'S STATION AND BRANCH OPTIMIZATION INITIATIVE AND DELIVERY ROUTE ADJUSTMENTS.''

(By Rep. Dennis J. Kucinich)

As an ardent supporter of the Post Office, I am deeply concerned about USPS' financial condition and I appreciate the magnitude of the task ahead of the Postal Service to ensure its survival.

As you know, on July 16th, the Postal Service announced that 16 Post Office Branches in the Greater Cleveland Area would be reviewed for possible consolidation. After reading the testimony and the GAO report for this hearing, and after hearing from my constituents, I have several concerns. I am concerned that final decisions regarding each branch under consideration for consolidation will be made without full community participation and input. I am concerned that people in my community and communities across the country will face a significant and unnecessary reduction in access to crucial services. I have concerns about the private sector taking over the services that these facilities provide—because privatization of a public need like postal service rarely goes well. The review process must be done at the local level and must consider the unique demands on each individual facility to ensure that the concerns of the community, customer, postal workers and effects on the local economy are fully considered.

Mr. Small, can you please address those concerns? Specifically, how does the Postal Service ensure community participation in the decision making process? How does it use demographic and socio-economic data in making the recommendation to consolidate or close any postal facility? How do I know that any reduction in facilities will not allow private companies to take over the services that will be lost?

(he will give an answer that will likely not be sufficient to address the concerns)

Mr. Small, I thank you for your answer but I remain very concerned. I have here a letter addressed to you asking specific questions about the postal service's decision-making process. I would like to respectfully ask your cooperation in providing the answers. May I count on your help?

PERSONAL EXPLANATION

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Ms. DELAURO. Madam Speaker, due to the death of a close friend, I missed a series of votes on the FY10 Department of State, Foreign Operations, and Related Programs Appropriations Act and also two suspension bills—H. Con. Res. 127; and H. Con. Res. 131.

Had I been present, I would have voted ''aye'' on the following rollcall numbers: 511; 512; 513; 514; 515; 516; 519; 521; 523; 525. I would have voted ''no'' on rollcall numbers: 517; 518; 520; 522; 524.

CONGRATULATING CONTINENTAL AIRLINES ON ITS 75TH ANNIVERSARY

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. OLSON. Mr. Speaker, I would like to recognize Continental Airlines on their 75th Anniversary. Continental was founded 75 years ago as a mail service by Walter T. Varney and Louis Mueller.

Continental has risen to one of the most respected commercial passenger airlines flying more than 2750 flights daily to more than 260 destinations on five continents.

They have been named for the fifth time, in as many years, as the Best Airline in North America at the OAG Airline of the Year Awards;

In addition, Continental has been rated as the top airline on Fortune magazine's annual industry list of World's Most Admired Companies for six consecutive years.

I would like to congratulate Continental and their employees on their 75th anniversary and look forward to many more years of flying to come.

HONORING THE LIFE OF NEW YORK STATE SENATOR OLGA A. MÉNDEZ

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. RANGEL. Madam Speaker, I rise today to ask my colleagues to take some time out to honor an incredible community leader and important figure on the national stage, Olga A. Méndez.

Méndez, who passed away Wednesday, July 29 after a long battle with breast cancer, was the first Puerto Rican woman elected to state legislature in the mainland United States, serving in the New York State Senate from 1978 to 2004. She was a passionate leader and legislator that fought for not just the people of her beloved East Harlem, but for all people of humble backgrounds. We became good friends working for our constituents and while we may not have seen eye-to-eye on all issues over the years, there was never a doubt that she gave everything she had to public service.

Born in Mayaguez, Puerto Rico in 1925, Olga earned a bachelor's degree at the University of Puerto Rico and eventually earned her a doctorate in education from Yeshiva University after she moved to New York in the 1950s. She soon became involved in community issues and politics, going from being a Democratic convention delegate in 1972 and a deputy commissioner of the Agency for Childhood Development in New York City to the office of the New York State Senate in 1978.

The first Puerto Rican woman elected to state legislature in the mainland United States, Olga was soon on the frontlines of numerous battles to make sure that people were given the resources and opportunities to improve the lives of their families and their communities, no matter where their country of origin or their background. At a time when so few women occupied positions of power on any level, she smashed stereotypes and opened doors so that a new generation of leaders could be more diverse and open-minded.

In her 26 years in Albany, Olga brought in thousands of dollars in state funds to her district. We became good friends, collaborating together to bring not just city and federal aid to East Harlem and the South Bronx, but also private dollars to assist residents, especially families and seniors. As she worked hard to reduce truck emissions and the alarming rates of asthma in urban neighborhoods, she also reached out to developers on initiatives that would create jobs and expand opportunities for local business. Those seeds are continuing to bear fruit, most recently in projects like the East Harlem Automall and East River Plaza, a facility along the river on E. 116 St. that will soon open with tenants Home Depot and Costco. The fact that she was willing to risk her standing late in her political career to switch parties was just another example of her willingness to do anything for her constituents.

Madam Speaker, I will be among many in New York and across the Nation that will miss Olga's passion and straight from the hip commentary. I know that she will be leading the cheers in heaven when we see our native daughter, Judge Sonia Sotomayor, finally confirmed as a Supreme Court Justice. Thankfully, Olga's legacy can be found in her numerous legislative victories, including our state minimum wage, various worker protection laws and in the dozens of education, health and affordable housing projects that she helped fund. And it will certainly be remembered as we see a new cadre of Latinas ascend into our Nation's leadership circles, their achievements built on the foundation of expectations she helped create.

I am submitting a July 30, 2009 tribute editorial from New York's premier Spanish-language newspaper, El Diario/La Prensa which describes Olga's career and importance to our community.

[From *www.eldiariony.com*, July 30, 2009]

A LEGENDARY PIONEER

As New York stands ready to celebrate one of its daughters joining the Supreme Court, it also mourns the loss of one of its most fearless leaders.

Yesterday, former New York State Senator Olga Méndez died at the age of 84 after a long battle with cancer. Méndez represented El Barrio and sections of the South Bronx in the Senate until 2004, after serving for 13 consecutive terms.

Born in Mayaguez, Puerto Rico, Méndez understood well the challenges Judge Sonia Sotomayor has faced and will continue to face as a Hispanic woman. The judge withstood grilling from white, male conservatives and she will become one of only two female justices on the Court.

In 1978, Méndez made history as the first Puerto Rican woman elected to a state legislative office in the United States. Her victory in representing Puerto Ricans and a district the state neglected should have landed the wide respect of her colleagues. Instead, Méndez, one of only a few women then in the state senate, found herself wrestling with the boys' club politics of New York.

Méndez was brash, bold and aggressive because she had to be. She cut her teeth in the Senate and became a battle-ready politician. And she balanced what few politicians were able to do well—an on-the-ground constituency services with the ability to achieve critical legislative negotiations. This, in a Senate that was controlled by Republicans during the entire 26 years she served.

Despite all of the disadvantages, Méndez successfully fought for an increase in the state's minimum wage, ushered in legislation that provided basic rights to migrant farm workers, and secured funding for senior citizen centers. She also fought for resources for early childhood development and gained bipartisan support for affordable housing and economic development initiatives in her district.

Méndez provoked many criticisms, some valid. She opposed abortion rights and was accused of making homophobic statements about a political opponent. Controversies like her party switch contributed to her eventual political demise.

In 2002, she registered as a Republican in a bid to bring resources to her district, a maneuver that today seems to be acceptable depending on who is making the move. Méndez complained that Democrats were taking Latinos for granted and saw herself as handling the business of her district.

For her faults, the legendary senator, who was widowed early and had no children, sacrificed a family life for the political commitment she made. She used her rich background in education, her political experience, and above all, her passion for her community to help many people.

Méndez never minced her words. Anyone who came into contact with her was left with a lasting impression. But it would be a mistake to remember Méndez as simply a colorful personality instead of who she truly was—a fierce politician who did not back away from a bare-knuckled fight.

HONORING THE DEATH OF MATTHEW GLOMB, A RESIDENT OF GREATER PRINCE WILLIAM, VA

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to recognize the lifelong commitment to public service of Matthew Glomb, a devoted father and husband, a loyal friend to his colleagues, and an admired member of greater Prince William, VA.

Mr. Glomb pursued a career in the U.S. Coast Guard's Corps of the Judge Advocate General, serving at one point as a Military Judge. Following his tenure with the Coast Guard, Mr. Glomb continued his service to our Nation in the Aviation-Admiralty Office of the U.S. Department of Justice, where he specialized in maritime law.

Tragically, Mr. Glomb was fatally struck by lightning on Monday, July 27, 2009, at the age of 49. He was jogging along the beach of Southern Shores, NC, in the Outer Banks while vacationing with his son at their family beach house. He died instantly, leaving behind his wife and two children.

Mr. Glomb is remembered by those closest to him as a man of deep faith who immediately cared about everyone he met, and he will forever be revered as having an unparalleled sense of humor, and an unwavering commitment to serving others.

Madam Speaker, I ask my colleagues to join me in recognizing the accomplishments of this dedicated public servant and in expressing our condolences to the entire Glomb family.

PERSONAL EXPLANATION

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. DAVIS of Illinois. Madam Speaker, I was unable to cast votes on the following legislative measures on July 27, 2009. If I were present for rollcall votes, I would have voted yea on each of the following:

Roll 647, July 27, 2009: On Motion to Suspend the Rules and Agree, as Amended: H. Res. 593, Recognizing and celebrating the 50th Anniversary of the entry of Hawaii into the Union as the 50th State

Roll 648, July 27, 2009: On Motion to Suspend the Rules and Pass, as Amended: H.R. 1376, Waco Mammoth National Monument Establishment Act of 2009

Roll 649, July 27, 2009: On Motion to Suspend the Rules and Pass, as Amended: H.R. 1121, Blue Ridge Parkway and Town of Blowing Rock Land Exchange Act of 2009

EARMARK DECLARATION

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. TIAHRT. Madam Speaker, in accordance with the February 2008 New Republican Earmark Standards Guidance, I submit the following in regards to H.R. 3293, the Fiscal Year 2010 Labor, Health and Human Services, and Education Appropriations Act:

Department of Education (DOE)—Arkansas City Public Schools

H.R. 3293, the Fiscal Year 2010 Labor, Health and Human Services, and Education Appropriations Act contains $250,000 for Arkansas City Public Schools, Arkansas City, KS, for technology upgrades, professional development, and development training/technical assistance in the Fund for the Improvement of Education (FIE) Account. The entity to receive funding for this project is Arkansas City Schools, Unified School District 470, at 2545 Greenway, Arkansas City, KS 67005.

This funding will allow for the purchase of additional technology to be used by both students and teachers, provide for professional development and teacher training in the use of this technology, and technical assistance.

No matching funds are required for this Department of Education project.

Department of Education (DOE)—Augusta Public Schools

H.R. 3293, the Fiscal Year 2010 Labor, Health and Human Services, and Education Appropriations Act contains $250,000 for USD 402, Augusta, KS Public Schools for technology upgrades in the Fund for the Improvement of Education (FIE) Account. The entity to receive funding for this project is USD 402, Augusta Public Schools, 2345 Greyhound Drive, Augusta, KS 67010.

This funding will allow for the purchase of additional technology to be used in classrooms across the district.

No matching funds are required for this Department of Education project.

Department of Education (DOE)—Independence Public Schools

H.R. 3293, the Fiscal Year 2010 Labor, Health and Human Services, and Education Appropriations Act contains $250,000 for Independence Public Schools, Independence, KS, for technology upgrades and teacher training in the Fund for the Improvement of Education (FIE) Account. The entity to receive funding for this project is Independence Unified School District 446, at P.O. Drawer 487, 517 N 101h, Independence, KS 67301.

This funding will allow for the purchase of technology to be used in math and science curriculum across the district, and provide for teacher training in the use of the technology.

No matching funds are required for this Department of Education project.

Department of Education (DOE)—Newton Public Schools

H.R. 3293, the Fiscal Year 2010 Labor, Health and Human Services, and Education Appropriations Act contains $250,000 for USD 373, Newton, KS, Public Schools for technology upgrades in the Fund for the Improvement of Education (FIE) Account. The entity to receive funding for this project is USD 373, Newton, Kansas Public Schools, at 308 East 1st Street, Newton, KS 67114.

This funding will allow for the purchase of technology to be used in the district's Distance Learning Lab, and high school library.

No matching funds are required for this Department of Education project.

Department of Education (DOE)—Wellington Public Schools

H.R. 3293, the Fiscal Year 2010 Labor, Health and Human Services, and Education Appropriations Act contains $250,000 for USD 353, Wellington, KS Public Schools for technology upgrades and teacher training in the Improvement of Education (FIE) Account. The entity to receive funding for this project is USD 353 Wellington, at 221 S. Washington, Wellington, KS 67152.

This funding will allow for the purchase of in-classroom technology and teacher training and technical assistance in the use of that technology.

No matching funds are required for this Department of Education project.

Department of Education (DOE)—Butler County Public Schools

H.R. 3293, the Fiscal Year 2010 Labor, Health and Human Services, and Education Appropriations Act contains $250,000 for USD 490, Butler County, KS, for technology upgrades and teacher training at the El Dorado, KS school system in the Improvement of Education (FIE) Account. The entity to receive funding for this project is USD 490, Butler County, KS, at 124 West Central, El Dorado, KS 67042.

This funding will allow for the purchase of technology to be used in conjunction with the establishment of a student technology program at the district middle school, and related teacher training.

No matching funds are required for this Department of Education project.

Department of Education (DOE)—Butler Community College

H.R. 3293, the Fiscal Year 2010 Labor, Health and Human Services, and Education Appropriations Act contains $500,000 for Butler Community College, El Dorado, KS, for the purchase of equipment in the Higher Education account. The entity to receive funding for this project is Butler Community College, 901 South Haverhill Road, El Dorado, KS 67042.

This funding will allow for the purchase of equipment to facilitate training necessary to model, render and interact with 3–D objects in the fields of architecture, bio-medicine, engineering, manufacturing, and unmanned aircraft systems.

No matching funds are required for this Department of Education project.

Department of Education (DOE)—Coffeyville Community College

H.R. 3293, the Fiscal Year 2010 Labor, Health and Human Services, and Education Appropriations Act contains $500,000 for Coffeyville Community College, Coffeyville, KS, for their Native American Center, including the purchase of equipment, in the Higher Education account. The entity to receive funding for this project is Coffeyville Community College, 400 West 11th, Coffeyville, KS 67337.

This funding will provide for equipment and technology, travel and operating expenses necessary to plan, establish, train educators, recruit students, and fundraise for the Native American Center and scholarship program.

No matching funds are required for this Department of Education project.

Department of Health and Human Services (HHS)—University of Kansas Medical School—Wichita

H.R. 3293, the Fiscal Year 2010 Labor, Health and Human Services, and Education Appropriations Act contains $500,000 for the University of Kansas School of Medicine, Wichita (KUSM–Wichita) for development of the Clinical Skills Simulation Laboratory, including curriculum development and purchase of equipment, in the Health Resources and Services Administration—Health Facilities and Services account. The entity to receive funding for this project is KUSM–Wichita, 1010 North Kansas, Wichita, KS 67214.

No matching funds are required for this Department of Health and Human Services project.

Department of Health and Human Services (HHS)—World Impact Good Samaritan Clinic

H.R. 3293, the Fiscal Year 2010 Labor, Health and Human Services, and Education Appropriations Act contains $1,000,000 for the World Impact Good Samaritan Clinic in Wichita, KS, for facilities and equipment, in the Health Resources and Services Administration—Health Facilities and Services account. The entity to receive funding for this project is World Impact's Good Samaritan Clinic at 3701 E. 13th Street, Wichita, KS 67208.

The funding would be used to expand and renovate its facilities to address the dramatic growth in medical and dental needs of the impoverished.

No matching funds are required for this Department of Health and Human Services project.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

SPEECH OF

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 24, 2009

The House in Committee of the Whole House on the State of the Union had under consideration of the bill (H.R. 3293), making appropriations for the Departments of Labor, Health and Human Service, and Education, and related agencies for the fiscal year ending September 30, 2010, and for other purposes:

Mr. ETHERIDGE. Mr. Chair, I rise today in support of H.R. 3293, the Fiscal Year 2010 Labor, Health and Human Services, and Education Appropriations Bill. This legislation provides a total of $730.5 billion, including $163.4 billion in discretionary funds, for the Departments of Labor, Health and Human Services, and Education. In the current economic crisis, this bill makes vital investments to improve job training, shore up our Nation's health and social safety nets, and provide the educational opportunities that are critical to the nation's longer-term prosperity.

With health care reform looming in Congress, H.R. 3293 is a step in the right direction to provide a health care safety net to nearly 50 million people with no insurance and another 16 million who are underinsured. This bill includes $603.5 billion for the Department of Health and Human Services, including funding for Medicare and Medicaid. H.R. 3293 provides $73.7 billion in discretionary funds, including $2.2 billion for community health centers, $2.3 billion for AIDS initiatives, $6.7 billion for the Centers for Disease Control and Prevention, and $31.3 billion for critical research at the National Institutes of Health.

During this economic downturn, H.R. 3293 makes important investments to help Americans get back to work. This bill provides almost $16 billion for the Department of Labor, including $100 million for low-income youth education and job training, $1.4 billion for Dislocated Worker Employment and Training Activities, and $265 million in veterans' job training. In addition, the bill provides $135 million for the Career Pathways Innovation Fund to provide new competitive grants for community colleges and local adult education providers for initiatives that prepare workers for careers in high demand and emerging industries.

I am particularly pleased that this bill makes significant investments in the Department of Education. As the only former state schools chief serving in Congress, I understand the devastating impact education cuts have had on our Nation's school systems. This bill includes $14.5 billion in Title I grants to local districts, $1.4 billion in Innovation and Improvement, $12.6 billion for special education, and $19.7 billion for student financial assistance including Pell Grants.

As the representative of Fort Bragg, however, I am concerned that this bill again underfunds Federal Impact Aid, which helps support the education needs of federally-connected students. The bill provides $1.3 billion, which is less than two-thirds of the full funding needs for Impact Aid. As Fort Bragg expands through the BRAC process, military children represent a significant burden to communities in Cumberland, Harnett, Lee, and Sampson Counties, and current funding is insufficient. Impact Aid allows school districts to use funds for either operating expenses or capital expenditures, yet by the Department of Education's own admission these funds are barely enough to support current expenditures for educating federally connected students. I hope that this flaw in an otherwise excellent bill will be improved in conference.

Mr. Chair, H.R. 3293 is fiscally responsible and represents the priorities of the American people. I urge my colleagues to join me in supporting this legislation.

IN APPRECIATION OF JOHN CARVER'S LIFETIME OF SERVICE

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Ms. SPEIER. Madam Speaker, mention John Carver's name on the San Francisco Peninsula and, odds are, you will be met with a smile. The long-time resident, business executive and philanthropist has helped more people than even he is aware and has shaped his community through his generosity, his leadership and his time.

John was born in Oakland and moved to the Peninsula with his family as a boy. After graduating from Stanford University, he married the love of his life, Susan Haigh Carver. Together, they raised three children, Thomas, Amy and Jonathan and have since been blessed with seven grandchildren: Jessica, Matthew, Christian, Ian, Caleb, Danika and Liam. This year, John and Susan will celebrate fifty years of marriage.

To know John Carver is to be in awe of him. His sense of humor is legendary and, while I did not know him as a young man, seeing John at 75 makes me only wonder what energy and passion he must have exhibited in his twenties and thirties.

John worked in retail most of his professional career, serving stints at Macy's, JC Penney and Bullock's. But John's home and heart was with the Gap, helping build the locally-based retailer into the global powerhouse it is today. For more than 25 years, John served in a variety of positions and it is through his work at the Gap that so many came to know his generosity, good-nature and phenomenal leadership abilities.

Madam Speaker, I have come to know John well in recent years, being privileged to serve with him on the board of the Philanthropic Ventures Foundation, an organization that is responsible for pumping more than $70 million into worthy causes and non-profits around the Bay Area. But John's community involvement hardly stops there. He has also given his time, resources and knowledge to organizations as diverse as the Thacher School, Mills-Peninsula Hospital Foundation, Family Service Agency of San Mateo County, Hillsborough Beautification Foundation, SF Jobs for Youth, Coyote Point Museum, American Cancer Society, and A Better Chance.

John's greatest impact, however, might very well be the thoughtful and patient mentoring

he has provided for dozens of Bay Area men and women. Whether it is career advice, help in making an important decision, or just sharing the wisdom of a man who has done it all, John is eager to help and always more than generous with his time.

Madam Speaker, I am privileged to call John Carver my friend and fortunate to represent him in the United States Congress. My only wish is that our earth was blessed with more John Carvers.

HONORING MARTHA DODD BUONANNO'S LIFE

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Ms. PELOSI. Madam Speaker, I rise today to pay tribute to a beloved friend of mine and many in this body, Martha Dodd Buonanno.

Martha Buonanno would best like to be remembered as a mother, grandmother, and wife. She died after a brief illness on July 6, 2009. Her five children, Helena, Bernard, Carolyn, Jody, and Margaret, and 17 grandchildren surrounded their father Bernard Buonanno crying and laughing as they celebrated the life of this remarkable woman.

Her love of family and children led her to volunteer for many worthy organizations in Rhode Island. She was a mentor in Providence public schools with the VIPS program; she served on the boards of the Providence Preservation Society and the RI Association of the Blind. She was proud to chair the research center at the University of Connecticut that had been named in honor of her father: Thomas J. Dodd.

Martha and I became friends more than 50 years ago at Trinity College in Washington, DC. We shared in common that we both came from political families—in fact, when we first met, both of our fathers were running for Senate.

But our friendship grew over many years because we had so much more in common: Martha loved to travel, she loved to laugh, and always, Martha loved Democratic politics. In fact, Martha volunteered on every single one of her brother, Senator CHRISTOPHER DODD's, campaigns. She adored all her siblings: CHRIS, Tom, Carolyn, Jeremy, Nick.

Martha Dodd Buonanno had a strong connection to this House, where her father and her brother served. She lived and raised her family in Providence and was admired by our colleagues PATRICK KENNEDY and JIM LANGEVIN, and Senators JACK REED and SHELDON WHITEHOUSE. Her roots were in Connecticut and Congresswoman ROSA DELAURO and Congressmen JOHN LARSON, JOE COURTNEY, and CHRIS MURPHY join me in expressing condolences to the Buonanno and Dodd families.

It is a fitting tribute to Martha's life that more than 3,000 people attended her wake, lining the streets for more than seven hours. Her funeral mass was moved from her parish to another simply to be able to accommodate everyone. Those who came to pay their last respects to Martha included Vice President BIDEN, United States Senators, and a Governor; but Martha would have been equally proud to know that children that she tutored, neighbors from her block, and friends from growing up joined that day. As I know well, when Martha made a friend, she stayed friends with them forever.

Although Martha was always a sparkling personality, she became even more so when she met Bernie. Their love, and their children and grandchildren, are her lasting legacy.

I hope it is a consolation to her family that all of her classmates at Trinity College loved her for more than 50 years, and will miss her.

I am honored to place in the RECORD the extraordinary eulogy of her beloved brother, Senator CHRIS DODD, which captures her spirit and honors her life.

A TRIBUTE TO MY FABULOUS SISTER MARTHA

(By Christopher J. Dodd)

Before sharing some brief comments about my sister Martha, I want to observe that anything I say will only pale in comparison to the incredible comments of Martha and Bernie's children, and the outpouring of love and friendship that over 3,000 people shared for over 7 hours at last evening's wake.

It was obviously a great tribute to Martha—but it is also a great tribute to all who waited for hours to say good by to this bright, shining lady.

Now, let me begin with the obvious: My sister Martha is one fabulous gal!

And so we gather today to celebrate the life of a spectacular wife, a devoted mother, an over-the-top grandmother, a trusted fiend, a tireless community activist, a political confidant, an amazing spark plug of a woman, and the best sister a sibling could ever hope to have.

When most people lose loved ones, they instinctively wish they could have had just a little more time with them. The Dodds and the Buonannos were lucky enough to be with Martha constantly in the last days of her life.

And those last days were beautiful. Even as I say these words, they sound so inherently contradictory.

Yet for a little more than a week, my sister insisted on spending time alone with each of her five children and their spouses, each of her 17 grandchildren, each of her five siblings, as many of her close friends as were available, and, of course, Bernie.

How many of us have lost someone without ever having a chance to say goodbye, or the chance to tell them how much they meant to us?

Martha left us with remarkable dignity, grace, and courage. She had the incredible gift of deep, deep faith. She was truly at peace.

And even though Martha has left us, we remain brightly lit by the incandescent life she led. Frankly, as sad as we are today, it's hard not to be overwhelmed with joy and love when we think about a life filled with such vitality and vigor, curiosity and compassion.

Martha was a few years older than me. At least, that was the case until about twenty years ago. I was always the younger brother until one night at the Dunes Club in Narragansett, when she introduced me as her older, white-haired brother.

But, for most of our lives, she made for one heck of a big sister.

I learned early how special my sister Martha was.

One summer afternoon, decades ago, we were about to head off for a family vacation. Our bags were packed, the station wagon was full, and all of us were itching to get out of town—but Martha's 8th-grade championship softball game was running late. So we all waited together and watched.

In the bottom of the ninth, with the bases loaded and her team behind, my sister Martha hit a grand slam home run to win the game and the championship.

As I sat next to her on that car trip for our family vacation, I was filled with the kind of awe you only feel when you're a fourth-grader with the requisite dreams of being a sports hero and you've just watched your twelve-year-old sister win the big game.

Every time I drive by that softball field in West Hartford, Connecticut, I can't help but think back to the day I officially, and forever after was dazzled by my big sister.

Nothing Martha ever did was shy or tentative. When she was just a toddler, during World War II, she once devoured our entire family's monthly ration of butter. And when our father wrote home from Nuremberg, Germany, in 1945, he always made sure to ask how ''Miss Butter'' was doing.

Over the years, Martha never lost her love of a good meal, but the most important part of any meal, any occasion for that matter, was always the company with which she enjoyed it.

If Martha were your dinner partner, you never had a better or more enjoyable time in your life. She was that much fun.

Like most people with a vibrant spirit and a contagious personality, she made a lot of friends in her life.

If you asked her, she'd tell you that our sister Carolyn was her best friend in the world. Martha had a lot of great friends, because when she made friends, she kept them forever.

I.want to acknowledge the presence of several of my Senate colleagues who were with us last evening and today.

Speaker Nancy Pelosi is here with us today. She and Martha became friends in college, and have been close ever since.

I have never known two people who were better friends to their friends than my sister Martha and her friend Nancy D'Alesandro Pelosi.

I want to also thank my good friend, and a Martha Dodd Buonanno fan, Vice President, Joe Biden, for making the effort to be with us yesterday.

Here also with us today are friends from high school, friends from college, friends she made during her 45 years in Rhode Island, and friends she accumulated at every stop along the way.

Martha was fiercely loyal and compulsively competitive.

She was a natural politico. She was involved and present in every part of every campaign I ever ran for Congress or the United States Senate. She was my unflinching advocate, my unyielding supporter.

And when I ran for President—a very brief run, you may recall—she showed up all over South Carolina, Iowa, and New Hampshire—and anywhere else there was a debate or forum or town hall meeting.

No matter where we were, she put the hard sell on anyone she encountered.

Even as her health was failing last week, she promised me that she would tear into any opponents I might have from wherever she was.

And in light of my present political circumstances, I told her there'd be no lack of opportunity to use her talents.

However, along with Martha's loyalty came the requirement that you stay true to yourself. So, she had no problem calling me anytime to tell me in no uncertain terms when I was screwing up.

Once, she called me and practically jumped through the phone. ''Why did you vote with Jesse Helms?'' she asked.

I asked her, ''Well, what issue are you talking about?''

''I don't care WHAT the issue is! I just can't believe you voted with Jesse Helms!''

It is important to point out that Martha could be non partisan in her outrage. She had a similar outburst once when I voted with my friend Bella Abzug!

When she was in her last days in the hospital in Boston, I received a very kind phone call from President Barack Obama, who was concerned about her failing health and wanted me to pass along his and the First Lady's thoughts and prayers.

After the call, I walked back into Martha's hospital room, and said in the presence of her family that I had just received a very important phone call—but I didn't want to be a name-dropper.

Martha opened one of her blue eyes, and said in a voice we could all appreciate, ''Oh, go right ahead and drop the name.''

When I told her who had called, and what the message was, she opened the other blue eye, laughed, and said, ''You know, you shoulda beaten that guy.''

I told President Obama that story when he called from Italy on Tuesday to express his condolences. The President roared with laughter at Martha's reaction.

Martha and Bernie have been such a magical couple—which, of course, doesn't mean they always had the same tastes. Which may have had something to do with the magic.

Martha, as you all know, loved to travel, which you'd expect of someone with such an adventurous spirit.

Her favorite spot was the Dominican Republic, but there wasn't anywhere in the world she wouldn't explore.

For Bernie, on the other hand, as Martha loved to say, ''foreign travel'' meant going from Providence to Westerly. And a trip to see the Red Sox, the Celtics, or the Patriots was a voyage on par with space travel.

So, as all of you know, Martha would travel on occasion by herself—to India, to Ireland, to Mexico and Europe.

On one occasion, she became fascinated with the Lewis and Clark expedition, and decided to follow their trail west—with a group of complete strangers. Or, at least, they were complete strangers when they started out.

It didn't take long for them to become lifelong friends, one of whom is here with us today.

Even with all the energy she devoted to campaigning and to the many, many efforts she made in this community, Martha would always say, ''My sole ambition is my family.''

In one of those wonderful, quiet moments last week, when she knew the end was near, she said to me, ''My ambition has always been my family, and I have fulfilled every ambition.''

Martha and Bernie have been remarkable parents, and the proof exists in their children. They are all frighteningly bright. They are all remarkably successful. They are all unbelievably well-balanced. And those were their mother's descriptions when she was being modest.

Now, children can be gifted intellectually and athletically just by winning the genetic lottery—but when children grow up with decency, kindness, and humanity, you know that's a direct result of great parenting.

These five young men and women are the mirror reflection of their parents. And nothing, absolutely nothing, gave my sister Martha greater satisfaction than their goodness.

Together, these five children are raising 17 terrific children of their own.

When our parents passed away, Martha was the magnet that kept us all in the same orbit. As we all know, once our parents have passed, it can be hard to get the family together.

That didn't happen with us, because we all knew that if there was a holiday, there was going to be a get-together at Martha's house.

There was going to be good food, and a lot of it.

And there was going to be a lot of laughter, raucous debate, conversation, and the sheer joy of each other's company.

Her favorite holidays, by far, were Christmas Eve, the Fourth of July, and Thanksgiving.

In fact, she never let anything get in the way of bringing her family, including her siblings, closer together—not even the law.

Now, what I'm about to tell you could never happen in my State of Connecticut. Martha once started building a structure on their property in Narragansett which, as far as the local zoning commission knew, was a tool shed.

She managed to avoid suspicion, even when the tool shed started to get way too big to be plausibly intended for just tools.

Martha got even more brazen with time, as the tool shed acquired extra rooms.

And, really, the jig should have been up when she added plumbing to that tool shed.

But Martha was nothing if not bold, and she got away with building that guest house for our sister Carolyn to stay in when she'd come and visit. Once it was clear that the zoning commission was not about to mess with Martha Dodd Buonanno, she even put up a sign calling it ''Aunt Kitty's Cottage.''

Martha was so proud of our brother Tom's years at Georgetown, and his time as our ambassador in Costa Rica and Uruguay.

She never ceased in her amazement of her best friend, my sister Carolyn's achievements reviving American Montessori, and her forty years of teaching.

The photos chronicling the growth of her wonderful family, taken by our brother Jeremy, which hang in their home, reflect Martha's respect, admiration, and love of her brother.

And the tales, travels, and exploits of our brother Nick kept her, in Martha's words, laughing and breathless for years.

I already miss my charismatic, funny, lively, beautiful sister.

But she touched so many people so deeply that I don't think she'll ever really be gone. I'm going to see her in the faces of her children and grandchildren.

I'm going to hear her voice whenever I'm on the campaign trail or casting a vote in the Senate—particularly when she would disagree with me.

And I'm going to feel her presence every time we celebrate a holiday, every time we share a meal, every time I drive by that softball field in West Hartford and remember just how incredible it was to grow up with Martha.

Since moments like this never give you a chance to express all of your emotions, let me just say, on behalf of all of us, thank you, Martha, for everything.

All of us love you, all of us miss you, and all of us were so lucky to be touched by your generous spirit.

FISCAL SOLVENCY OF CERTAIN TRUST FUNDS

SPEECH OF

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2009

Mrs. BACHMANN. Mr. Speaker, I rise in support of H.R. 3357, however I do so with great hesitation.

This legislation infuses the Highway Trust Fund with $7 billion from the Treasury in order to prevent a shortfall that will impact the fund in only a few short weeks. The Highway Trust Fund, which is financed by the gas tax, is facing insolvency, again. For months it has brought in less revenue than previously expected as families have felt the pinch at the pump and were forced to conserve more than ever before.

Important transportation projects across Minnesota would be seriously jeopardized or delayed should this fund go bankrupt. That is simply not something we can allow. And that is why I must vote for this legislation.

You will recall that we faced this very same Hobson's choice last year. Transferring funds from general revenue to cover the HTF shortfall must not become a precedent and Congress must set itself seriously to the task of reforming the way it pays for infrastructure improvements.

Furthermore, this is a stark reminder of the dramatic ripple effect our dependence on foreign oil continues to have throughout our nation. Our failure to aggressively pursue energy independence hurts all aspects of our economy. We must implement an ''all of the above'' energy strategy and increase our domestic supply of energy resources now so that we do not continue to band-aid this transportation crisis time and again.

Perhaps most disappointing in this specific instance is that the majority also loaded up this legislation with a hodgepodge of entirely unrelated spending, increasing spending levels for three other government programs facing shortfalls. It increased the Federal Housing Administration's capital fund to $400 billion, from $315 billion, thereby increasing the fund's statutory floor. It increased Ginnie Mae's guarantee of mortgage-backed securities by $100 billion, from $300 billion to $400 billion. And, finally, it authorized ''such sums as necessary'' to shore up the Federal Unemployment Account which may encounter a shortfall due to rising claims for unemployment benefits.

Talk about a blank check. In one fell swoop, and after only 40 minutes of debate on the House floor, this bill spends billions upon billions of dollars. Members barely had a chance to know what was being voted on as the text of the legislation was not even available until the very last minute.

We must restore the integrity of this House and stop shoving legislation through that Members have not even had a chance to read and fully digest. I hope that the Majority will work with the Minority in the future to ensure more time and transparency is allotted throughout the legislative process.

And, I hope that we will have an opportunity to address the long-term flaws in each of these programs so that taxpayers are properly protected from these emergency shortfalls.

Thank you, Mr. Speaker, and I yield back the balance of my time.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Ms. MCCOLLUM. Madam Speaker, I rise today in support of the Fiscal Year 2010 Energy and Water Development and Related Agencies Appropriations Act (H.R. 3183). This Appropriations Act makes important investments to move America toward a clean energy economy. I thank Chairman OBEY, the House leadership, and my colleagues on the House Appropriations Committee for their hard work on this legislation.

A transition to clean, renewable sources of energy is critical for America's national security, economic prosperity, and environmental stewardship. One of the most effective strategies for reducing America's dependence on foreign oil and polluting fossil fuels is to decrease our energy consumption. This bill invests $2.25 billion in Energy Efficiency and

Renewable Energy programs at the Department of Energy, a 14 percent increase over fiscal year 2009. This funding will enhance the development of next-generation vehicle technologies, support research on conservation technologies for buildings and industry, and help struggling families save money and energy through the weatherization assistance program.

Improvements in energy efficiency must be coupled with the development of new, 21st century energy technologies. This bill invests $4.9 billion for the Office of Science—funds that will support development of new energy technologies to modernize America's economy and reduce our dependence on fossil fuels. As we develop these new energy technologies, our country must have a modern energy grid equipped to transport clean energy across the country. This bill provides $208 million—52 percent over 2009—for modernization of our energy grid. This will allow wind energy produced in my state of Minnesota to be transported to areas across the country that have high energy demand but fewer or less accessible renewable energy resources.

While this bill is very strong overall, I have concerns that it could do more to move our country toward a permanent storage solution for our accumulating nuclear waste. After spending 20 years and billions of dollars on Yucca Mountain, the federal government is about to suspend this project and start over. Finding a long-term solution to America's nuclear waste storage problem is the federal government's responsibility, and I urge this Congress and this Administration to make this issue a priority.

The Energy and Water Development and Related Agencies Appropriations Act of 2010 is a significant step toward a clean, secure energy future for America. I urge my colleagues to support passage of this bill.

EARMARK DECLARATION

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. BILBRAY. Madam Speaker, I submit the following.

Requesting Member: Congressman BRIAN BILBRAY

Bill Number: H.R. 3288—Department of Transportation, and Housing and Urban Development and Related Agencies Appropriations Act, 2010

Account: Department of Transportation, Federal Highway Administration, Interstate Maintenance Discretionary

Legal Name of Requesting Entity: City of San Diego, CA

Address of Requesting Entity: 202 C Street, San Diego, CA 92101

Description of Request: I secured $1,000,000 to fund initial construction work for an interstate highway interchange improvement project of regional and national significance, which will widen I–5 and connect it with S.R. 56 in San Diego, significantly improving mobility of goods and people. The I–5 corridor is the primary north-south link between Southern California—San Diego, Los Angeles, Orange County—and Mexico, and S.R. 56 is one of the few east-west freeways serving the San Diego region. The vicinity of the interchange project experiences extensive, recurrent traffic congestion, with average daily counts of 261,000 vehicles (including 10,000 trucks), projected to reach 430,000 vehicles daily within 20 years. Environmental and design work for the project is complete, and additional construction funding is programmed in current Regional and State Transportation Improvement Plans for future federal, state, and local highway funding allocations. Local and State sources will finance at least 20 percent of the total project cost. The project addresses the authorized purposes of the Department of Transportation Interstate Maintenance account, which includes funding for the addition of new interchanges.

WASHINGTON ARMY AND AIR NATIONAL GUARD

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. REICHERT. Madam Speaker, today I rise in honor of the members of the Washington National Guard, including the 81st Brigade Combat Team that began returning from serving in Iraq on July 29, and thank them for their tireless and brave service in defense of our nation.

Coming from all communities, backgrounds and professions of Washington State, members of the Army and Air National Guard of Washington continuously serve this country at home and abroad. The 81st, headquartered in Seattle, mobilized on August 18, 2008 and is composed of 2,478 citizen-soldiers from Washington, helped by an additional 843 soldiers from the California Army National Guard, eighty soldiers from the Texas Army National Guard and twelve soldiers from the Montana Army National Guard. While deployed, the 81st served as convoy security, force protection, and conducted provincial reconstruction and base operations missions. Previously, the 81st served in Iraq from March, 2004 to March, 2005.

As the 81st continues its journey home over the next few weeks, I pray for their safety and their transition back to civilian life. The service all the men and women of the Washington Army and Air National Guard provide abroad and at home engenders hope, faith and security in the people of Washington. Therefore, as a representative of the 8th District of Washington and along with the rest of the Washington congressional delegation, I applaud and honor the sacrifice and service of the Washington Army and Air National Guard and wish them Godspeed on their journey back home.

EARMARK DECLARATION

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. POSEY. Madam Speaker, pursuant to the Republican Leadership standards on earmarks as well as in accordance with Clause 9 of Rule XXI, I am submitting the following information regarding earmarks for my Congressional District as a part of H.R. 3326 Department of Defense Appropriations Act, 2010.

Requesting Member: Congressman BILL POSEY and Congresswoman CORRINE BROWN

Project Funding Amount: $3,000,000

Bill Number: H.R. 3326, Department of Defense Appropriations Act, 2010

Account: OM,A

Legal Name of Requesting Entity: Florida Manufacturing Extension Partnership.

Address of Requesting Entity: Florida Manufacturing Extension Partnership located at 1180 Celebration Boulevard, Celebration, Florida 34747.

Description of Request: The funding will be used by the Florida Manufacturing Extension Partnership for the Defense Job Creation and Supply Chain Initiative. This project will create or retain defense manufacturing jobs in Florida while providing Department of Defense response capability to demand surges and reduced risk of supply-chain disruptions.

Consistent with Republican Leadership's policy on earmarks, I hereby certify that to the best of my knowledge this request (1) is not directed to any entity or program that will be named after a sitting Member of Congress; (2) is not intended to be used by an entity to secure funds for entities unless the use of the funding is consistent with the specified purpose of the earmark; and (3) meets or exceeds all statutory requirements for matching funds where applicable.

Requesting Member: Congressman BILL POSEY

Project Funding Amount: $935,000

Bill Number: H.R. 3326, Department of Defense Appropriations Act, 2010

Account: OM,A

Legal Name of Requesting Entity: Florida Institute of Technology

Address of Requesting Entity: Florida Institute of Technology, located at 150 West University Boulevard, Melbourne, Florida 32901.

Description of Request: The funding will be used to provide new, upgraded training space for Army and Army National Guard Reserve Officers Training Cadet Corps.

Consistent with Republican Leadership's policy on earmarks, I hereby certify that to the best of my knowledge this request (1) is not directed to any entity or program that will be named after a sitting Member of Congress; (2) is not intended to be used by an entity to secure funds for entities unless the use of the funding is consistent with the specified purpose of the earmark; and (3) meets or exceeds all statutory requirements for matching funds where applicable.

Requesting Member: Congressman BILL POSEY

Project Funding Amount: $4,000,000

Bill Number: H.R. 3326, Department of Defense Appropriations Act, 2010

Account: RDTE,DW

Legal Name of Requesting Entity: Soneticom, Inc.

Address of Requesting Entity: Soneticom, Inc., located at 1045 South John Rodes Boulevard, West Melbourne, Florida 32904

Description of Request: The funding will be used to enhance currently installed systems for continued operations.

Consistent with Republican Leadership's policy on earmarks, I hereby certify that to the best of my knowledge this request (1) is not directed to any entity or program that will be named after a sitting Member of Congress; (2)

is not intended to be used by an entity to secure funds for entities unless the use of the funding is consistent with the specified purpose of the earmark; and (3) meets or exceeds all statutory requirements for matching funds where applicable.

TEXAS S. CON. RES. 22

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. CONAWAY. Madam Speaker, at the request of the Secretary of State of the State of Texas, I am officially entering Senate Concurrent Resolution 22, as passed by the 81st Legislature, Regular Session, 2009 of the State of Texas, into the CONGRESSIONAL RECORD.

SENATE CONCURRENT RESOLUTION NO. 22

Whereas, The Medal of Honor is the nation's highest decoration for valor in combat awarded to members of the United States armed forces; generally presented to recipients by the president of the United States on congress's behalf, it is often called the Congressional Medal of Honor; and

Whereas, First authorized in 1861 for United States Navy and Marine Corps personnel and for United States Army soldiers the following year, Medals of Honor are awarded sparingly and bestowed only on those individuals performing documented acts of gallant heroism against an enemy force; and

Whereas, Since congress authorized the award, 70 Medals of Honor have been accredited to the State of Texas, yet other Texans have similarly distinguished themselves by acts of courageous gallantry in combat no less deserving of such recognition; one such individual is Marcelino Serna, a native of Mexico whose unflinching and selfless bravery and acts of uncommon valor on the battlefields of World War I made him one of Texas' most decorated heroes; and

Whereas, Born in the Mexican state of Chihuahua in 1896, he came to the United States as a young man in search of a better life, working various jobs in Texas, Kansas, and Colorado; and

Whereas, In 1917, Mr. Serna was working in Colorado when the United States, unable to remain neutral any longer while war raged in Europe, declared war on Germany; later that year, federal officials in Denver, Colorado, gathered a group of men and held them until their draft status could be verified; and

Whereas, Included in this group, Mr. Serna chose not to wait for such verification and instead volunteered for service in the United States Army; after only three weeks of training, 20-year-old Private Serna was shipped to England, where he was assigned to the 355th Infantry of the 89th Division, a unit that was to see action in some of the most arduous campaigns of the war; and

Whereas, By the time the unit arrived in France, Private Serna's status as a noncitizen had come to light, and he was consequently offered a discharge from the army; given the opportunity to return home, Private Serna refused the discharge, choosing to stay with his unit as it began its advance toward the Meuse River and Argonne Forest in northeastern France; and

Whereas, At Saint Mihiel, Private Serna's unit was moving through thick brush when a German machine gunner opened fire, killing 12 American soldiers; with his lieutenant's permission, Private Serna, a scout, continued forward, dodging machine-gun fire until he reached the gunner's left flank; and

Whereas, Having come through a hail of bullets unscathed, despite being hit twice in the helmet, Private Serna got close enough to lob four grenades into the machine-gun nest, killing six enemy soldiers and taking into custody the eight survivors, who quickly surrendered to the lone American soldier; and

Whereas, This encounter was followed shortly by an even more astounding feat when, during his second scouting mission in the Meuse-Argonne campaign, Private Serna captured 24 German soldiers with his Enfield rifle and grenades, an episode that began when he spied a sniper walking on a trench bank; and

Whereas, Although the sniper was about 200 yards away, Private Serna shot and wounded him, then followed the wounded German's trail into a trench, where he discovered several more enemy soldiers; opening fire, Private Serna killed three of the enemy and scattered the others in that initial burst; and

Whereas, Frequently changing positions, Private Serna fooled the enemy into thinking they were under fire from several Americans, keeping up the ruse until he was close enough to lob three grenades into the German dugout; in about 45 minutes of furious action, Private Serna managed to kill 26 German soldiers and capture another 24, whom he held captive by himself until his unit arrived; and

Whereas, Enduring several months of combat action largely unharmed, Private Serna was shot in both legs by a sniper four days before the Armistice; while he was convalescing in an army hospital in France, General John J. Pershing, commander-in-chief of the American Expeditionary Forces, decorated Private Serna with the Distinguished Service Cross, the second highest American combat medal; and

Whereas, Private Serna also received two French Croix de Guerre with Palm medals, the French Medaille Militaire, the French Commemorative Medal, the Italian Cross of Merit, the World War I Victory Medal, the Victory Medal with three campaign bars, the Saint Mihiel Medal, the Verdun Medal, and two Purple Hearts; and

Whereas, Discharged from the army in 1919, Marcelino Serna settled in El Paso, where he became a United States citizen, entered the civil service, and lived out his retirement years until his death in 1992; although he lived the most ordinary of lives after the war, Mr. Serna was, for a brief moment in time, an extraordinary hero whose remarkable feats of bravery under fire elevated him into the pantheon of American heroes; and

Whereas, In 1993, Texas Congressman Ronald D. Coleman introduced a measure in the 103rd Congress to waive certain statutory time limits on awarding the Medal of Honor and thus bestow on Marcelino Serna the proper recognition he so richly deserves; unfortunately, the measure did not receive a proper hearing, thereby denying the legacy of Mr. Serna its proper place in history; now, therefore, be it

Resolved, That the 81st Legislature of the State of Texas hereby respectfully urge the Congress of the United States to reopen consideration of this case to posthumously award the Medal of Honor to World War I hero Marcelino Serna; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to the congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

HONORING JACKSON POLICE CHIEF RICK STAPLES

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. TANNER. Madam Speaker, I rise today to honor Rick Staples, a long-time public servant who will retire as Chief of the Jackson Police Department on September 18. Under Chief Staples, the Jackson Police Department has dedicatedly served our community, and his leadership has proven to be an example for both veterans and new officers alike.

Rick Staples was born and raised in Madison County, which I am honored to represent in this Chamber. After graduating from Jackson High School in 1970, he attended college at Jackson State Community College before graduating from the prestigious Northwestern University Police Administration training program.

Following his graduation from the Northwestern University Police Administration training program, he attained the rank of lieutenant and worked his way up through the ranks until, on October 12, 1989, Rick was promoted to Chief of Police, a position he has held ever since.

During his tenure serving West Tennessee, our law enforcement professionals have seen sweeping changes, from the computerization of records to the complete restructuring of the department. Chief Staples has managed a staff of 253 employees, an annual budget of more than $15 million and been responsible for providing police services to a population of more than 62,000 residents. He helped create the Gang Task Force and Violent Crimes Task Force as well as start the first Citizen's Police Academy in Tennessee.

Among Chief Staples' proudest accomplishments is the partnership developed between the police department and our community. In 1994, the city council called for a crime summit between the officers and the residents of Jackson. The result was the establishment of the Community Policing Program, which has allowed for the relationship between the officers and the community to continue to grow, something in which Chief Staples takes tremendous pride.

In addition to his service to the Jackson Police Department, Chief Staples has volunteered as a Critical Incident Debriefer for the Tennessee Public Safety Network as well as a personal security guard for celebrities at high-profile, local events such as the Cerebral Palsy Telethon and the Miss Tennessee Pageant.

Chief Staples' retirement is not an end to his service to the public. He has found a new challenge, accepting a position with a security firm located in Baghdad, Iraq. I trust that he will perform his new job with the same dedication, professionalism and perseverance as he has in his current position.

Madam Speaker, I have long been proud to call Ricky Staples my friend. I thank you and our colleagues for joining me in expressing

gratitude for his service protecting West Tennessee families, congratulating him on his retirement, and wishing him the best as he begins an exciting and important opportunity.

IN MEMORY OF JAY CRISCIONE

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. WILSON of South Carolina. Madam Speaker, on July 29th, South Carolina and Lexington County lost a long time friend and leader with the passing of Jay Criscione. Our community has been enhanced as world-class due to his vision on behalf of young people and our senior citizens.

Joey Holleman of The State newspaper in South Carolina has thoughtfully penned the following tribute to Mr. Criscione.

[From the State]

LEXINGTON RECREATION LEADER DIES

(By Joey Holleman)

Jay Criscione, who directed the Lexington County Recreation and Aging Commission through more than two decades of rapid growth, died Wednesday after a battle with cancer. He was 61.

Criscione started with the recreation agency in 1973, soon after he graduated from Clemson. He took over as executive director in 1986.

Criscione steered the agency toward projects that drew from large geographic areas—the four leisure centers, the Oak Grove and Pine Grove softball complexes, and a national-caliber tennis center. He reasoned that the softball and tennis projects would give the county double benefits. Local players could use the facilities, and local businesses would benefit from regional and national tournaments held at the venues.

''He was a pioneer in the softball craze of bringing in national tournaments,'' said Jim Headley, director of the S.C. Recreation and Parks Association. ''What he did with Oak Grove and then Pine Grove inspired Rock Hill, Florence and Aiken to enter the softball market. He saw sports tourism as an economic engine.''

Adept at working every financing angle, Criscione landed state grants that paid most of the construction cost for a horse arena in South Congaree and multiple senior centers. He also helped convince County Council to approve multimillion-dollar construction bonds.

''He had a vision for the county,'' said Larry Mack, longtime chairman of the recreation commission. ''He worked real hard to supply the needs of the people for recreation.''

In recent years, Criscione had been slowed by multiple bouts with various cancers. He is survived by his mother, Juanita R. Criscione of Chester, a daughter and son-in-law, Ramsey and Trent Goodman of Lexington, a sister, Paulette Criscione of Lexington, and two grandchildren.

UNITED STATES NUMBERED HIGHWAY SYSTEM

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. BLUMENAUER. Madam Speaker, the United States Numbered Highway System—from US 1 to US 830—was the first set of nationally recognized highways in the country. During the Great Depression, federal and state governments put people to work improving and extending the nation's roads and highways. The U.S. numbered highways carried the bulk of intercity vehicular traffic and people migrating west. These highways helped our country win the Second World War, allowing great flexibility in ferrying soldiers and materials across the nation, supplementing the nation's fixed rail system.

Communities all across America sprung up around these numbered highways, which came to serve as Main Streets in many of these towns. The system reached its apex in 1956, but with the creation of the Interstate System and subsequent growth of suburban communities, many of these once great highways have decayed. As a result, many of the U.S. numbered highways can be characterized as ''orphan highways,'' receiving little or no federal investment. These highways, however, continue to serve local areas with critical connectivity and economic links, and are often the heart of Main Street America.

To create an assistance program that is tailored to the redevelopment of community Main Streets which are or were part of the United States Numbered Highway System, I have introduced the Orphan Highway Restoration Act. This legislation creates a new program to provide Federal funds to assist states and local governments in their efforts to rehabilitate or repair the Main Street sections of the orphan highways running through their towns. The bill provides a needed boost to state and local transportation departments by committing important new resources to revitalize local economies and communities. It creates redevelopment opportunities that benefit local businesses and labor, improve safety on our roads, and creates jobs.

I look forward to working with my colleagues to pass this important legislation and to reinvest in the communities that make America great.

EARMARK DECLARATION

HON. MARY FALLIN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 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 H.R. 3288, the FY 2010 THUD Appropriations bill:

I, Congresswoman MARY FALLIN, requested and received $1,000,000 for Bus Facility Renovation to The Central Oklahoma Transportation and Parking Authority located at 300 SW 7th Street, Oklahoma City, Oklahoma 73109. This funding will be used for to repair and replace water cooling tower and correct drainage problems at historic Union Station. Improve the lighting and exhaust systems at the maintenance garage and upgrade the oil and lube room facilities.

CONGRATULATING MR. FRANK GOLDER ON THE OCCASION OF HIS 100TH BIRTHDAY

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. KANJORSKI. Madam Speaker, I rise today to ask you and my esteemed colleagues in the U.S. House of Representatives to pay tribute to Mr. Frank Golder, of Bloomsburg, Columbia County, Pennsylvania, on the joyous occasion of his 100th birthday celebration that will occur on August 8.

Long a legendary figure in the fields of education and athletic development in northeastern and central Pennsylvania, Mr. Golder has distinguished himself as a mentor and a role model to generations of young Pennsylvanians who looked to him with respect and admiration.

After graduating from Bloomsburg High School in the 1920s where he developed his love for basketball and baseball, Mr. Golder went on to star in those sports from 1927 to 1931 during his years at then Bloomsburg Normal School, later Bloomsburg University.

He went on to become a teacher and an athletic coach at Hughesville High School during which he earned his master's degree from Columbia University.

His teams won two West Branch League titles at Hughesville.

Mr. Golder moved to Bloomsburg High School in 1937 where he was named head basketball coach. In 19 seasons in charge of the basketball program, his squads won 10 Susquehanna Valley League crowns and, during one three-year stretch, he won 40 consecutive league games. His team, The Panthers, also captured four District Four championships.

Mr. Golder was also responsible for establishing Little League Baseball in Bloomsburg in the late 1940s. He also started baseball at Bloomsburg High School where he coached that sport for seven years.

For 13 years, Mr. Golder was a member of the PIAA District Four Board of Directors and was chairman of that organization for three years.

After serving as principal of Bloomsburg High School for 14 years, he retired in 1975.

During his remarkable basketball coaching career, Mr. Golder endeared himself to hundreds of aspiring young athletes with his disciplined approach to the importance of learning the fundamentals of the sport and his reputation as a coach who inspired excellence through a calm, reasoned, approach.

The Bloomsburg Press Enterprise described him as an extraordinary gentleman and a fine coach when including him as one of the top local sports figures of the 20th century in 1999. He was inducted into the Bloomsburg University's Sports Hall of Fame in 1988.

Mr. Golder continues to reside in Bloomsburg with his wife, Myra. The couple has one daughter and two grandchildren.

Madam Speaker, please join me in congratulating Mr. Golder on this wonderful occasion. For his entire life, Frank Golder has demonstrated the highest ideals for a role model and he encouraged his students to rise to excellence both on and off the field of competition. His contributions to generations of our

citizens have greatly improved the quality of life and his legacy lives on with those he has inspired.

IN HONOR AND RECOGNITION OF THE 90TH BIRTHDAY OF MARGUERITE JOHNSON

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. WITTMAN. Madam Speaker, I rise today to honor and recognize Marguerite Johnson of Fredericksburg, Virginia, as she celebrates her 90th birthday.

Mrs. Johnson has touched many lives through teaching, volunteering, and as a leader in her church. As a former teacher and principal of more than twenty-six years, Mrs. Johnson understands that a strong education is the key to success and instilled this in her students. She also demonstrated the importance of community service and citizenship, encouraging her students to volunteer and help those in need in the community. After retiring in 1984, Mrs. Johnson continued her commitment to education by volunteering as a teacher's assistant for special needs students at Tree of Life Christian Preparatory School in Fredericksburg.

Mrs. Johnson was a 4–H Club and Girl Scout leader devoted to promoting the importance of citizenship, leadership and strong values. She was also a Pathfinder leader in her church. As a Master Guide, the highest ranking position in Pathfinders, Mrs. Johnson promoted youth leadership, encouraged community involvement, planned outreach activities and taught camping, survival training skills, nature and conservation classes.

Mrs. Johnson enjoys the outdoors and being surrounded by nature. She has traveled extensively throughout the country camping and hiking in many of our national parks including Pike National Forest, Mount Rushmore National Memorial, Redwood National Park, and the Grand Canyon National Park. Mrs. Johnson also enjoys the Shenandoah National Park where she recently celebrated her 90th birthday surrounded by family and friends.

Mrs. Johnson has touched many lives in her lifetime. She truly loves her family and has an unwavering faith in God. Her generosity has encouraged and strengthened the faith and lives of family, friends and members of her church and local community.

Madam Speaker, I am honored today to recognize Mrs. Johnson in celebration of her 90th birthday. I hope the years to come will bring her health, happiness and special times with family and friends.

EARMARK DECLARATION

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. GARY G. MILLER of California. 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 Defense Appropriations Bill.

Requesting Member: Congressman GARY G. MILLER

Bill Number: H.R. 3326

Account: Navy—Research, Development, Test, and Evaluation

Legal Name of Requesting Entity: L–3 Power Paragon

Address of Requesting Entity: 901 E. Ball Road, Anaheim, California 92805

Funding Secured: $2,000,000

Description of Request: This project is a design build prototype for a hybrid electric drive (HED) for the CG 47 Class Cruisers for the U.S. Navy. This project contributes to the future of environmentally sound, fuel-efficient propulsion. The Navy believes that this improvement would realize a significant savings per year per ship. This HED for surface combatants such as the CG 47 would significantly reduce fuel costs, increase ship endurance and range, produce less environmental emissions, increase ship survivability through reduce signatures, and provide increased overall ship electric power generation capacity. This installation would leverage advances in lighter weight and more efficient electric propulsion technologies that have resulted from the Office of Naval Research investments over the last several years.

Requesting Member: Congressman GARY G. MILLER

Bill Number: H.R. 3326

Account: Army—Research, Development, Test, and Evaluation

Legal Name of Requesting Entity: Athena GTX

Address of Requesting Entity: 10291 Trademark Street, Rancho Cucamonga, CA 91730

Funding Secured: $3,000,000

Description of Request: This project will complete the development of a Wireless Medical Monitor (WiMed) allowing a combat medic to monitor vital signs and triage wounded soldiers in real time. Current medical triage monitors and vital signs data tracking tools are complex, heavy, and have bulky connections. They are also large, costly, and difficult to use. Using proven technology, the WiMed provides increased capability at a much lower cost. By streamlining casualty care and providing patient trend data, life saving decisions lead to earlier interventions and improved outcomes. Prototypes have demonstrated WiMed's ability to improve critical care by linking all patient care within the same wireless systems and platforms already in service. Once placed on a patient at the point of wounding, WiMed stays with that patient throughout triage and care. WiMed works with standard blood pressure cuffs or a simple highly mobile forehead stick-on sensor and integrates many inputs, including: pulse oximetry, blood pressure, temperature, skin humidity, and electrocardiogram. The patient's state is broadcast via Wi-Fi technology to any number of users with linked platforms anywhere in the world at any time and they can receive vital signs information on any number of casualties that have the WiMed monitoring equipment placed on them. Continued funding for this project will greatly improve combat casualty care outcomes.

Requesting Member: Congressman GARY G. MILLER

Bill Number: H.R. 3326

Account: Navy—Research, Development, Test, and Evaluation

Legal Name of Requesting Entity: Sabtech

Address of Requesting Entity: 17320 Dahlgren Road, Dahlgren, Virginia 22448

Secondary Address: 23231 La Palma Avenue, Yorba Linda, California 92887

Funding Secured: $5,000,000

Description of Request: The United States Navy's Aegis ship modernization plan includes modernization of the ships' basic hull, mechanical, and electrical equipment, and modernization of their combat systems. In both areas, the Navy plans to install new systems or components that are more capable than the ones they are to replace. Some of the planned changes are intended to permit naval ships to be operated with a smaller crew, thereby reducing their annual operation and support costs. Planned changes to the ships' combat systems are intended to, among other things, begin shifting their Aegis computers and software to a more open architecture meaning, in general terms, an arrangement that uses nonproprietary computers and software. The Navy believes that moving to an Aegis open architecture will permit the Aegis system to be updated over the remainder of the ships' lives more easily and less expensively, using contributions from a variety of firms. This funding will be used to conduct a demonstration to remove existing Legacy NTDS computer interfaces found in Baseline 7, Cruiser Modernization, and Aegis Modernization. This request was also submitted to the House Armed Services Committee in order to secure authorization statutes in the Fiscal Year 2010 Defense Authorization Act.

Requesting Member: Congressman GARY G. MILLER

Bill Number: H.R. 3326

Account: Navy—Research, Development, Test, and Evaluation

Legal Name of Requesting Entity: Naval Health Research Center

Address of Requesting Entity: 140 Sylvester Road, San Diego, California 92106

Funding Secured: $3,000,000

Description of Request: In the United States, prostate cancer is the most common cancer in men, with an incidence rate of 16 percent of the general population. The primary treatment of prostate cancer usually includes radical prostatectomy surgery, which provides a good management of the local tumor in most of the patients. Unfortunately, in 15 to 40 percent of patients, recurrent prostate cancer is possible within five years of surgery. Though recurrent prostate cancer following failure of local control is not curable, patients with recurrent cancer are perfect candidates for immunotherapy, a new approach that is still under clinical investigation for oncology applications. The U.S. Navy, through its Naval Health Research Center in San Diego, California, is in a unique position to advance immunotherapeutic approaches for prostate cancer that have so far shown efficacy in animal models. With Fiscal Year 2009 funding, the U.S. Navy Cancer Vaccine Program implemented a Phase 1A/1B clinical trial of its developed vaccine for prostate cancer patients at the Veterans Medical Center. Forty-eight U.S. military veterans who have received previous treatment (surgery, radiation or radioactive seed implants) and now have a rising PSA participated in the study. With proof of minimal toxicity of the PSA vaccine in the Phase 1A clinical trial, a second clinical trial of patients with rising PSAs and nonpalpable biopsy confirmed prostate cancer would be initiated with Fiscal Year 2010 funding. This program will have direct benefits for the health care options

of our nation's active Armed Forces, retired veterans, and the general American population.

INCLUSION OF THE HARVARD KENNEDY GRADUATE SCHOOL BULLETIN, WINTER 2009, HONORING WARREN I. CIKINS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to include into the RECORD the Harvard Kennedy Graduate School Bulletin for Winter 2009, honoring the public service of Warren I. Cikins. Warren has spent 50 years as a dedicated public servant. He started out in this body, as a legislative assistant to former Congressman Brooks Hays of Arkansas. His public service spanned stints in the Kennedy White House, with the Commission on Civil Rights, with the U.S. Agency on International Development, with the Equal Opportunity Commission, and with Chief Justice Warren Burger. Warren also was one of my predecessors on the Fairfax County, Virginia, Board of Supervisors, ably serving his constituents.

The article I am including in the record provides an example of a truly exemplary public servant, and the value of one person's dedication. In it, Warren is quoted as saying, ''I was committed to making a difference.'' Madam Speaker, I have known him for many years and I can proudly attest that Warren Cikins has indeed made a positive difference in his community and in our nation.

HARVARD KENNEDY GRATUATE SCHOOL BULLETIN
WINTER 2009

Warren Cikins MPA 1954 remembers how his decision to attend the Kennedy School—then the Littauer School—was met with skepticism by peers and mentors alike. His closest friends from his undergraduate days at Harvard were going into medicine, business, and law. His father had dreamed of his becoming an engineer, and one of his government professors wondered aloud; ''Why go here? Make a lot of money, then go into public service.''

But he never doubted his career choice. His ambition, he says, began as a boy, living in Dorchester, Massachusetts, listening to President Franklin Delano Roosevelt on the radio talk to the American people.

''It was always my intent to serve the public; I was committed to making a difference,'' says Cikins, 78, who grew up in a devout Orthodox Jewish household. Nothing, it seemed to him, could be more important than the work of the public servant.

Looking back, Cikins says he has no regrets. His career, spanning more than 50 years and including work with all three branches of government, overlapped with many of the country's pivotal events. In his first full-time job after the Kennedy School, he served as legislative assistant to Arkansas Congressman Brooks Hays when Hays intervened in Governor Orval Faubus's attempt to block the integration of Little Rock's Central High School—an effort that would later cost Hays his seat.

Cikins served with Hays in the Kennedy White House after first serving as Hays' assistant when he was appointed Assistant Secretary of State for Congressional Relations. At the Commission on Civil Rights in 1964 Cikins helped bring about the enactment of the Voting Rights Act of 1965. He followed with stints at the United States Agency for International Development (USAID), where he sought to attract highly qualified minorities, and at the Equal Employment Opportunity Commission (EEOC).

A self-described moderate liberal, Cikins fought throughout his career for those who had no voice. And he did it, he says, by looking for the similarities he shared with his colleagues rather than the differences. In his 2005 memoir, In Search of Middle Ground, Cikins writes, ''My style was always one of outreach. I believed in bipartisanship, bridge-building, compromise, and civility. Confrontational approaches were an anathema to me.''

He put this advice to great use and success as a two-term elected member of the Fairfax County (VA) Board of Supervisors, on which he served from 1975 to 1980. Local politician Gerry Hyland, who worked with Cikins, noted in a profile in the local newspaper: ''Warren is viewed as a person who cares and who works toward consensus. The will of the group is going to prevail above his own point of view.''

It is in the compromises, he says, that the work gets done, repeating often a truism he attributes to Hays, his former boss and mentor: ''Half of something is better than all of nothing.''

As a senior administrator at the Brookings Institution, where he spent more than 15 years, Cikins continued to promote outreach and conciliation by establishing, among many programs he created there, a highly successful annual seminar on the administration of justice, which sought to resolve differences between the three branches of government, and the Newly Elected Members of Congress seminar, an effort that helped bring new members of Congress up to speed. Towards the end of his career at Brookings, he devoted much of his energy to bringing greater attention to improving criminal rehabilitation.

In his 2001 class report marking the 50th anniversary of his graduation from Harvard, Cikins wrote that he considered his work in improving the criminal justice system, in cooperation with Supreme Court Chief Justice Warren Burger, one of his greatest accomplishments. Quoting Dostoyevsky, Cikins noted in his memoir, ''Civilization will be judged by how it treats its wrongdoers.''

Cikins's personal life reflects these same values. He remains close to his friends from high school at Boston Latin, many of whom went on with him to Harvard. Recently with his wife of 44 years, Sylvia, Cikins celebrated the 80th birthday of his longtime Kennedy School friend, Mark Cannon MPP 1953, a Mormon and political conservative. And Cikins regarded Hays, whose Baptist faith ran as deep as Cikins's did in Judaism, as one of the most influential and inspirational people in his life. They remained close until Hays's death in 1981.

Of the many accolades recognizing his contributions to public service that he's received over the years, from prominent figures that include Supreme Court Justices Burger and William Rehnquist, a letter he recently received from former New York Congressman and Harvard alumnus Amo Houghton, a Republican, says it most succinctly:

''You were the role model; you're the person who constantly tried to bring us back toward the center, and I thank you for it . . . you're a great example.''

TEXAS H. CON. RES. 73

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. CONAWAY. Madam Speaker, at the request of the Secretary of State of the State of Texas, I am officially entering Senate Concurrent Resolution 73, as passed by the 81st Legislature, Regular Session, 2009 of the State of Texas, into the CONGRESSIONAL RECORD.

SENATE CONCURRENT RESOLUTION

Whereas, In 1965, President Lyndon B. Johnson signed into law the Higher Education Act establishing the Guaranteed Student Loan Program; although this program has undergone many changes through the years, including the adoption of a new name, the Federal Family Education Loan Program, it has consistently served the State of Texas as the most important method of delivering financial aid to students and families; and

Whereas, The Texas Guaranteed Student Loan Corporation, established as the state's guarantor in 1979, has delivered nearly 14 million loans to students and families at no cost to the state; these loans, exceeding $63 billion, represent approximately two-thirds of the direct financial aid awarded to Texas students pursuing their educational goals; the Federal Family Education Loan Program has not only provided loans but also created many jobs in the state, and it has become a significant economic engine through its focus on education completion and job creation; as the need for an educated workforce has increased in Texas, this public-private partnership has been at the forefront of education financing; and

Whereas, The not-for-profit and for-profit lenders in the Federal Family Education Loan Program have led in educational outreach efforts to the state's most disadvantaged populations through programs that seek to encourage academic achievement, promote financial literacy, and provide information on making college affordable; such assistance has enabled more Texans to fulfill their goals of achieving a better life, while enriching the state in the process; and

Whereas, The Federal Family Education Loan Program ranks as the most successful and popular education loan program in the state and nation; in Texas, more than 94 percent of student loan dollars are delivered through the program and over 85 percent of secondary education institutions have chosen to participate in the program; nationally, more than 81 percent of student loan dollars are delivered through the program; and

Whereas, For over four decades, the Federal Family Education Loan Program has promoted local participation in the education of our citizens, and this successful partnership between government and the private sector serves a vital function in delivering financial aid to Texas citizens and making significant contributions to our economy; now, therefore, be it

Resolved, That the 81st Legislature of the State of Texas hereby respectfully urge the United States Congress to maintain the Federal Family Education Loan Program and continue to refine and improve this crucial public-private partnership; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United

States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

DAVID DEWHURST,
President of the Senate.
JOE STRAUS,
Speaker of the House.
PATSY SPAW,
Secretary of the Senate.
ROBERT HANEY,
Chief Clerk of the House.

Approved: Rick Perry, *Governor*.

EARMARK DECLARATION

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. BILBRAY. Madam Speaker, I submit the following.

Requesting Member: Congressman BRIAN BILBRAY

Bill Number: H.R. 3326—Department of Defense Appropriations Act, 2010

Account: USAF, Research and Development

Legal Name of Requesting Entity: General Atomics Aeronautical Systems

Address of Requesting Entity: 14200 Kirkham Way, Poway CA 92064

Description of Request: I was able to secure $1,500,000 million for the Predator C. In July 2008, I took a trip to Iraq and Afghanistan to assess the current conditions on the ground. In a meeting with General David D. McKiernan, former Commander of International Security Assistance Force (ISAF) and former Commander, U.S. Forces Afghanistan (USFOR–A), he emphasized that the most important tools needed to successfully conduct operations are more ''eyes in the sky,'' also known as unmanned aerial vehicles (UAV). Most importantly, this request will help save lives through better intelligence gathering and greater strike capabilities. Furthermore, Predator C means more jobs contributing to San Diego's local economy. Predator C will provide the USAF and other customers with an additional covert capability, enhanced by much higher operational and transit speeds for quick response and quick repositioning for improved mission flexibility and survivability.

THE CITY OF SAMMAMISH

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. REICHERT. Madam Speaker, as the Representative of the Eighth Congressional District of Washington, it is my privilege to serve a vibrant cross-section of citizens in both rural and urban settings. And in some cases, I represent residents who are making a swift transition between the two. This is especially true of Sammamish, a city of 40,000 that was recently named by Money magazine as the 12th ''best place to live'' in the entire country.

I rise today to congratulate Sammamish on this great and well-deserved achievement. Nestled neatly on the eastern shore of Lake Sammamish and surrounded by a mix of urban, rural and beautiful open spaces, Sammamish is as beautiful as it sounds.

Some of the qualities noted for their newly-awarded distinction include the excellent schools, safe neighborhoods and beautiful natural setting of the city. Of course, since I often have the opportunity to visit Sammamish, I can definitely attest to that truth. Historically a place of timber and agriculture, Sammamish, barely ten years old, has impressed the entire Pacific Northwest region with its rapid, elegant and responsible development. The quality of life, the political leadership and the energy of its residents make Sammamish a very special place.

Perhaps most impressively, Sammamish has invested heavily in infrastructure and an expanding menu of city services without undermining its financial footing. Through careful budgeting and long-term planning, Sammamish is moving ahead without leaving responsible habits behind. As evidence, Sammamish recently received Standard and Poor's highest bond rating—AAA.

I am proud to represent such a city in Congress and look forward to continue working with Sammamish residents and elected leaders to continue to make it one of the best places to live long into the future. Working cooperatively, the residents and leaders of Sammamish have created an exceptional place to live and visit in a short period of time. I congratulate Mayor Don Gerend, the city council and staff and residents of Sammamish for creating such a wonderful place to live for long-time residents and newcomers, alike.

RECOGNIZING THE WORK OF JIM MCCANN

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. TIBERI. Madam Speaker, with great pleasure I rise to recognize the distinguished career of my constituent, Jim McCann.

For several decades, Jim served the Central Ohio community as the principal of Westerville North High School, passionately dedicating himself to the education of thousands. We all should strive to make a difference in this world, and Jim brought a remarkable level of energy and decency to his job, winning admiration from the community for his commitment to ''The Warrior Way.''

After retiring, Jim continued to give back to the youth of Central Ohio by serving as a chairman of my academy selection board. From that position, Jim took an active role in mentoring applicants, often staying in touch with them years after their first interview. To this day, Jim continues to serve his community in a number of civic committees, while also still educating and guiding many youths in the Westerville and Central Ohio area through his home school program.

Through commendable volunteer work and civic leadership, Jim stands as a pillar of the Westerville, Ohio community. Therefore, I am very pleased to thank him for all he has done for our area.

I offer my congratulations to Jim McCann for a career spent in service to others. I hope the spirit he daily brings forth in his life and work continues to inspire us to action and a renewed commitment to our country.

EARMARK DECLARATION

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. GERLACH. 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. 3170, the Financial Services and General Government Appropriations Act, 2010.

West Chester University's Entrepreneurial Leadership Center, West Chester, PA—$150,000 to create the Entrepreneurial Leadership Center, which will sponsor faculty-lead teams of students to provide the expertise start-up small businesses need to succeed; at the same time, students will learn the skills they need to become entrepreneurs. The project will encourage the development of emerging small businesses.

TRIBUTE TO RUTH L. TUCKER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. LATHAM. Madam Speaker, I rise today to congratulate Ruth L. Tucker on the celebration of her 100th birthday on July 22, 2009.

Ruth was an aspiring writer and a teacher at Pisgah country school. Her reputation as a quality teacher and writer has been recognized at Winterset High School where the Ruth L. Tucker Writing Award scholarship has been established in her honor. Ruth is known for her hospitality and being an excellent cook. She is also a member of the United Methodist Church in Winterset, Iowa.

There have been many changes that have occurred during the past one hundred years. Since Ruth's birth we have revolutionized air travel and walked on the moon. We have invented the television and the Internet. We have fought in wars overseas, seen the rise and fall of Soviet communism and the birth of new democracies. Ruth has lived through eighteen United States Presidents and twenty-two Governors of Iowa. In her lifetime the population of the United States has more than tripled.

I congratulate Ruth Tucker for reaching this milestone of a birthday. I am extremely honored to represent Ruth in the United States Congress and I wish her happiness and health in her future years.

RECOGNIZING MS. ABIGAIL ALLEN, MY FIRST NOMINEE TO THE HOUSE PAGE PROGRAM

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. CLEAVER. Madam Speaker, I proudly rise today in recognition of Ms. Abigail Allen,

a young woman who has served as my first nominee to the House Page program. She is a resident of the Fifth District of Missouri, which I am honored to represent.

On July 5, 2009, Ms. Allen began her Page duties. This Saturday, August 1, 2009, Ms. Allen will return to her home town of Lee's Summit, Missouri with a wealth of knowledge that she learned as a participant in the House Page Program which I hope she will share with her family and friends.

Ms. Allen is a student at Blue Springs South High School in Blue Springs, Missouri. She is a member of the cross country team, track and field team, Young Democrats and most importantly a member of the National Honor Society. Ms. Allen is also a member of the St. James United Methodist Church Youth Group in Kansas City, Missouri.

It has been my pleasure to have Ms. Allen as a House Page. She has represented the Fifth District of Missouri well.

Madam Speaker, please join me in expressing our appreciation to Abigail, as well as all the other Pages that have served in this chamber, for they are truly the future leaders of our country.

FOOD SAFETY ENHANCEMENT ACT OF 2009

SPEECH OF

HON. DOC HASTINGS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. HASTINGS of Washington. Mr. Speaker, I rise today in opposition to H.R. 2749, the Food Safety Enhancement Act. This bill makes drastic changes to our nation's food safety laws that will affect every farmer and rancher in the United States. However, Mr. Speaker, the extent of these changes is unknown, because the full text of this bill was not yet available to Members until the day before the vote.

Our Nation has the safest food supply in the world, Mr. Speaker, and that is because our growers and processors work hard to provide quality products to consumers. While the circumstances surrounding recent food safety violations must be addressed, in nearly every case, these were violations of existing laws and standards. It is imperative that Congress does not rush to use these incidents as an excuse to unnecessarily and dramatically expand federal regulation of our producers and processors.

This is a better bill than the one that came out of the Energy and Commerce Committee. Yet, I am still concerned about the broad authority this legislation gives to the Food and Drug Administration to regulate on-farm practices for our fruit and vegetable growers. If this bill is signed into law, the FDA will for the first time have the explicit authority to regulate the way produce is grown and harvested.

I am also concerned, Mr. Speaker, with the significant financial burden that the new traceability and record-keeping requirement will have on America's small farmers and agriculture processors. This bill would allow FDA to charge huge fines for even minor paperwork violations that could put smaller operations out of business.

Also of note, is the broad quarantine authority that this bill gives to FDA. While I recognize the need to quarantine the source of foodborne illnesses, this bill would allow the FDA to quarantine wide geographic areas where the source may exist. We know that the FDA can make mistakes over the origin of an outbreak, and this provision could cause devastating economic impacts to growers and processors who have done absolutely nothing wrong.

Agriculture is the number one industry in Washington State. Creating jobs and growing our economy is dependent upon supporting our farmers and ranchers—not passing legislation that could put them out of business.

I have heard some of my colleagues say that we can rely on the Senate to address the flaws in this bill. I believe that the House of Representatives owes it to our growers and processors to take the time to do this right, and not rely on the Senate to fix our mistakes.

IN HONOR OF BILLY POST

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. FARR. Madam Speaker, I rise today to honor the memory of Billy Post, a remarkable American who died last Sunday after nearly 89 years in Big Sur. He was a renaissance man, who both helped build Big Sur into one of the planet's premier visitor destinations, and preserve its wild landscapes, vibrant community, and unique history. But over and above all of his life's accomplishments, he stood out as a profoundly humble and gentle man with a keen sense of old fashioned sense of courtesy and manners. All of us who had the pleasure of meeting Billy came away awed by this man of history.

Billy Post was born in Big Sur before the highway was built that connected Big Sur to Carmel. His great-grandfather, William Brainard Post, came from Connecticut as one of the first American settlers of Big Sur in the 1860s. His great-grandmother, Anselma Onesmio, was a native Costanoan from Carmel Valley. I once heard Billy tell the story that his great grandmother's great grandmother had seen the first Spanish ships to approach the Monterey Bay and thought they were giant white birds. Billy Post grew up on his family's original homestead ranch, rising every morning at 4:00 to tend livestock and milk cows before heading to school. He attended UC Davis for a time but WWII cut short his dreams of becoming a veterinarian. Billy joined the Marine Corps and spent time in the Pacific at Okinawa, Saipan, Tinian, and was one of the first Americans to see Nagasaki following the atomic bomb attack.

Once Billy Post returned home he helped build the Rancho Sierra Mar cafe and campground that his family ran on the ranch. He also worked many years for Caltrans as a highway electrician, paying close attention to the natural world around him, the wild creatures and plants and especially horses. He combined these passions by offering pack trips on horseback into Big Sur's wilderness backcountry. He married in his mid thirties and had two daughters named Gayle and Rebecca. His marriage later ended and he raised his two daughters as a single father. In 1969, Billy married Luci Lee, the love of his life and mother of two daughters from a previous relationship. Together, they built a life with their four girls, and eventually moved into a new house on the Ranch nearby.

Over the years, it grew difficult to hold onto the old style of ranching. In the early 1980s, Billy and Luci entertained the idea of converting the ranch into a full service inn that would preserve the integrity of his family's ranch and the region's history. A handshake and a glass of Jack Daniels sealed the deal. Since Billy Post had operated heavy machinery almost all his life and could fix just about anything, he did much of the initial grading work for the new Inn. Opened in 1992, the Post Ranch Inn has developed into one of the top spa resorts in the world known particularly for its innovative architecture that embraces the dramatic beauty of its coastal Big Sur setting. Much of this grew from Billy Post's own personal vision. To the end of his life, he remained a regular fixture around the Ranch grounds, making it a point to join guests at breakfast at the Inn's Sierra Mar restaurant several times a week to share lore about Big Sur's land and people.

He was preceded in death by his daughter Nancy Downing. He is survived by his beloved wife Luci, three daughters, Linda J. Lee, Gayle Forster, and Rebecca Post; seven grandchildren, Pamela Patterson, Gregory Paley, Anna Vargas, Gabriel Forster, and Richard, Shane and Daniel Forster; and seven great grandchildren.

Madam Speaker, I would like to extend our nation's deep gratitude for Billy Post's brave service to the United States Marine Corps, and to his own community. I know I speak for every Member of Congress in offering our condolences to Luci, his three surviving daughters, his seven grandchildren, and all Post family members and friends upon this great loss.

''WHAT HAPPENED TO MEDICAL CHARITY OF YEARS PAST?''

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. GINGREY of Georgia. Madam Speaker, I submit the following:

[From the Marietta Daily Journal, July 28, 2009]

WHAT HAPPENED TO MEDICAL CHARITY OF YEARS PAST?

(By Cecil Toole, MD (Ret.))

Re Bill Kinney column, ''Cobb's sick getting well, thanks to Good Samaritan,'' July 19 MDJ

In 1961 or 1962, I met the original ''Good Samaritans'' of Marietta and Cobb County, when I joined their group as a visiting resident in obstetrics from Piedmont Hospital in Atlanta. All of them were on the staff of a forgotten Kennestone Hospital in Marietta, where they conducted many free pre-natal clinics, free medicines for eligible patients, and free deliveries for those same patients in a hospital that agreed to not charge ''clinic patients'' for hospital service.

Those mysterious and economically foolish services were done by charitable doctors such as Dr. Meaders, Dr. Reilly, Drs. George and Murl Hagood, Dr. Remer Clark, Dr. Colquitt, Dr. Mussara, Dr. Pete Inglis, Dr. Mainor, Dr. Parker, Dr. W.H. Perkinson, Dr. Looper, Dr. Clingbell, Dr. Stafford, Dr.

Mitchell, Dr. McClure and Dr. Clonts, to name a few, without ever sending a bill to their ''clinic patient.'' Ineligible patients might be sent a bill through a collection agency. (And by the way: the IRS never-ever allowed such ''charity'' done by those same doctors, to be deducted.'') I was fascinated to learn how those doctors survived Economics 101 when none of their clinic patients needed, or carried, ''affordable health insurance.''

At Piedmont Hospital where I was a resident, the hospital took care of all of the hospital expenses of the unwed mothers from the Florence Crittenden Home. I was also told that none of them had ''health-insurance.'' I can tell you this. As far as the TLC (Tender Loving Care) given to the ''clinic-patients'' and the ''private patients,'' the treatment from the staff and the nurses was identical. The care was always excellent.

I hope if you ever get to meet the genius who invented ''affordable health care,'' that you will remember to ask this question, ''Does charity have a place in today's health-care?'' The ''Obama Bidens'' don't want, or need, your charity. They insist on asking everybody, including the jobless, the helpless and the hopeless, to pay cash for their own ''health-care'' even if the cash has to be a personal loan from the government.

Just to show their good intentions, if those indigent groups can't repay their ''medical care'' loans, the great socialist government will identify and prosecute them, for the crime of ''unpaid debts.'' Aren't medical science and ''health-care,'' when mixed with Socialism, wonderful?

EARMARK DECLARATION

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. BILBRAY. Madam Speaker, I submit the following.

Requesting Member: Congressman BRIAN BILBRAY

Bill Number: H.R. 3288—Department of Transportation, and Housing and Urban Development and Related Agencies Appropriations Act, 2010

Account: Federal Highway Administration, Transportation & Community & System Preservation

Legal Name of Requesting Entities: City of Escondido, California/City of San Marcos, California

Address of Requesting Entities: 201 North Broadway, Escondido, CA 92025/1 Civic Center Drive, San Marcos, CA 92069

Description of Request: I received $500,000 to widen the Nordahl Bridge where it intersects SR–78. This widening project is a key to the greater SR–78 infrastructure/capacity improvement project that is decreasing congestion in both San Marcos and Escondido in preparation for the new public Palomar Pomerado Hospital.

The Cities of San Marcos and Escondido have requested funding for the project, and the project is supported by the San Diego Association of Governments and CALTRANS. Funding assistance will provide a sensible, long-term solution to the interchange by widening and lengthening the existing overpass bridge structure at Nordahl Road and SR–78 to accommodate capacity improvements planned for SR–78 while also addressing congestion on local streets.

$5,000,000 will be obligated in FY 2010, and will fund preliminary engineering, environmental review, right-of-way acquisition and construction costs for the project. The regional project is the #1 priority for both the City of Escondido and the City of San Marcos and is not only the subject of a MOU between the cities, but also a draft cooperative agreement with Caltrans District 11. It is supported by the region's metropolitan planning organization, the San Diego Association of Governments and is included in the San Diego Regional Transportation Plan.

HONORING THE TENTH ANNIVERSARY OF THE CHILDREN OF THE VILLAGE NETWORK OF SUMTER COUNTY, ALABAMA

HON. ARTUR DAVIS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. DAVIS of Alabama. Madam Speaker, I rise today to honor the achievements of the Children of the Village Network, a non-profit organization based in my District, in Sumter County, Alabama. I commend the Children of the Village Network on their 10th Anniversary and would like to underscore the positive impact that this organization has had on my District.

The Children of the Village Network was established by District Judge Tammy Montgomery based on the time honored premise that ''it takes a whole village to raise one child.'' This network has created a family resource center for residents of Sumter County that provides life skills training, parenting classes, job readiness training, a food bank and educational scholarships. The organization drives home the importance of academic excellence for the youth of Sumter County, awarding 13 scholarships since 2000 and providing for additional enrichment activities to promote independence and incentivize academic achievement.

After ten years of commitment to the residents of Sumter County, the success of the Children of the Village Network has been widely recognized for its success in contributing significantly to improving the quality of life in Sumter County. Thank you, Madam Speaker and may God bless the Children of the Village Network and Judge Montgomery with continued success.

EXPRESSING THE SENSE OF THE CONGRESS THAT A POSTAGE STAMP SHOULD BE ISSUED TO COMMEMORATE THE WAR OF 1812 AND THAT THE CITIZENS' STAMP ADVISORY COMMITTEE SHOULD RECOMMEND TO THE POSTMASTER GENERAL THAT SUCH A STAMP BE ISSUED

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. DINGELL. Madam Speaker, the War of 1812, also referred to as ''America's Second War of Independence,'' was a defining conflict in our Nation's history that today is often overlooked.

Today, I am introducing the War of 1812 Commemorative Stamp Act, a resolution which urges the United States Postal Service (USPS) to issue a postage stamp commemorating the War of 1812. With the bicentennial of the War of 1812 just three years away, issuing such a stamp is a fitting tribute to those who heroically defended our Nation's borders and secured a lasting independence from Great Britain.

Much of our popular American culture is a product of the War of 1812. It inspired the Star Spangled Banner, the first appearance of Uncle Sam, and the phrases ''Don't Give up the Ship,'' ''Remember the Raisin,'' and ''We have met the enemy and they are ours.''

The War of 1812 also has a great significance to the 15th Congressional District of Michigan and the citizens of Monroe, Michigan. Located in Monroe is the River Raisin Battlefield, the site of a major engagement that occurred during the American campaign in the winter of 1813 to retake Fort Detroit from the British. The Battle took the lives of nearly a thousand American Regulars and Militia in what was then known as Frenchtown.

This bloody event, arguably the largest land engagement of the War of 1812, gave birth to the emotional rallying cry ''Remember the Raisin,'' which prompted thousands to volunteer for General William Henry Harrison's spring 1813 campaign.

The people of Monroe dedicated themselves for years to restore the integrity of the battlefield in hopes of turning it into a national park and a place where history-lovers across the country could come to commemorate this landmark battle. In a show of its commitment, Monroe turned over the land to the federal government for free. Finally, after years of work, we were able to pass legislation to turn this important site into the River Raisin National Battlefield Park.

Madam Speaker, I'm certain there are similar sites throughout the country that represent part of our American history. I urge my colleagues to join me in my efforts to give the War of 1812 the recognition it deserves.

EARMARK DECLARATION

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. SULLIVAN. Madam Speaker, consistent with House Republican Earmark Standards, I am submitting the following earmark disclosure and certification information for three project funding requests that I made and were included within the text of H.R. 3326, the Department of Defense Appropriations Act, 2010.

Project: Fire Suppression System

Project Amount: $1,425,000

Account: RDT&E Army

Legal Name of Requesting Entity: Global Safety Labs

Address of Requesting Entity: 4129 South 72nd E. Ave., Tulsa, OK 74146

Description of Request: This initiative will provide financial resources for testing and evaluating military applications of Arctic Fire Freeze. Arctic Fire Freeze is a fire suppressant product that has been used by the steel

industry for approximately 10 years. Funding provided by this request will be used to conduct rigorous military testing and evaluation. The use of Arctic Fire Freeze in military vehicles and equipment and by ground troops could significantly reduce burn-related injuries and fatalities.

Project: High Density Power Conversion and Distribution Equipment

Project Amount: $1,500,000

Account: RDT&E Navy

Legal Name of Requesting Entity: Westwood Corporation, L–3 Communications

Address of Requesting Entity: 12402 East 60th Street, Tulsa, OK 74146

Description of Request: Navy power switchboard technology has remained essentially the same for nearly 50 years. This technology is passed largely on past Navy applications (with lower power needs) and commercial practices (which are less volume and weight sensitive). The Navy's power needs (e.g., sensors, weapons, house loads) have escalated and the newest power architecture designs have added additional concerns (e.g., higher frequencies), but the size and weight of the power distribution equipment are still limited. The inline switchboard technology simplifies the switchboard arrangement to greatly decrease size, weight, and lifecycle cost. In summary, this will provide the Navy with technology that will result in $0.25 M/per year per destroyer/cruiser in maintenance savings plus an additional $1 million per ship in overhaul savings. Additional savings are estimated in size and weight at 50 tons per ship and a space savings of 1000 sq.ft . Fuel savings due to the decreased weight are anticipated to be significant given the cost of fuel.

Project: Lightweight Composite Structure Development for Aerospace Vehicles

Project Amount: $3,000,000

Account: RDT&E Navy

Legal Name of Requesting Entity: Advanced Composites Group

Address of Requesting Entity: 5350 South 129th Street, Tulsa, OK 74134.

Description of Request: Funding would improve, qualify, and test advanced composite materials. The military has a demonstrated need for a domestic source of new advanced carbon fibers and testing protocols. Second-source qualification of composite materials only currently available from foreign suppliers will allow military suppliers to have access to lower cost domestic sources of composite materials.

IN HONOR OF MR. GENE COX

HON. ALLEN BOYD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. BOYD. Madam Speaker, I rise today to honor and pay tribute to an individual whose dedication to the youth of our Nation and whose contributions as a highly successful high school football coach in Florida meant so much to generations of young men. He prepared hundreds of young men to face the world and taught them discipline, excellence, and the desire to strive to be the best they could be in life. We have been very fortunate to have Gene Cox as a strong, dedicated, persevering, and committed leader.

Coach Cox passed away on Monday, March 30, 2009, in Tallahassee, and he is being honored by the establishment of the Gene Cox Memorial Football Scholarship at Leon High School, which will provide continued support of deserving youth.

Gene Cox grew up in Lake City, Florida, moved to Leon County in 1963, and became one of the nation's most successful football coaches. He even served as my football coach briefly in my younger days. Not only was he a great coach, he was a veteran of the Army National Guard and an active member of East Hill Baptist Church. His long term leadership in the Fellowship of Christian Athletes showed many the true foundations of living and serving. He was also the loving husband to Patsy, father to three sons and a daughter, and grandfather to five.

Gene Cox had a tireless passion and intensity to his role as coach and mentor to our youth. I am proud to commend this man who meant so much to north Florida and to the many young men throughout this country who he coached and led.

TEXAS H. CON. RES. 86

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. CONAWAY. Madam Speaker, at the request of the Secretary of State of the State of Texas, I am officially entering House Concurrent Resolution 86, as passed by the 81st Legislature, Regular Session, 2009 of the State of Texas, into the CONGRESSIONAL RECORD.

HOUSE CONCURRENT RESOLUTION NO. 86

Whereas, The men and women who have served in this nation's armed forces are entitled to ready access to the best possible medical care; and

Whereas, For the more than 100,000 veterans living in the Rio Grande Valley, the nearest U.S. Department of Veterans Affairs hospital is in San Antonio, as much as 300 miles and a five-hour trip away, and the lack of a VA hospital in the Valley has long imposed great hardships on veterans in that region and on their families; and

Whereas, Veterans requesting appointments at the facility in San Antonio typically wait months to be seen, even for serious conditions; for those who cannot drive themselves, or who cannot afford to drive, van transportation is provided by veterans service groups; the lengthy trip, however, adds to the patients' physical distress; no ambulances are available to convey veterans to San Antonio, which makes the journey especially difficult for those who are bedridden; and

Whereas, Once veterans arrive in San Antonio, they often wait hours for an appointment that may take only 15 minutes, or they may find that their appointment has been canceled; they may also discover that they need to stay overnight, which adds to the time-consuming nature of their trip and to its expense; and

Whereas, For veterans who must go to San Antonio several times a month, the time lost to travel can make it difficult to hold a job; the demands of such a trip also place a great burden on family members who have to take time off from work, and possibly arrange for child care, to drive a veteran to San Antonio, and who may need to make such trips for many years; the cost of gas and meals, in addition to the expense of lodging, if that is required, substantially exceeds the prescribed travel allowance; and

Whereas, The current facilities for veterans health care in the Valley are manifestly inadequate; the VA presently operates several outpatient clinics in the region, but these do not offer the full range of services, including testing and therapy, available in San Antonio; moreover, the VA has failed to pay the bills of many veterans who have had to seek emergency care at a local hospital; in addition, although there are plans to contract with area hospitals to provide some inpatient veterans care, the medical personnel in those facilities are unlikely to have the necessary expertise in treating the injuries and psychological trauma sustained by combat veterans; and

Whereas, In recent years, local veterans organizations have formed the Veterans Alliance of the Rio Grande Valley to help raise awareness of this issue; and

Whereas, Veterans who live in the Valley, veterans from out of state who make their home in the Valley during the winter months, and U.S. veterans who reside in Mexico all sorely need and clearly deserve a fully staffed, full-service veterans hospital in far South Texas; now, therefore, be it

Resolved, That the 81st Legislature of the State of Texas hereby affirm its support for the establishment of a veterans hospital in the Rio Grande Valley; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the secretary of the U.S. Department of Veterans Affairs, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to the Congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

TESTIMONY GIVEN BY EZEKIEL LOL GATKUOTH REGARDING THE COMPREHENSIVE PEACE ACCORD (CPA) IN SUDAN

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. WOLF. Madam Speaker, I would like to share with our colleagues testimony that Ezekiel Lol Gatkuoth, head of the Government of Southern Sudan Mission to the United States, gave yesterday before the Tom Lantos Human Rights Commission regarding the importance of full implementation of the Comprehensive Peace Accord (CPA) in Sudan.

His perspective is invaluable as a diplomat and Southern Sudanese leader who experienced firsthand the horrors of the twenty-plus year civil war between the North and the South which left more than 2 million dead in Southern Sudan.

TESTIMONY OF EZEKIEL LOL GATKUOTH HEAD OF THE GOVERNMENT OF SOUTHERN SUDAN MISSION TO THE UNITED STATES BEFORE THE TOM LANTOS HUMAN RIGHTS COMMISSION (TLHRC)

Honorable Co-Chairman Frank R. Wolf, Honorable Co-Chairman James P. McGovern, and Members of Tom Lantos Human Rights Commission, thank you for organizing this Hearing at this important juncture in Sudan's history and in the quest for peace and

stability through the full implementation of the Comprehensive Peace Agreement (CPA), and thank you for inviting my testimony.

Since its inception in 1983, the SPLM Vision was and continues to be that of a new Sudan built on a new basis. A Sudan unlike the old Sudan, that is based on equal citizenship regardless of race, religion, ethnicity or gender, where all citizens share rights to equitable political, social, economic and cultural development. A Sudan built on the historical diversity of its peoples and experiences, and one that accords its citizens the right to self-determination.

This vision was and is still a vision of transformation, for after 42 years of war in a span of 54 years, the fact remains that the only way for Sudan to be at peace with itself, the region and the world, is by the democratic transformation of its systems of governance, and the steering of its political and cultural dispensation towards acceptance of its realities and the diversity of its people.

This vision of transformation is in large part embodied in the 2005 accord, the CPA. The gap that exists between what was envisaged by the SPLM and what was ultimately agreed upon is mainly because of concessions made in the spirit of compromise that governs mediated negotiations of peace settlements. However, the main drive towards the democratic transformation of Sudan remains intact. Its elements are enshrined in the conditions of the implementation of the CPA and consequently in the Interim National Constitution of the Sudan and the provisions of the CPA implemented thus far.

The National Congress Party/National Islamic Front (NCP/NIF) by signing the CPA, had committed itself to: the principle of peace through the democratic transformation of the Sudanese Government and State apparatus at all levels, even through a general elections; the right of self-determination for the people of Southern Sudan and Abyei; and the right to popular consultation for the people of Nuba Mountains and Blue Nile.

However, four years into the interim period, the deliberate non-compliant and obstructionist posture of the NCP with regards to some of the CPA's most transformative and significant provisions represent a great obstacle to the achievement of peace, and is a dangerous abandonment of the partnership with the SPLM that requires a shared commitment to the spirit and letter of the CPA. This is a perilous trend that makes the threat of war—an all encompassing war is likely to ignite throughout the marginalized areas of Sudan, a much more realistic possibility than that of the promise of peace through transformation.

I will not attempt to list out all the unimplemented provisions of the CPA, but rather refer you to the Mid-Term Evaluation Report of the Assessment and Evaluation Commission (AEC) which chronicles about 35 recommendations for the parties (the NCP and the SPLM) to be in compliance with the CPA. It is worthy to mention here, however, the AEC highlighted the following as ''critical for the sustainability of the CPA and unity arrangements''—the resolution of Abyei; the North-South Border demarcation; preparations for the 2010 elections and democratic transition; preparation for the 2011 Referendum, and Post Referendum; and Security Sector Reform, mainly Joint Integrated Units (JIUs) and Disarmament, Demobilization and Reintegration (DDR).

Human rights abuses during the Sudanese Civil war are documented and can be summed up in mentioning the 2.5 million dead and 5 million displaced through direct bombardment and military action, and mainly through the proxy militias used by the government to kill, rape and displace civilians, and who also employed tactics such as the deliberate poisoning of water sources and burning of crops. In addition to that, there were the countless inhumane methods used by the State and its proxies to discriminate against and exploit those who are forced into displacement residing in other parts of the country, and strip them from the citizenship rights, basic human rights and dignity.

It was the belief of the SPLM that human rights abuses would subside after the signing of the CPA, because of the countless measures it provides for the safeguarding of the rights of all the citizens of Sudan. However, because of the control the NCP continues to refuse to relinquish over the state apparatus, especially the national security organs, and its refusal to allow the liberalization of the National Security Act and the removal of Media Censorship, many citizens have been subjected to unlawful harassment, arrest, and/or detention for long periods of time without due process and for reasons of political suppression and disregard to freedoms of speech and assembly. Moreover, the rights of Non-Muslims in the capital city, especially Non-Muslim women who don't comply with the Muslim dress code, is continuously curtailed and abused with impunity.

In Southern Sudan, there have been three incidents (of many others) I will mention here, that were in stark violation of the CPA that led to massive loss of life and countless human rights abuses; these are mainly the Malakal Incidents of 2007 and 2009 and the Abyei Incident of May 2008. Firstly, these were a result of the failure of the DDR, although completed in the South, to hold, mainly because of the continuous rearming of civilians and proxy militias by the NCP, to be deployed within the borders of Southern Sudan to create instability and conflict. Secondly, it is a result of the lack of the integration and joint training of the JIU components of the Sudanese Armed Forces (SAF) and the (Sudanese People's Liberation Army (SPLA), to become the nucleus of the future Army of a united Sudan, as envisaged by the CPA.

The JIUs were to be funded by the Government of National Unity (GONU), but to date, no funding has been disbursed for that purpose. Furthermore, the SAF component of the JIUs is problematic because it is mainly made up of militias used by the NCP during the civil war, now usurped into SAF.

In keeping with the dangerous trend of the destabilization of the South, and in an attempt to rally support against the conduct of the referendum, the NCP has intensified its arming of civilians and groups hostile to the Government of Southern Sudan, and especially those hostile to the SPLM to instigate conflict and create instability. There have been prevalent incidents in Southern Sudan, the Nuba Mountains, Blue Nile, and surprisingly in even in Southern Kordofan, leading to confrontation with local law and order agencies, and/or armed civilians, and that leads to loss of life.

In regards to Darfur, it is essential that we acknowledge the fact that since peace is indivisible, the conflict in Darfur is in contradiction to the principles of the CPA which is embedded in the Interim National Constitution of Sudan.

There have been considerable human rights abuses, human loss and displacement since the recent Darfur conflict begun in 2003. The people of the United States have to be commended for raising their voices in solidarity with the people of Sudan in Darfur. However, there is a need for all to realize that the conflict in Darfur is a political problem that could only be solved with a political resolution, and the CPA provides the model that would address the root causes of the conflict in Darfur. Additionally, the CPA also provides the instruments of democratic transformation that if there is a cessation of hostilities in Darfur could begin to address the base of the problems of marginalization, i.e., the upcoming elections of 2010.

There is an important link between the CPA and Darfur, the developments in and around the issues of Darfur have political implications for the CPA and the obstruction of the implementation of the CPA leaves no hope for a peaceful resolution to Darfur.

The SPLM and the people of Southern Sudan are in solidarity with the cause and suffering of the Darfuri people. That is why the SPLM is committed to playing the role afforded to it by history and experience to unite the movements of Darfur to a small number that would have a consolidated position for peace in Darfur. We have made considerable progress in this endeavor and are seeking the support of the international community members who are committed to peace in Darfur.

The United States of America, the Trokia (United States, United Kingdom and Norway), the Inter-governmental Agency for Development (IGAD) and other Countries witnessed, engaged in the process of negotiations of, and signed as guarantors, the CPA. The United States played a pivotal role especially in the deadlocked issue of Abyei, making it possible for the CPA to be signed. It is important that the international community and the US especially understand that peace in Sudan is of strategic interest to them, because of its regional, continental, and global importance, and because of the implications that resumed conflict would bring to the fore. Peace is indivisible, and war knows no boundaries, and so, the only way for peace to be achieved in Sudan is through the democratic transformation of the country's system of governance, which is possible only through the full implementation of the CPA.

There is a need for the recommitment of the parties to the spirit and letter of the CPA, first by restoring some confidence and trust between themselves as partners by taking good faith measures to address some issue of great concern to the other party; and second by working towards fulfilling the 'making unity attractive' objective of the CPA through fostering North-South links and projects of development along the North-South Border. As it stands today, unity has not been made 'attractive' for the people of Southern Sudan, and the people of Abyei. According to the National Democratic Institute's (NDI) reports on its focus group research in Southern Sudan and the three areas, it is forecasted that 90% of Southern Sudan would opt for secession, and the people of Nuba Mountains and Blue Nile in overwhelming numbers confuse the right to popular consultation with the right to self-determination.

The upcoming 2010 elections will be a major indicator of the future of Sudan. It is also an opportunity for 'making unity attractive. Therefore, it is crucial that the two parties commit themselves to the conduct of a free and fair general election on the dates set by the National Elections Commission; and for the National Elections commission and all of its instruments to be supported and funded to conduct all necessary preparations on a timely fashion, the GONU should fulfill its Elections financial responsibilities per the CPA, and the international community should avail the resources it had pledged for elections support. The resolution of the census dispute is of paramount importance to the conduct of elections, for which the parties with the help of the international community must work earnestly and expeditiously to reach.

In conclusion, the malady of Sudan since independence is not only that it is a nation state because of a border imposed on its peoples and nations, but also because of an installed government that doesn't reflect its peoples' diversity, represent their aspirations, or serve their interests, nor did it ever attempt to do so. Alternatively, the state discriminated against its newly found citizens in policy and action and chose to suppress their valid claims to equity of political and cultural representation, and socio-economic development, by extreme force and genocidal tactics and wars. Therefore, the process of 'making unity attractive' is important to the spirit of the right to Self-determination reflected in the CPA, because only then will the people of Southern Sudan have two viable choices one of a united Sudan under new basis, and the other of a separate nation-state. It is imperative that the unity that has not been made attractive in the last 4 years of the interim period of the CPA, be made attractive, otherwise, the people of Southern Sudan will have only one option, to opt for secession, choosing to build a new state that would fulfill their quest for a transformed governance system; equity of citizenship, political representation, and socio-economic development; and respect for their basic human rights.

It is imperative that while a serious attempt to 'make unity attractive' is undertaken, the parties to the CPA and the international community led by the United States, IGAD and the Trokia commit themselves the timely conduct of the referendum and to respecting its outcome, whatever it is. It is also important that the parties and the international community envisage the post-referendum challenges and opportunities—especially across the oil and security sectors; political issues like border access right for nomads and seasonal migrants; economic issues like national assets and debts; and international issues like treaties around the Nile water—and begin to set plans to address them.

Sudan is at cross-roads; one road would lead to either a united New Sudan on a new basis, or two democratic nation-states, and another would lead to war and devastation with major regional and international implications. It is up to the two parties and the Sudanese people to decide what is to become of Sudan and the help and engagement of the international community is crucial during the next few months to come.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. SMITH of Washington. Madam Speaker, on Thursday, July 30, 2009, I recorded an incorrect vote on the Tierney amendment to the FY 2010 Department of Defense Appropriations Bill. I intended to vote ''aye'' on rollcall vote No. 663.

RECOGNIZING THE 60TH WEDDING ANNIVERSARY OF JOHN RICHARD AND MABEL WARREN

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. MILLER of Florida. Madam Speaker, on behalf of the United States Congress, it is an honor for me to rise today in recognition of Dr. John Richard and Mrs. Mabel Warren on the occasion of their 60th wedding anniversary.

Dick and Mabel Warren first met in 1948 as students at Stetson University in DeLand, Florida. Dick Warren served his country faithfully in World War II as an Army Signal Corpsman during the France and German invasions. After returning home, he began his studies at Stetson, where he was the founding President of the school's Lambda Chi Fraternity chapter. He graduated in 1949 with a bachelor of arts in French. Mabel first attended Mount Berry College in Georgia, and then moved to Stetson after two years, where she met her future husband. She graduated from Stetson with a bachelor of arts in Elementary Education.

Teaching has always been a part of the Warrens' lives, and both Dick and Mabel went on to earn master's degrees in the field of education. In 1973, Dr. and Mrs. Warren settled in Niceville, Florida where they have remained ever since. Dr. Warren became part of the faculty of Okaloosa Walton Community College, now known as Northwest Florida State College, where he retired as Dean of Humanities in 1997. Mrs. Warren taught elementary education for 34 years and spent the last 21 years of her teaching career at Longwood Elementary School in Shalimar, Florida. Both Dick and Mabel continue to be an active part of the Northwest Florida community, giving their time and service to others.

Madam Speaker, on behalf of the United States Congress, I am proud to recognize Mr. and Mrs. Warren on their 60th wedding anniversary. My wife Vicki and I would like to wish all the best to Dick and Mabel, as well as their children, Barbara, Richard, and Mary Jane, and their nine grandchildren. They are truly an outstanding family from the First District of Florida.

HONORING THE CHESTER COUNTY COUNCIL OF BOY SCOUTS OF AMERICA ON THEIR 90TH ANNIVERSARY

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. GERLACH. Madam Speaker, I rise today to honor the Chester County Council of Boy Scouts of America, which is celebrating its 90th Anniversary.

Founded in 1919, the Chester County Council began with 15 Troops and approximately 300 scouts. During the last 90 years, the Council has helped enrich the lives of boys and young men through activities geared toward building character, developing leadership skills and instilling a commitment to serving others.

The Council has a stellar history with longstanding traditions, including camping at the Horseshoe Scout Reservation and the Sunday chapel service ''overlooking the valley of the Octoraro.''

The Council has thrived for nine decades due to dedicated volunteers, leaders and alumni who graciously commit countless hours mentoring and leading the youth of Chester County. And the exceptional support from community and business leaders combined with tremendous programs and facilities make the Council one of the premiere scouting organizations in the nation.

Madam Speaker, I ask that my colleagues join me today in congratulating the Chester County Council of Boy Scouts of America on reaching a very special milestone and offering best wishes for continued success in mentoring generations of local youth and building a stronger community and nation.

HONORING THE LIVES OF SPEC. DANIEL P. DREVNICK, SPEC. JAMES D. WERTISH, AND SPEC. CARLOS E. WILCOX IV

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Ms. McCOLLUM. Madam Speaker, I rise to remember three servicemen from the Minnesota National Guard's 34th Red Bull Infantry Division and to pay tribute to their lives. The deaths of Spec. Daniel P. Drevnick of Woodbury, Spec. James D. Wertish of Olivia, and Spec. Carlos E. Wilcox IV of Cottage Grove are a tragedy for our entire country. They lost their lives in a missile attack near Basra, Iraq on July 16, 2009.

Specialists Drevnick, Wertish, and Wilcox served this nation with honor and courage. They departed from Minnesota in February with more than 1,000 Minnesota National Guard soldiers. In Iraq, their duties included providing logistics and communications for more than 16,000 U.S. and multi-national coalition forces.

Daniel, James, and Carlos are Minnesotan and American heroes. We will be forever grateful for their military service. They made the ultimate sacrifice for our nation and a more peaceful world.

Madam Speaker, please join me in paying the highest respect to Spec. Daniel P. Drevnick, Spec. James D. Wertish, and Spec. Carlos E. Wilcox IV. Their families, friends, and comrades in Iraq have my deepest sympathies for their profound loss.

HONORING THE LIFE OF SALLY CROWE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to honor the life of Sally Crowe, the longtime House of Representatives Members Dining Room hostess. Sally passed away this July 12th at the age of 92. She began working as a cashier in the Longworth cafeteria in 1951, moving to the Members' Dining Room in the 1960s, where she remained ever since. In 2003, Sally received the John W. McCormack Annual Award of Excellence in recognition of her outstanding service to the House.

Sally was extraordinarily devoted to her job and to the institution of the House of Representatives. I first met Sally thirty years ago. She was a warm, engaging individual who infused this House with Irish wit and wisdom.

She was a wonderful example of the talented, professional and dedicated federal employees who serve their country with distinction and honor.

Madam Speaker, I would like to offer my sincerest condolences to the family and friends of Sally Crowe, as well as my greatest appreciation for her many years of service.

EXPRESSING GRATITUDE TO JAMES PAUL LATTURE III

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. TANNER. Madam Speaker, I rise today to acknowledge Paul Latture III, who has served as the President and CEO of the Jackson Area Chamber of Commerce since May 2002. Paul is leaving the position next week for a new opportunity in Rutherford County, Tennessee. Paul has helped expand West Tennessee's industrial base, including the recruitment of companies such as Bodine Aluminum/Toyota, and by working with existing industries to encourage expansion.

Paul is a graduate of the University of Mississippi, where he received a Bachelor of Arts in Marketing. Before joining the Jackson Area Chamber, he served as Assistant Commissioner for the Tennessee Department of Economic and Community Development, Executive Vice President for Economic Development for the Clarksville-Montgomery County Industrial Development Board, and Director of Membership Development and Governmental Affairs for the Memphis Regional Chamber of Commerce.

He is a graduate of the Institute for Organization Management, sponsored by the United States Chamber of Commerce, and is an active member of CoreNet Global, the American Chamber of Commerce Executives, and the Tennessee Economic Partnership (TEP). Paul is a 2005 graduate of WestStar. He is past president of the Tennessee Chamber of Commerce Executives (TCCE), past president of West Tennessee Chamber of Commerce Executives, and serves as vice president for the Tennessee Industrial Development Council (TIDC).

Paul and his wife Jennifer have two daughters, Abby and Claudia.

Madam Speaker, I hope you and our colleagues will join me in thanking Paul Latture III for his service and wishing him and his family all the best.

A TRIBUTE TO THE VOLUNTEERS OF WOODSTOCK, NEW YORK

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. HINCHEY. Madam Speaker, I rise today to pay tribute to the volunteers of Woodstock, New York, which is part of the 22nd Congressional District that I proudly serve. Once a year, the Woodstock community joins to honor those members who have given their time and energy to help others. This year, I am proud to commemorate the Fifth Annual Woodstock Volunteers' Day. In the American tradition of ''lending a hand,'' I am delighted to recognize this community's activist history and continued commitment to altruism.

Although people began settling in its mountainous land long before the American Revolution, Woodstock was officially named a township in 1787. At the turn of the twentieth century, Woodstock was a quaint, farming town and an upstate escape for artists and craftspeople. Since those early days, Woodstock has maintained a notable relationship between artists and non-artists, enabling people of all generations to work hand-in-hand for the sake of the community. A Woodstock historian writes, ''More recently, the artists and local people have worked together to better the town, joining in efforts to support the library, local planning, local schools, and governments. Woodstock has become truly a melting pot of a tremendously diverse group of people working together for a better way of life.''

The Fifth Annual Woodstock Volunteers' Day will pay homage to a number of volunteers and volunteer organizations, including the Woodstock Rescue Squad, Meals on Wheels, Family of Woodstock, Woodstock Fire Companies No. 1, 2, 3, 4 and 5, as well as their Auxiliaries, the Daily Bread Soup Kitchen, the Woodstock Food Pantry, all volunteers for the Town of Woodstock, Friends of the Library, the Woodstock Historical Society and the Boards of the various arts organizations with the Woodstock Arts Consortium.

There is an unparalleled value in the act of giving oneself voluntarily. Volunteerism provides an appreciation for community, instills a respect for life and humanity, and creates a bond that transcends generations. The Woodstock community has demonstrated a strong history and distinguished appreciation for this value, thus I extol their achievements. As thankful members of the Woodstock community gather to recognize the selfless acts of neighbors and friends, let us recognize the voluntary daily acts of kindness here in Woodstock and throughout America that strengthen our foundation. Madam Speaker, it gives me great pleasure to recognize the volunteers of Woodstock, New York as they celebrate the Fifth Annual Woodstock Volunteers' Day.

EARMARK DECLARATION

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. BILBRAY. Madam Speaker, I submit the following.

Requesting Member: Congressman BRIAN BILBRAY

Bill Number: H.R. 3326—Department of Defense Appropriations Act, 2010

Account: OPAF, Line 12

Legal Name of Requesting Entity: California National Guard

Address of Requesting Entity: 9800 Goethe Road, Box 42, Sacramento, CA 95826

Description of Request: I received $6,000,000 to upgrade the Eagle Vision III system which is operated by the 147th Combat Communications Squadron, in San Diego, California. Eagle Vision is a mobile commercial satellite imagery collection and processing system which has proven itself as a resource in the war on terror and a homeland defense asset. The Eagle Vision III system has supported missions with AFNORTH, NORTHCOM, the Federal Emergency Management Agency (FEMA) and the U.S. Geological Survey Agency (USGS) during natural disasters, CALFIRE/CalEMA, and the Army Strategic Command (ARSTRAT). In fact, it directly and indirectly supported 2009 Midwest flooding, and Hurricanes Fay, Gustav, and Ike and has participated in numerous military exercises. By providing the One-meter Electro-optical CARTOSAT 2 and the 2.5 meter CARTOSAT 1 and One-meter SAR system (RADARSAT II) upgrades, Eagle Vision III will have the same capabilities as newer versions of the system. The upgrades will provide the direct downlink of two separate imaging satellites allowing operators access to satellites with different orbitologies, and more frequent access to imagery during each day. Also, with a one-meter capability, imagery analysts will be able to identify specific information regarding roads, bridges, dams and other critical infrastructure which is very important to ''first responders'' during disaster situations.

HONORING MARISSA KAHN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. GRAVES. Madam Speaker, I proudly rise today to recognize Marissa Kahn. On July 16, 2009, Marissa received a Gold Medal while competing at the National Family, Career and Community Leaders of America National Leadership Conference. This is the highest award in the nation for her FCCLA event.

She has been very active with her local chapter and has contributed greatly to her area through her service. Not only has she distinguished herself through her involvement, she has earned the respect of her family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Marissa Kahn for her accomplishments with the National Family, Career and Community Leaders of America and for her efforts put forth in achieving the highest distinction in the National Leadership Conference competition.

EARMARK DECLARATION

HON. MARY FALLIN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 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 H.R. 3170—Financial Services Appropriations Act and Amendments I submitted and received the following funding.

I, Congresswoman MARY FALLIN, requested and received $1,000,000 for The Oklahoma City National Memorial Foundation located at 620 N. Harvey Avenue, Oklahoma City, OK 73102. This is the installment of a congressional authorization of which $3 million was

appropriated in Pub. L. 108–447 enacted 12/8/04 (H.R. 4818) for FY 2005. The authorization for the present request was passed by Congress in H.R. 2673 and signed into law January 23, 2004, which amended Pub. L. 105–58 to match non-federal funds raised/received by the Foundation for a permanent endowment. The purpose of the endowment is to ensure the financial stability of the Foundation for future operation and maintenance of the Memorial and Museum and to execute outreach and educational programs.

HONORING THE MEMORY OF CAROL BROOKS CASEY

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. BONNER. Madam Speaker, the city of Mexia and indeed all of Monroe County recently lost a dear friend, and I rise today to honor her and pay tribute to her memory. Carol Brooks Casey was a beloved citizen with a long and distinguished record of community service.

Carol, a renowned radio announcer, began her 32-year broadcasting career in 1977 at WMFC station in Monroeville. Although she initially professed a disinterest in radio, Carol possessed self-confidence, determination, and graciousness that earned her the affectionate title ''The Voice of Monroe County.'' Her radiant presence brought joy to those with whom she worked and earned her ''star status'' among her frequent listeners.

A leader for a host of philanthropic causes, Carol was honored by the local Kiwanis Club as its ''2008 Citizen of the Year.'' She served as chairwoman for the Chamber of Commerce Christmas Parade, was one of the organizers of Excel's Pioneer Days, established a Christmas toy drive for children, and helped promote the national Angel Tree organization. She was also an active member in a number of civic organizations, including: the American Cancer Society, Peddlin' for a Cure, the American Red Cross, Kiwanis Club of Monroeville, and the Monroeville/Monroe Chamber of Commerce, among others. She also organized the first Veteran's Day Parade in Monroe County in 2007.

Madam Speaker, I ask my colleagues to join me in remembering a dedicated community leader, a generous friend, and an inspirational voice for Monroe County and Southwest Alabama. Carol will be dearly missed by her family—her husband, Mike Casey; her son, Calvin Casey; her daughter, Adrienne Casey; her three sisters, Helen Tucker, Land Watford, and Wanda Brooks; and her brothers, Mike Brooks and Cliff Brooks—as well as the countless friends and devoted listeners she leaves behind.

Our thoughts and prayers are with them during this difficult time.

Madam Speaker, I ask that the following poem—written by Reverend Wayne McMillian, pastor of the Mexia Baptist Church, as a tribute to Carol—be entered into the CONGRESSIONAL RECORD:

A VOICE IN THE WIND

The Morning Dove arose with the dew
Her voice on the wind like pigeon flew
Bringing music, joy, and laughter she knew
Would brighten a dull and somber world.

She knew us well, that voice on the wind
The hand she held of many a friend
Through concerts, charities and raffles send
Help to the needy in this crippled world.

Now the Morning Dove from here has flown
Her voice on the wind, in a celestial dome
Yet the Waves she rode right here at home
Will be her legacy in that perfect world.

IN MEMORY OF MARY ALICE ETHRIDGE

HON. SAM JOHNSON

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. JOHNSON of Texas. Madam Speaker, I rise today in memory of, Mary Alice Ethridge, 61, the executive director of the Rowlett Chamber of Commerce, who passed away recently after a two year battle with colon cancer. I extend to all of her friends and family my deepest sympathy for their loss.

According to the Rowlett Lakeshore Times, ''She took a medical leave of absence from the chamber earlier this year but did not speak publicly about her condition. Ethridge's daughter, Laura Morris, said her mother was a constant source of encouragement.

'' 'My mother was my best friend and my inspiration in life and spirituality,' Morris said. 'There was no challenge too big. If someone told me no, my mother taught me to find a way to make it yes, but always with grace and dignity. She taught me that friendships are one of the greatest gifts a person can give another person, and that one can never have too many friends.'

''Ethridge served as the executive director of the Rowlett chamber for more than 20 years, and she helped the chamber grow from a one-room office to its current building along Main Street. She helped develop the Leadership Rowlett program and the annual casino night fund-raiser.

''Chamber board member Staci Mauldin said she will never forget Ethridge's unwavering commitment to the community. 'I'll most remember her for her dedication to the chamber and the business community here,' Mauldin said. 'It was something that was very near and dear to her heart.'

''Besides working at the chamber, Ethridge also enjoyed gardening and enjoying her home. She and her husband, Robert, were married about 40 years. Ethridge was also involved with the Alpha-Nu Sorority, Keep Rowlett Beautiful, Crimestoppers, and the Rowlett Arts and History Foundation.

''Above all, Ethridge enjoyed a good laugh.

'' 'The one thing that will always be with me will be her contagious laugh and beautiful smile,' Morris said. 'We loved to make each other roll with laughter. I miss her deeply already.' ''

While representing the wonderful community of Rowlett, I had the honor of getting to know Mary Alice. She touched many of us in such a positive way that her life will never be forgotten by those of us who had the privilege to know her. Mary Alice was an outstanding individual and she will be dearly missed. I ask all Members, please join me in honoring the distinguished memory of Mary Alice Ethridge.

HONORING EDWIN AND JEAN KRUPA ON THEIR 50TH WEDDING ANNIVERSARY

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. LIPINSKI. Madam Speaker, I rise today to honor Edwin and Jean Krupa on the occasion of their 50th wedding anniversary. Jean worked in my Congressional District Office for years, and her dedicated service and hard work made her both a valuable asset and someone who is a pleasure to know.

The love and dedication required through 50 years of marriage are truly worth celebrating. I am pleased to recognize them on this milestone, and wish them a continued life of adventures and fond memories.

I ask my colleagues to join me in honoring Jean Krupa and her husband Edwin Krupa on the occasion of their 50th wedding anniversary.

A CENTURY OF SERVICE: ROBBINSDALE FIRE DEPARTMENT, ROBBINSDALE MN

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. ELLISON. Madam Speaker, I rise today to recognize the extraordinary services provided by the Robbinsdale Fire Department throughout the past 100 years. Established in 1909; the Robbinsdale Fire Department has dutifully responded to fire calls, assisted neighboring communities, extinguished structure fires, grass fires, vehicle fires, responded to gas leaks, hazardous material spills, and advocated fire prevention through inspections and community education. The members of the fire department are residents of Robbinsdale who serve and protect their families, friends, and neighbors 365 days a year, regardless of the perilous nature of their work.

I applaud their dedication and service to their community. The professionalism of the Robbinsdale Fire Department is an inspiration to those they serve. Their commitment to public service is honorable and I encourage all who encounter past, present or future members of the Robbinsdale Fire Department to thank them for their selfless service to their city. On behalf of the residents of Minnesota's Fifth Congressional District, I commend the members of the Robbinsdale Fire Department for their hard work and sacrifice and wish them well in their next century of service.

TRIBUTE TO DR. ROBERT E. KELEHER

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. BRADY of Texas. Madam Speaker, I rise today to offer a tribute to Dr. Robert Keleher of the Joint Economic Committee, who is retiring this week from government

service. Bob has been a valued member of the committee staff since 1996, when he joined our staff as Chief Macroeconomist. Bob's keen mind, deep knowledge of economics, and high research standards have made him a tremendous asset to the committee for many years.

After receiving his Ph.D. in economics from Indiana University and a position as a bank economist, Bob joined the Federal Reserve Bank of Atlanta, rising as a research officer and senior economist to become Head of Macro and International Economics. In addition to his research in monetary economics, Bob also conducted research applying classical principles of economics to taxation, emphasizing the importance of reducing marginal personal tax rates to create incentives for healthy economic growth.

Bob also served as the senior Macroeconomist of President Reagan's Council of Economic Advisers in 1985 and 1986. He then moved on to become a special monetary and economic advisor to Vice Chairman Manuel Johnson, Board of Governors of the Federal Reserve. Leaving the Federal Reserve in 1991, he became Chief Economist of Johnson Smick International.

Bob joined the committee in 1996 under Chairman Jim Saxton and continued his research in many areas including international and domestic monetary policy. Bob's early and prolific work on inflation targeting composes the body of almost all Congressional analysis of this policy in the 1997–2006 time period. The significance of Bob's research was enhanced even more as the Federal Reserve moved toward a policy of more explicit inflation targeting over the last five years. Bob's work on international monetary policy contributed to important reforms of the International Monetary Fund.

In addition to his expertise in the field of economics, Bob also distinguished himself as a fine person of great integrity and judgment. I know I can speak for all of my colleagues on the Joint Economic Committee in congratulating Bob upon his retirement and thanking him for his service to the United States Congress.

STOPPING IDENTITY THEFT

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. COBLE. Madam Speaker, as a longtime member of the House Judiciary Committee, I am deeply concerned about the urgent need to protect Americans from rampant identity theft. During my six years as Chairman of the subcommittee that dealt with intellectual property matters, we often addressed issues affecting this criminal activity.

Identity theft occurs when someone is able to use another person's identifying information, including their name, Social Security number, or credit card number, without that person's permission, to commit fraud or other crimes. It is even a threat to our national security.

The Federal Trade Commission announced on February 26 that identity theft was the most reported complaint in 2008. The FTC estimates that as many as nine million Americans have their identities stolen each year.

Our government has begun a review that puts the focus on protecting the nation's digital infrastructure against cyber-attacks. I commend the Obama Administration for recognizing this major problem and for beginning to take constructive steps to deal with it.

If you are interested in learning more about this important matter, I urge you to read a column that was written by Michael J. Schultz for the Washington Times on February 20.

''President Barack Obama named Melissa Hathaway to lead a major review of this nation's cybersecurity. Her selection reflects the administration's desire to protect the government's information technology systems from security threats.

''The General Accounting Office characterized the government's computer system as a ''high risk'' area. This was underscored when the Federal Aviation Administration recently admitted its computer system was ''hacked'' and that the 48 files breached contained the names and Social Security numbers of more than 45,000 employees.

''While it is critical that the government's information networks be protected from terrorists and hackers alike, it is equally important that the administration's review also focus on ways to better protect every American's digital identities, especially when they use credit cards or the Internet.

''Digital identity misuse or theft leaves victims exposed to fraud that could lead to physical, emotional and financial harm. People from all walks of life have been victimized with those least able to absorb the punishment among the hardest hit.

''A recent survey by Jupiter Research concluded a total of 10 million Americans were victims of identity fraud in 2008, at an average cost of $496. Of these, 19 percent were defrauded while conducting online transactions.

''Millions of other Americans have suffered financial losses when their credit cards have been compromised. In addition, thousands of merchants have lost merchandise or funds when credit cards have been misused or stolen cards presented to make a purchase. Online merchants lost more than $10 billion in 2007 due to identity fraud.

''The misuse of prepaid cards presents yet another massive problem. Millions of stored value cards (gift cards, payroll cards, prepaid cards) have no Federal Deposit Insurance Corp. protection when they are stolen and thus thieves can spend them as easily as cash, depleting the true owner of their hard-earned savings.

''Most Americans do not realize that debit cards, which often carry the insignia of a credit card, do not offer the same protection as regular credit cards, and may only learn this when the cards are stolen.

''Unfortunately, the dangers go far beyond potential financial loses. A recently well-publicized case involved a 14-year-old girl who committed suicide when an adult pretended to be a boy on MySpace and then dumped her in a degrading way.

''Another example of the misuse of digital identities occurs when already overworked 911 call centers get ''swatted'' by prank callers able to imitate another number. These types of ''pranks'' severely limit first responders' ability to act in times of crisis, which places the entire community at risk when real emergencies require responses by fire or police departments.

''The upcoming review by the Obama administration should also address the sad truth that many of the so-called protections are inadequate to the dangers. For example, PINs or passwords often offer relatively little identity validation or protection. And most people have so many different passwords they frequently write them down and keep them with their cards, so when one is stolen the protection is often gone with it.

''Professional hackers can easily steal credit card information from individuals as well as from larger systems. More than 100 million credit card accounts were exposed when Heartland Payment Systems had its data centers breached in December 2008, enabling the thieves to subvert any current anti-fraud technology present. TJX Corp. had millions of credit card accounts exposed when they had their data centers breached.

''RBS WorldPay, one of the largest payment processors in the world, also had millions of accounts stolen when their data centers were breached.

''Clearly the old methods of automated protection are no longer adequate. Thus, we must implement systems that better validate digital identities to protect us as individuals and companies.

''Just as the government was wrong in allowing loose self-regulation of the financial, automotive and mortgage industries, it also has been far too lax in ensuring protection for consumers and companies that use payments cards of any type on the Internet.

''As a direct result of these conditions, we have seen a precipitous increase in reported credit card and Internet fraud. All users are at risk, but it is our children who are most vulnerable.

''The upcoming review of cybersecurity has the immediate responsibility to provide broadly defined protection. In addition to improving how to better protect our infrastructure from potential homeland security breaches from those with ill intent toward the United States, the administration should address how to use validated digital identities to prevent the abuses that have caused significant harm to individuals and businesses.''

TEXAS H. CON. RES. 183

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. CONAWAY. Madam Speaker, at the request of the Secretary of State of the State of Texas, I am officially entering House Concurrent Resolution 183, as passed by the 81st Legislature, Regular Session, 2009, of the State of Texas, into the CONGRESSIONAL RECORD.

HOUSE CONCURRENT RESOLUTION

Whereas, The oil and natural gas exploration industry has been a significant part of the state's economy since the early 20th century; today, Texas is the leading producing state for oil and natural gas in the country, accounting for 21.3 percent and 27.8 percent of total U.S. production, respectively; and

Whereas, Texas producers provide more than 200,000 jobs for Texas citizens, with an average pay that is almost three times higher than the average paid by all other industries; during fiscal year 2008, Texas producers paid over $5 billion in taxes and fees to the state's general revenue fund; and

Whereas, Natural gas is a highly valued, clean fuel that has become a mainstay of electricity production and other industrial operations in Texas, while oil continues to constitute the backbone of the state's industrial sector and fuels virtually all of the state's transportation system; and

Whereas, Renewable energy sources offer great promise for Texas' long-term energy needs, but the technology that would make

these sources abundant is in its infancy, and until that technology is adequately developed, renewable energy sources will remain dispersed and unable to deliver base load capacity; and

Whereas, Conservation can help satisfy the state's energy needs, and action to reduce customer demand is the quickest way to meet energy needs in the short term, but a growing economy and population will require more energy than can be saved through more efficient energy use; and

Whereas, To keep pace with increased demand, independent producers completed more than 11,000 wells in Texas in 2008, and in the two-year period 2007–2008, they increased the production of natural gas in Texas by more than 12 percent; and

Whereas, In addition to generating high-quality jobs, independent producers help to reduce America's dependence on Middle East oil by exploring for domestic resources and providing stable supplies of cost-effective energy to consumers; and

Whereas, Independent producers rely on longstanding tax provisions to plan their activities and to explore for new wells to offset declining production from older ones; without the development of new wells, energy supplies would decline and the costs to consumers would rise; and

Whereas, President Barack Obama's initial budget includes provisions deleting the intangible drilling costs deduction, percentage depletion allowance, geologic and geophysical costs deduction, and domestic production activities deduction, and the elimination of these provisions would cripple this state's energy jobs, reduce small businesses' access to capital, and harm royalty owners; and

Whereas, Intangible drilling costs (IDCs) typically include expenditures for physical items with no salvage value, as well as other costs associated with preparing and completing a well for the production of oil, gas, or geothermal steam or water; producers have long been able to deduct IDCs as current business expenses, rather than depreciate or amortize them over the life of the well; IDCs are actually similar to research and development costs, for which most manufacturing businesses are able to take a tax credit, rather than a deduction; and

Whereas, The percentage depletion allowance, also known as the small producers exemption, was created in the 1920s to encourage oil and natural gas exploration, which is an inherently high-risk venture; the exemption is available only to the smallest producers and allows them to deduct 15 percent of their gross income from oil and gas properties; and

Whereas, Geologic and geophysical (G&G) costs relate to the surveys that producers conduct or commission in order to locate and develop oil and natural gas reserves and to minimize unnecessary drilling; G&G costs may be amortized over the first 24 months of the life of a well; and

Whereas, The domestic production activities provision allows businesses a tax deduction for qualified production activities that are based in the United States; the deduction helps to preserve American jobs and American small businesses; and

Whereas, Major integrated companies are not eligible for the IDC deduction, percentage depletion allowance, or domestic production activities deduction, and they are subject to a seven-year amortization schedule for G&G work; consequently, ''big oil'' is not impacted by the proposed budget changes; and

Whereas, President Obama has stated his intention to support the development of jobs, promote the use of clean-burning energy, and reduce America's dependence on foreign oil, yet his budget proposals would lessen the ability of independent producers to help meet those three goals: Now, therefore, be it

Resolved, That the 81st Legislature of the State of Texas hereby respectfully urge the United States Congress to reject the provisions of President Barack Obama's budget that would eliminate the intangible drilling costs deduction, percentage depletion allowance, geologic and geophysical costs deduction, and domestic production activities deduction and to encourage instead the development of Texas oil and natural gas; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

DAVID DEWHURST,
President of the Senate.
JOE STRAUS,
Speaker of the House.
ROBERT HANEY,
Chief Clerk of the House.
PATSY SPAN,
Secretary of the Senate.

Approved: RICK PERRY, *Governor.*

MEDICAL LIABILITY REFORM

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. GARRETT of New Jersey. Madam Speaker, I rise today to discuss one aspect of health care reform that, unfortunately, has not received a lot of attention by the Democrat majority. That is the issue of medical liability reform.

Recently, I spent a couple of days in my district in New Jersey touring hospitals, physician group practices, and long-term care facilities. When talking to the physicians at these facilities, I asked them, ''What issue would you most like to see addressed in health care reform legislation?'' In every single facility I visited, medical liability reform was either at or near the top of the list.

We know that the surge in malpractice lawsuits over the past 30 years has had a profoundly negative impact on the practice of medicine. And while, obviously, I feel that patients should be compensated for gross negligence by physicians, there is little doubt that our current tort system is broken. More than 60 percent of liability claims against physicians are dropped, withdrawn, or dismissed without payment. In 2007, the average cost of defending these claims was $18,000 per case.

This has pushed the cost of liability insurance through the roof. The American Medical Association (AMA) has listed my home state of New Jersey as a ''crisis state'' for medical liability. Doctors face liability insurance premium increases that far outpace the already high rate of medical inflation. Some high-risk specialties, such as obstetrics or emergency, face annual premiums of over $100,000 per year. According to a survey conducted by the American College of Obstetricians and Gynecologists (ACOG), the lack of affordable liability insurance forced 70 percent of OB/GYNs to make changes to their practice. Liability concerns also forced between seven to eight percent of OB/GYNs to stop practicing obstetrics.

But more important than the direct costs of our tort system are the indirect costs. One pediatrician I spoke to said that he would ''just like to practice medicine without feeling like a lawyer was looking over my shoulder all the time.'' The anxiety that our physicians face from confronting potential lawsuits seriously affects the doctor-patient relationship. Additionally, it drives up the cost of health care by encouraging the practice of ''defensive medicine.'' The AMA estimates that defensive medicine adds somewhere between $84—$151 Billion per year in health care costs to our system. As another doctor I met with said, ''I can waste money like you've never seen. When someone comes into my hospital and needs treatment, I can order every test, every procedure known to man, simply to protect myself from a lawsuit.''

Even President Obama, in his recent address to the AMA has admitted that medical liability is a serious issue. But despite the support of the President, the medical establishment, and the overwhelming majority of Americans, of the 1,018 pages of H.R. 3200, the America's Affordable Health Choices Act, there is not a single page on medical liability reform.

Madam Speaker, this issue is simply too important for us not to address. Any serious attempt to reform our health care system must reform medical liability.

GOOD NEWS IN NEWARK

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. PAYNE. Madam Speaker, like all urban centers, my home city of Newark faces many challenges. We are working hard to improve the quality of life for residents by moving forward in the area of affordable housing and health care, better schools, child care, and services for seniors. We are also proud of the fact that Newark welcomes visitors not only from other parts of our state, but also from around the nation and the world. As we continue our successful economic development efforts, I would like to draw to the attention of my colleagues here in the U.S. House of Representatives an article which highlights the good news for Newark.

NEWARK AT NIGHT: IT'S NOT A SURPRISE ANYMORE THAT THE CITY IS ALIVE AFTER DARK

(Posted by Philip Thomas, Lawrence P. Goldman and Jeff Vanderbeek/Star-Ledger Guest Columnists, July 09, 2009)

Not too long ago, something you wouldn't necessarily have thought of happened in Newark. It was extraordinary.

On a crisp November evening, a sold-out house of 2,800 people filled Prudential Hall at the New Jersey Performing Arts Center for a stunning concert by The 5 Browns, a family of Juilliard-trained, young virtuoso pianists, along with the New Jersey Symphony Orchestra.

Just down the street, another 19,000 people were doing something that happens in every

great American city, but hadn't in Newark for quite some time—attending a major league sporting event; in this case, a rousing hockey game where the New Jersey Devils skated past the Toronto Maple Leafs by a score of 3–2.

It was just a few days after the Prudential Center opened in downtown Newark and it was the city's first test of how it would move multiples of thousands of people through downtown streets. Newark passed with flying colors. And it was the first of many electrifying nights with multiple venues alit and Newark abuzz with activity.

Just recently, Newark Symphony Hall played host to a daylong conference on reimagining its future. What became clear through the day is the unmistakable rebirth of Newark at night. There can no longer be any doubt. Newark is alive and kicking up its heels at night and on the weekends.

For quite some time, the Newark Museum and Symphony Hall were in a lonely vanguard. There was little life in the downtown core and Newark's lingering reputation from years past did not help. Too many office workers raced out of the city at night, almost never touching city sidewalks because of the hermetically sealed tubes between the towers, the parking decks and Penn Station.

Happily, though, much has changed in the last decade. Like Cleveland and Pittsburgh, two similar cities formerly down on their luck, we have seen real change in Newark and it is exciting to be a part of it.

Since opening night, NJPAC has attracted some 6 million visitors, the vast majority in the evening and on weekends. As we like to say, ''That's 6 million people coming to the building that wasn't going to be built in the city that no one was going to come to.''

Similarly, since opening less than two years ago, Prudential Center has drawn nearly 3 million visitors to Newark, virtually all at night or on the weekend. As we like to say, ''That's 3 million people coming to the Rock that couldn't be built in a city that no one would dare come to.''

In fact, even in the worst economy in three generations, Devils attendance is up almost 15 percent from their best year in the Meadowlands. Perhaps more important is how long their fans are staying—on average over an hour longer than they did at the Meadowlands. That means they are dining at Newark restaurants and spending more time—and money—in the city.

Newark Symphony Hall is poised to experience a resurgence. The recent conference was a promising start. Its vibrancy is essential to enlivening the south Broad Street end of Newark and creating stability for not only the visitors, but for the people who reside in the neighborhood as well.

This bodes well for the housing and commercial development that is picking up steam and for continued economic investment in this part of the city. If Newark is to sustain its momentum, the entire length of Broad Street must become the centerpiece of significant redevelopment to elevate Newark to the next level of visitor interest.

Combined, last year nearly 2 million visitors came to spend an evening in Newark attending events at the three venues. But there is more we must achieve.

In Cleveland, for example there are now six successful theaters in Playhouse Square and the Quicken Arena brought LeBron James and the Cavaliers from the suburbs to the city. The Rock and Roll Hall of Fame has enticed tourism from far beyond Cleveland. What was once a desolate downtown is now delightful. Hotels, office development and retail followed.

That's what we are aiming for in Newark. We have world-class facilities. We have fine restaurants—many of them brand new and participating in Newark's second annual restaurant week this month—and entertainment venues that dot the area around NJPAC and the Prudential Center, but we are not finished.

Cities are meant to be filled with all kinds of people coming together to celebrate, relax, revel and enjoy one another. That's now happening big time in Newark today. And that's very good news for all of us in New Jersey.

TRIBUTE TO THE LIFE AND LEGACY OF DR. A.D. PINKNEY, FORMER PRESIDENT OF THE INDIANAPOLIS NAACP

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. CARSON of Indiana. Madam Speaker, I rise today to pay tribute to the life and legacy of Dr. A.D. Pinkney, former president of the Indianapolis National Association for the Advancement of Colored People. He passed away this month, at the age of 85.

Dr. Pinkney was an iconic civil rights leader who brought visionary changes that forever altered the racial landscape of Indianapolis, Indiana. Under his leadership, the NAACP brought two landmark cases before federal courts, which were instrumental in forcing the city to desegregate. The first ruling forced black students from the Indianapolis Public Schools area to be bused to township system schools. The second ruling by federal courts forced suburban townships to expand public housing options for people of color.

Through great courage and dedication, Dr. Pinkney opened the doors for our generation to come forward and serve our community as proud and honorable citizens. He was instrumental in breaking down ethnic and racial barriers, so that people of color may live a prosperous life of liberty and equality.

His passing is a great loss to the Indianapolis area community. I ask my colleagues to join me in honoring Dr. A.D. Pinkney for his service.

PERSONAL EXPLANATION

HON. JOHN H. ADLER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. ADLER of New Jersey. Madam Speaker, due to a meeting at the White House on Friday, July 30, 2009, I missed two votes. I would have voted as follows: Motion to recommit on H.R. 2479—''no''; final Passage of H.R. 2479, the Food Safety Enhancement Act of 2009—''yes.''

EARMARK DECLARATION

HON. MARY FALLIN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 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 H.R. 3133, the Energy and Water Development and Related Agencies Appropriations Act. I requested $2,300,000.00 and received $250,000.00 for the Statewide Comprehensive Water Plan at the Oklahoma Water Resources Board located at 3800 North Classen Boulevard, Oklahoma City, Oklahoma 73118, which is a multi-year study to provide technical assistance to the state of Oklahoma in updating the Oklahoma Comprehensive Water Plan. The OWRB envisions that, combined with federal cost-shared funds, the OWRB could work with local water suppliers in evaluating their system conditions, long-term needs, and develop a strategy to meet their needs over a 50-year time horizon. The plan would also address the long-term needs of other water use sectors.

HONORING DR. MODESTO ''MITCH'' MAIDIQUE

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, I rise today to honor a true leader, activist, champion of education and a dear friend, Dr. Modesto ''Mitch'' Maidique, President of Florida International University in Miami, Florida.

Dr. Maidique is the longest serving university president in the State of Florida and the second longest serving research university president in the country. For more than two decades, he has dedicated his life to FIU, its students, faculty and staff, and has transformed it into one of our nation's leading institutions of higher education. As he prepares to retire next week, it is a privilege to pay tribute to this visionary and extraordinary leader.

He began his service to FIU in the College of Business Administration as a professor of management and in 1986 was named FIU's fourth President. Under his leadership, enrollment at FIU has more than doubled, growing to more than 38,000 students and today ranks among the 20 largest universities in the United States. The university added 22 doctoral programs and 18 undergraduate programs during Dr. Maidique's presidency. It serves not only Floridians, but students from across the nation and world and has cultivated successful alumni and leaders in our community.

His tenacity and perseverance led to the establishment of the College of Law, College of Engineering and the School of Architecture and most recently, the historic opening of the new FIU College of Medicine, one of only three medical schools established in the last 25 years. The university also added a Division I–A football team in 2002. FIU's sponsored research funding has also grown from $6 million to nearly $110 million and the institution's endowment experienced exponential growth from less than $3 million to more than $105 million.

Prior to his tenure at FIU, Dr. Maidique cofounded Analog Devices Inc., Semiconductor Division. He also served as CEO of Collaborative Research, now Genome Therapeutics, and as senior partner in Hambrecht & Quist Venture Partners. He was also the past chairman of The Beacon Council, Miami's economic development authority and has testified

before Congress on the issues of energy conservation and energy financing. President George H.W. Bush appointed him to the President's Educational Policy Advisory Committee and he served in a similar capacity for President George W. Bush. He later served on the Secretary of Energy's Advisory Board and has served for eight years as a member of the Commission on Presidential Scholars. The Hispanic Business Journal has named him among America's 100 Most Influential Hispanic Leaders.

He received his B.S., M.S., E.E. and Ph.D. degrees from the Massachusetts Institute of Technology and completed the Harvard Business School's Program for Leadership Development. He is also a contributing author to ten books and has co-authored a New York Times bestseller.

I have always considered Florida International University to be one of the fundamental pillars of South Florida. During my years in the Florida State Legislature, and now in Congress, I have enjoyed working closely with Dr. Maidique in the efforts to create the College of Law, the Engineering Campus, expanding the library and research capabilities, and securing millions in federal funding, among other accomplishments. I have witnessed the work of this great leader first hand and today I thank him for his service. His legacy will endure generations and is sure to be felt for decades to come.

My dear friend Mitch Maidique exemplifies the true meaning of public service and has put the needs of the University, our community's University, above all else. Madam Speaker, I ask that you join me in celebrating his legacy and career, thanking him for his invaluable service and wishing him well in the years to come.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOLTA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 24, 2009

The House in Committee of the Whole House on the State of the Union had under cousideration of the bill (H.R. 3293) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2010, and for other purposes:

Ms. McCOLLUM. Mr. Chair, I rise today in opposition to this Republican motion to recommit on the Fiscal Year 2010 Labor, Health and Human Services, and Education bill (H.R. 3293).

Since I was first elected to Congress, I have been advocating for more funding for the Individuals with Disabilities Education Act (IDEA). In January, I voted for the American Recovery and Reinvestment Act (H.R.1) that included $12.2 billion to help States and localities fund special education for 6.7 million students with disabilities. I want to note that not one Republican in the House of Representatives voted for the Recovery Act that included this vital funding. In the 109th and 110th Congresses, I introduced the Achieving Our IDEA Act, which would guarantee that the federal government meets its commitment to provide 40 percent of the cost of educating children with specials needs by 2013.

The bill we have before us today includes $12.58 billion for IDEA and I wish it included more. However, we cannot make up 8 years of lost ground in a single piece of legislation. This motion to recommit would add one billion dollars to the IDEA only by cutting other critical investments. If this motion passes, neighbors who have lost their jobs would suffer due to reduced funding for Training and Employment Services in the Department of Labor. Schools would lose needed funds for innovation and improvement. Nonprofits would suffer because the Corporation for National and Community Service budget would be reduced by 30 percent.

For these reasons, I will not support this motion and urge a ''no'' vote.

TRIBUTE TO THE LATE EUGENE AMOS

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. MOORE of Kansas. Madam Speaker, I rise today pay tribute former Kansas State Representative Eugene ''Gene'' Amos, who died on July 24th.

Gene Amos, the owner of the Amos Funeral Home, served in the Kansas House of Representatives from 1987 to 1993, representing a district that was centered on the city of Shawnee. Earlier this year, he received the Shawnee Chamber of Commerce's Lifetime Achievement Award for advancing the interests of Shawnee, which bears the imprint of his ''good deeds, kind words and solid values'', the Chamber stated. Born in Liberal, Kansas, he moved to Shawnee with his family in 1945, attended Shawnee Mission Rural High School and graduated from Kansas City Missouri Junior College and the Kansas City College of Mortuary Science. After serving in the U.S. Navy during the Korean War, he married Margaret Zoll in 1953 and joined his father's funeral business.

In addition to serving as president of the Kansas Funeral Directors Association and president of the State Board of Embalmers, Gene was an active member of the Shawnee Chamber of Commerce, the Shawnee Historical Society, the Shawnee Optimist Club, and Optimist International, where he served as president and district governor. He was a member of Merriam Christian Church, serving as a deacon, elder and chairman of the board. Additionally, he served as president and member of the Delaware Crossing Chapter of the Sons of the American Revolution. He often spoke to groups on the history of Shawnee, politics, the funeral business and family research, and he taught genealogy at Johnson County Community College. In 2007, he was named Shawnee Citizen of the Year by the Knights of Columbus Council 2332. He also was a charter member of the Ancient Form Masonic Lodge, and was a member of Scottish Rite Bodies, Abdallah Shrine, Beatrice Chamber, and Order of the Eastern Star.

As a member of the Kansas House of Representatives, Gene served on the education, public health and agriculture committees. According to the Kansas City Star, when the Kansas Legislature approved a resolution earlier this year recognizing Amos, lawmakers recalled his humor: ''One legislator told how Amos would pass out business cards to fellow committee members who he said appeared lifeless. He once took the pulse of a sleeping legislator and said he was looking for a new client. Then the mood in the legislative chamber that day turned more somber, according to a transcript of the proceedings. Frank Weimer, who served with Amos as a state representative, spoke of Amos' honor, generosity and integrity. 'There isn't a man on this earth I respect more than Gene Amos,' Weimer said.''

Madam Speaker, Gene Amos is survived by: his wife, Margaret; son, Gregg Amos; daughters, Joni Pflumm and Amy Ruo (John); sister, Paula Ramona Upton; six grandchildren and one great grandson. I have known Gene for many years and considered him a good friend. I join his many friends, neighbors and professional colleagues in celebrating his life and mourning our loss.

RECOGNIZING THE BRAVE MEN AND WOMEN WHO SERVED IN THE VIETNAM WAR AND HONORING THEIR SERVICE TO THE NATION

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. CLEAVER. Madam Speaker, I rise today in recognition of the brave men and women who served in the Vietnam War. It has been 50 years since our first casualties. In 1959, Major Dale Richard Buis and Master Sergeant Chester M. Ovnand were ambushed and killed by Ho Chi Minh Vietnamese. By 1963, 100 advisors had lost their life in Vietnam. After President Kennedy's assassination, history would be left to President Johnson, who would lead Americans into one of the most tumultuous times in our history.

In 1964, the reported Gulf of Tonkin incident resulted in a Congressional Resolution that allowed President Lyndon B. Johnson to wage war without a formal declaration. By 1965, the conflict heightened and more Americans were subject to the draft. Casualties escalated from 17,000 to 35,000 a month. In January of 1968, the North Vietnamese launched the Tet Offensive, though Americans were able to obtain a military victory and recapture most of the area. However, politically the tide of support was turning in the United States, and the draft continued as protests became louder. Richard Nixon was elected President and began covert bombing of Cambodia in 1969. By 1973 the last American troops left Vietnam.

As our American military was sent to do battle in a civil war, they had no idea of the life altering experience that would change them and their country forever. Vietnam Veterans are the children of the greatest generation. And like their fathers and mothers they did their job for their country, engaging the enemy on land, in the air, and on water—many fighting to their death. In battle survival depended on each other. They became numb from the

constant threat of the war, witnessing their friends injured or killed. Brave medics in the field and the doctors, nurses and corps men at hospitals worked tirelessly and risked their lives to save countless soldiers. There was little time to mourn those that died because no one knew what tomorrow would bring. How bravely they answered the call only to be scorned by many of their fellow countrymen and women when they returned home.

Now fifty years later, we have a better understanding of the extraordinary sacrifice made by this generation of patriots. We question, how then could we as a nation fail to understand that the soldier follows the orders of the Commander-in-Chief. To disagree is our given right but to fail to support our troops who are sent to battle should never happen again. Over 58,000 Americans died in Vietnam; 14,095 were just 20 years of age and several of them were my college classmates. Those men and women had their dreams and names forever etched in stone as a reminder that their sacrifice was their life. Even those that survived did not return unscathed. Many returned home with physical and emotional pains of war to a country that had turned a deaf ear to their needs. Those Vietnam Veterans, like the generation before, came home to raise their families and continued to contribute to our country. Many have passed away, but all have left their imprint on their families and our nation.

For those families still waiting for the return of their soldiers, it has been a long, mournful time. Recently John Adam was returned home after missing for 41 years. On May 22, 1968, twenty-year-old Air Force, Senior Master Sergeant John Adam disappeared while serving in Vietnam. His remains were located near Laos and identified through DNA. Now one family has closure; however, many of our veterans remain missing and the prayers continue.

So, on September 12, 2009, fifty years after the first casualty in Vietnam I, as the United States Representative of Missouri's 5th District, will host a Town Hall event at the Truman Library in Independence, Missouri, to honor the men and women who courageously served in that war—to finally give them the respect and honor they deserve as heroes of our country. Madam Speaker, please join me in thanking and appreciating the sacrifices of a great generation of American Patriots, our Vietnam Veterans.

TEXAS H. CON. RES. 120

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. CONAWAY. Madam Speaker, at the request of the Secretary of State of the State of Texas, I am officially entering House Concurrent Resolution 120, as passed by the 81st Legislature, Regular Session, 2009 of the State of Texas, into the CONGRESSIONAL RECORD.

HOUSE CONCURRENT RESOLUTION

Whereas, South Texas is on the front line of the battle against the fever tick, a pest that threatens to inflict catastrophic losses on the beef industry should it continue to spread beyond a permanent quarantine zone established along the Rio Grande in 1943; and

Whereas, Historically, the fever tick ranged across the entire southeastern United States, reaching as far north as Maryland and Pennsylvania; the tick can carry and transmit a parasite that causes cattle tick fever, which kills up to 90 percent of infected cattle; in 1893, the Texas Animal Health Commission was founded to fight this scourge, and in 1907 the United States Department of Agriculture established the National Cattle Fever Tick Eradication Program; by then, the tick had already caused direct and indirect economic losses estimated to equal more than $1 billion in today's dollars; and

Whereas, The eradication program had successfully contained the fever tick to an 852-square-mile quarantine zone by 1943; the tick was never eliminated in Mexico, however, and personnel from the USDA Tick Force have maintained a high level of vigilance to fight continuous reintroduction; after the pest was detected beyond the zone in 2007, five temporary preventive quarantine areas were established, covering more than one million acres in Starr, Zapata, Jim Hogg, Maverick, Dimmit, and Webb Counties; and

Whereas, In March 2008, the Texas Department of Agriculture requested some $13 million to fight the spread of fever ticks; the USDA released $5.2 million, and in January 2009 it committed another $4.9 million in emergency funds, but sustained funding over the long term is essential; moreover, the National Fever Tick Eradication Strategic Plan, developed and approved by the USDA in 2006, has never been implemented and funded, and Dr. Bob Hillman, the state veterinarian and executive director of the Texas Animal Health Commission, has warned that fever ticks are a national livestock threat that requires an all-out assault; and

Whereas, The fever tick has gained substantial ground in this state, but the Texas Department of Agriculture, the Texas Animal Health Commission, and the USDA Tick Force continue working diligently with cattle owners to save a key component of the Lone Star State's agricultural economy and prevent the battlefront from extending to other states; if the fever tick is not contained, the cost to the cattle industry could easily approach $1 billion a year and lead to rising food costs for consumers: Now, therefore, be it

Resolved, That the 81st Legislature of the State of Texas hereby memorialize the Congress of the United States to make eradication of the fever tick in South Texas a priority and continue to provide appropriate funding and resources for this effort; and be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all members of the Texas delegation to Congress with the request that this resolution H.C.R. No. 120 be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

GUILLEN GONZALEZ
TOUREILLES LEIBOWITZ,
King of Zavala.
DAVID DEWHURST,
President of the Senate.
JOE STRAUS,
Speaker of the House.
ROBERT HANEY,
Chief Clerk of the House.

I certify that H.C.R. No. 120 was adopted by the Senate on May 27, 2009, by a viva-voce vote.

PATSY SPAU,
Secretary of the Senate.

APPROVED: June 19, 2009. Rick Perry, *Governor*.

FOOD SAFETY ENHANCEMENT ACT OF 2009

SPEECH OF

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. HOLT. Madam Speaker, I rise today in support of the Food Safety Enhancement Act (H.R. 2749), and to commend the Committees on Agriculture and Energy and Commerce for their hard work in crafting the bill.

According to a 2005 study by the Centers for Disease Control, each year 76 million people (25 percent of the population) become sick, 325,000 are hospitalized and 5,000 die from foodborne illnesses in the United States. In recent years, the United States has experienced many incidents of food contamination, caused by biological and man-made toxins. For example, in 2000, various brands of taco shells were found to be contaminated with genetically modified corn meant only for animal feed. In the fall of 2006, spinach contaminated with E. coli bacteria resulted in more than 200 confirmed illnesses and at least three deaths. In 2007, various products imported from China were found to contain wheat gluten contaminated with the industrial chemical melamine, which killed more than a dozen house pets. And recently, people across the country were infected with Salmonella bacteria from eating peanut products from a processing plant in Georgia. Even contaminated cookie dough has ended up in the food supply.

Therefore I commend my colleagues Chairman Emeritus DINGELL, Chairman WAXMAN, Mr. PALLONE and Mr. STUPAK for their firm and comprehensive response to this torrent of food contamination incidents, and for crafting the bill before us today. In addition, I want to acknowledge my colleague Ms. DELAURO for her own substantial efforts to improve food safety, and her contributions to this bill. It would make many important improvements to our food safety regulations, including creating an up-to-date registry of all food facilities serving American consumers, requiring foreign and domestic food facilities to have safety plans in place to identify and mitigate hazards, and require high-risk food facilities to be inspected every 12 months, and low-risk facilities to be inspected every 18 months. It also requires the Food and Drug Administration, FDA, to develop a system which would expedite import processing for importers who agree to adhere to enhanced safety and security guidelines, and expands FDA trace-back capabilities in the event of a foodborne illness.

In particular, I want to thank the Committees for responding to many of the concerns raised by the National Sustainable Agriculture Coalition and constituents from my district that the bill would negatively impact small, family-owned, and organic farms. For example, the bill before us today provides an exemption from traceability and registration for direct farmer-to-consumer marketing, an exemption for food, facilities and farms that are already regulated by the U.S. Department of Agriculture, and an exemption for grain and hay farmers from full-scale electronic traceability

requirements. In all these cases the regulations would be unnecessary and wasteful.

However, a number of the concerns they raised have not been addressed, and I look forward to working with my colleagues in both Chambers to ensure that those matters are addressed as the bill moves through the process. Most importantly, it will be critical to assure that none of the new safety standards weaken the standards under the National Organic Program. In addition, it will be important that we facilitate and enhance the role of conservation and sustainability practices to address food safety issues. And we must ensure that the fee structure in the bill does not disproportionately impact small agricultural producers.

I thank my colleagues again for their leadership and prompt action on this matter, and I urge my colleagues to support this bill, and to work to fine-tune it as it moves through the legislative process.

CRITICAL ISSUES FACING SUDAN

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. MCGOVERN. Madam Speaker, Sudan has been ravaged by intermittent civil war for four decades. Over the last 20 years, more than two million people have died in Southern Sudan due to war-related causes and famine, and millions more have been displaced from their homes. In January 2005, after two and a half years of negotiations, the Sudan People's Liberation Movement (SPLM) of the South and the Government of Sudan signed a final peace agreement known as the Comprehensive Peace Agreement (CPA). According to the United Nations, U.S. officials and Sudan observers, the implementation of the CPA has been selective and at times deliberately slow. With national elections scheduled for April 2010, the implementation of the CPA is critical

Yesterday, on Thursday, July 30, 2009, the Tom Lantos Human Rights Commission held a hearing on ''Ensuring the Human Rights of the People of Sudan: Implementation of the 2005 Comprehensive Peace Agreement.'' The distinguished witnesses testifying before the Commission were Ezekiel Lol Gatkuoth, Head of Mission, Government of South Sudan Mission in the United States; Roger Winter, former Special Representative on Sudan, Department of State; John Norris, Executive Director, the ENOUGH Project; and Amir Osman, Senior Director of Policy and Government Relations, Save Darfur Coalition.

Mr. Osman, a native of Sudan, fled his home country in 2003 because his work on human rights had put his life at risk. He was resettled in the United States in 2006 through the United Nations High Commissioner on Refugees, moved to Washington, D.C., and joined the Save Darfur Coalition. It is my privilege to share his testimony with my colleagues.

SAVE DARFUR COALITION—TESTIMONY OF AMIR OSMAN

Good afternoon. Chairman McGovern, Chairman Wolf, thank you very much for inviting me to testify today on this very important issue before this very important commission. I appreciate the opportunity to talk about the critical issues currently facing my home country of Sudan.

It was a difficult decision for me to flee Sudan in 2003. I left because my work on human rights had put my life at risk. As a refugee living in Egypt, I continued to advocate for peace, justice, and democracy in Sudan at the American University in Cairo and the Cairo Institute for Human Rights Studies. I specifically focused on the genocide in Darfur during those years.

After being resettled to the United States in 2006 through the UNHCR, I moved here to Washington and joined the Save Darfur Coalition to aid its international advocacy efforts. As co-senior director of policy and government relations, I help design and implement the coalition's international policy, advocacy and outreach to foreign governments, and international partner organizations in Europe, Africa, and the Middle East. I also focus on the human rights situation in Sudan and the peace processes in Darfur and South Sudan

During the past decade, President Omar al-Bashir and his inner circle have transitioned from an ideologically driven regime to one whose primary aim is self-preservation. The regime now makes human rights compromises when it feels compelled to do so. The regime's continued abuses have been well-documented by human rights organizations. Regular warnings have been issued about illegal detentions, unfair trials, press censorship, and the routine harassment of journalists. In addition, current laws do little to protect victims of gender-based crimes.

The most urgent human rights challenge in Sudan today, however, continues to be the crisis in Darfur. Three million displaced civilians continue to suffer as a result of the genocide that began in 2003. While the systematic destruction of villages has largely ended, the people of Darfur continue to live in a lawless, dangerous environment, where rape continues to be a daily terror.

On March 4th, the Sudanese government demonstrated its ability to cut off humanitarian aid at any moment from the 4.7 million Darfuris who depend on it.

The mass violence committed by the Sudanese government several years ago has been replaced with the harassment, detention, torture, and murder of Sudanese civil society leaders. This violence led a significant number of the Sudanese human rights defenders to flee the country shortly after March 4th. Such abuses must be stopped.

The suffering in Darfur resembles in many ways the war in Southern Sudan. Both Darfuris and Southern Sudanese have experienced the bombing of villages and mass civilian displacement. The Sudanese government's use of humanitarian aid as a weapon of war and its divide and rule tactics amongst Southern rebels have also been repeated in Darfur.

At the same time the Sudanese government was launching its genocidal campaign in Darfur, it was negotiating with the SPLM an end to the conflict in the south. Bashir made the calculation that the international community would turn a blind eye to Darfur in the effort to get the CPA signed. His calculation turned out to be largely correct.

Bashir's favorite tactic is to delay true reforms by creating crises that distract the international community, allowing Bashir to never actually fulfill any of his promises. The international community enables Bashir by focusing on the crisis of the moment rather than a comprehensive solution. The NCP is using cooperation on the implementation of the CPA as leverage to resist international pressure on Darfur. And it is working.

The United States and the international community have failed to develop policies suited for dealing with a regime which lacks a fundamental willingness to transform into the democratic state envisioned by the CPA. Sudan issues will not be resolved satisfactorily between just the NCP and SPLM or the NCP and the Darfuri rebels. All of Sudanese civil society must be empowered to participate in these processes.

The United States must understand that Sudan's crises cannot be managed forever or resolved individually. Only when the international community demands serious judicial and democratic reforms will there ever be a chance to resolve South Sudan and Darfur and move towards lasting peace. Policymakers have too often focused on the South to the detriment of Darfur, or Darfur to the detriment of the South. But Darfur and South Sudan are not separate problems; they are the result of a single problem: the undemocratic, centralized, and abusive nature of the ruling regime. Only when this problem is addressed will peace be forthcoming.

There is an urgent need for a coherent and comprehensive strategy to guide Sudan to a more democratic and peaceful future. Such a strategy requires that important and difficult choices be presented to the NCP. The Sudanese government must be forced to choose between cooperation and confrontation.

If they cooperate by ending the violence in Darfur, ensuring accountability through cooperation with the ICC, and fully implement the CPA, they may be allowed to reap the benefits of becoming a responsible member of the international community. If they continue to delay implementation of the CPA and continue to attempt to divert and distract the international community by using one conflict as leverage against the other, they must face real consequences.

While we here in Washington sit and debate policy, the people of Sudan continue to suffer. This policy debate should not be complicated. The United States and its allies must force Sudan's hand and then commit to seeing this through. We have played Bashir's game too long to be fooled any longer.

MINNESOTA HEALTH CARE

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Ms. MCCOLLUM. Madam Speaker, on July 20th, I held a health care hearing in the Minnesota State Capitol to discuss the challenges and opportunities for health care reform presents for Minnesota. Representatives from patient advocate groups, health plans, hospitals, health plans, County Commissioners, and State House Representatives were in attendance. The speakers discussed the need to expand preventative care, to end the practice of denying coverage for pre-existing conditions, and to improve access to quality, affordable care.

In the hearing, I heard over and over again that the current flawed Medicare reimbursement formula is harming Minnesota. The people of Minnesota want health care reform that addresses the three major challenges in health care reform—cost, quality, and access—none of which can be addressed without fixing the Medicare reimbursement formula. I support moving towards a system that ensures that all patients will receive evidence-based, quality care as the standard.

I would like to enter the testimony from the hearing witnesses from this event into the CONGRESSIONAL RECORD.

TESTIMONY OF REPRESENTATIVE THOMAS HUNTLEY

Good morning Rep. McCollum. I commend you for holding this hearing on the need for national health care reform.

Minnesota is one of the nation's healthiest states with one of the highest insured rates in the nation. Investments in coverage for low-income families, strong public health initiatives, and a primarily non-profit insurance system have all contributed to our state's reputation for a health care system that provides high-quality care at a relatively low-cost compared to other states. Yet due to rising costs, our state's current system is unsustainable without substantial payment reform at the federal level.

In 2008, health care leaders from around the state collaborated on comprehensive health care reform legislation that mirrors many of the proposals being discussed at the federal level: an individual insurance mandate, investment in prevention, insurance market reforms, and care coordination incentives for providers. One of the central components of the legislation—and the one that has the most potential for cost-savings—was payment reform. There was a bipartisan consensus that transforming the health care system must start with changing the way we pay for health care. Without substantial cost containment at the state and federal levels, neither Minnesota, nor the United States, can hope to afford the costs of universal coverage.

The underlying payment structure fails to adequately meet the care needs of patients and undermines health care providers' attempts to provide high quality health services. Our entire health care system's payment regimen is built on Medicare standards that emphasize a ''tyranny of the visit'' philosophy which pressures providers to increase volume, does not value quality, and prioritizes specialty care at the expense of primary care. In too many instances, the result is inappropriate care provided to patients which does nothing more than increase total health spending.

In order to begin to contain costs, Minnesota's legislation included a number of reforms that restructure the payment system, moving us away from Medicare-based standards and toward a system that promotes quality-care and transforms the way health care is delivered and received. The payment reform included three components to both hold providers accountable and encourage evidence-based, high-quality health care. At each level there was an emphasis on the need for transparency for both providers and consumers.

1. Explicitly pay providers for the quality of care they provide.

2. Encourage care coordination through a medical home model that improves access to primary care.

3. Establish a system of accountability for the total cost of care through bundled care pricing.

Without similar, or even more aggressive payment reforms in Medicare, our health care system's growth will be unsustainable. Medicare's participation is essential in order to create a critical mass of payers in the new system. Providers in Minnesota have spoken up regarding the disincentives in the current payment system to develop new strategies to provide more efficient forms of health care. For instance, in Minnesota a number of health care systems have initiated new approaches to managing chronic conditions including congestive heart failure, hypertension and diabetes. While their patient outcomes have dramatically improved and they have seen reductions in hospitalization, these systems have consistently lost money because the current Medicare-based payment structures do not reimburse for non-office visit treatment.

Similar reforms are also being discussed in Congress. A Call to Action released by Senator Baucus in November outlined the need for pilot programs around accountable care organizations in Medicare as a way of testing new payment structures. Similarly the House Tri-Committee bill authorizes the Secretary of Health and Human Services to develop new cost containment methodologies including accountable care organizations and medical homes. In Minnesota we have already started down this path and should be rewarded for our innovation.

Representative McCollum, I know you are aware of the situation health care providers face in Minnesota. I want to thank you, as well as Minnesota Representatives Oberstar, Paulsen, Walz and Ellison, for your recent letter on this issue. As the health care reform bill moves through the House, I know you will be a strong voice for the change we in Minnesota deserve. I fear that if Congress waits to enact real payment reform that we all will pay the price.

As we all know there is no silver bullet to solving our nation's health care crisis. We must work together to achieve the kind of health care system we all deserve. The consequences of doing nothing will leave us with an impossible situation. We must begin to change the system we have into a system that works. This is a unique opportunity to make a difference; a point in time that will not last forever.

President Obama made the case in his February Address to Congress this year stating ''... a century after Teddy Roosevelt first called for reform, the cost of our health care has weighed down our economy and the conscience of our nation long enough. So let there be no doubt: Health care reform cannot wait, it must not wait, and it will not wait another year.''

TESTIMONY OF REPRESENTATIVE ERIN MURPHY

Good morning. My name is Erin Murphy. I am a registered nurse and a State Representative from district 64 A in St. Paul. Thank you for holding this hearing in Minnesota and for the invitation to testify today.

We must reform health care in America. In the middle of the debate, it may seem impossible to traverse the sharp policy and political questions before us but we must. The status quo is unsustainable and unacceptable. While individuals expect and often receive excellent care and cure, American lacks a coherent system of care delivery and payment. The result is a highly fragmented system delivering fragmented episodes of care. Too little attention is paid to the ultimate goal of health.

Americans are paying a high price for underwhelming individual and population outcomes. We are in that rare moment of opportunity to change course. We must change course.

I am delighted to have the opportunity to share with you a perspective from Minnesota. As you well know, Minnesota is an innovator and has long led the nation's efforts in health policy, value and reform. Along with our upper Midwestern neighbors, we are a high value low cost state.

We must reform the nation's health care delivery and payment systems to set the foundation for continued innovation and demonstration in Minnesota. We must embed what we know is working in Minnesota and the upper Midwest to deliver high value for lower relative cost across the Country. Finally, we must ensure that every American is covered so they get the right care at the right time for a good price.

COVERAGE

For many years we have focused on coverage as a primary solution. That so many Americans lack coverage for needed care is wrong, plain and simple. That health care is so expensive that necessary treatment of disease is financially out of reach for so many is wrong, plain and simple. Relying on the emergency room as the primary point of care for the uninsured is wrong, plain and simple.

Getting everyone into coverage is imperative, morally and financially. An individual mandate and guaranteed issue of coverage, regardless of preexisting condition will yield more coverage with shared responsibility between individuals and insurers. A public option will give Americans a choice between private coverage and a publicly backed coverage.

A public option provides opportunity to further drive delivery and payment reforms. If the public option cements the status quo in terms of payment and delivery, it will compound the problems with which we are already struggling. But if the public option serves to propel reforms, it enhances efforts to deliver better care for a better price.

Minnesota has worked over two decades to assure coverage employing Medicaid, Minnesota Care and General Assistance Medical Care. The Governor's line item veto of General Assistance Medical Care has undermined 20 years of effort in Minnesota. I ask that Congress consider this as it contemplates any state maintenance of effort. Maintenance of effort is an important means to balance state and federal efforts. Allowing state flexibility in policy reform while maintaining access provides state policymakers with the tools necessary for continued innovation.

DELIVERY REFORM

Our fragmented delivery system is providing fragmented care and we are paying a high price. Care for those with chronic conditions such as diabetes and heart disease accounts for upwards of 60 percent of all Minnesota's health care costs. This stark fact has served as a focal point in Minnesota. We must pursue policies to prevent the onset of disease and invested in care that will keep those with chronic conditions healthy and out of the hospital.

PAYMENT REFORM

Current payment is weighted to specialists and procedures and away from interventions to maintain health. For example, a surgeon is paid more for the amputation of a diseased diabetic limb than is a primary care provider for disease management preventing the loss of the limb.

Medicare sets the standard in payment. I urge the inclusion of large scale payment reform such as accountable care organizations or a total cost of care model. Without similar, or even more aggressive payment reforms in Medicare, our health care system's growth will be unsustainable. Medicare's participation is essential in order to create a critical mass of payers in the new system.

Short of large scale change, I urge state flexibility in Medicare payment. A Minnesota or upper Midwest demonstration in payment will permit us to demonstrate the Congress and the nation the means to deliver high quality care for a better price.

Achieving significant health care reform in this country has for decades been a uniquely challenging and complex issue. The grind between dogged political frames has proved insurmountable for policy makers. Entwined state and federal policy and funding, limits state policy reform efforts and calls for federal action. The urgency of growing costs and shrinking access compels our action. 40 years ago, America put a man on the moon, a seemingly unachievable goal. We did that—and we will do this too. We must.

Thank you for your courage and hard work. I stand with you in your efforts to enact federal reform while promoting and protecting the value the care delivered in Minnesota.

TESTIMONY OF REPRESENTATIVE MARIA RUUD

Good morning Rep. McCollum. Thank you for holding this hearing on federal health care reform. I appreciate the opportunity to be here today.

I have been a Nurse Practitioner for 21 years and am serving my third term in the Minnesota House of Representatives.

Health care reform can only occur if we enact true payment reform. With the current system there is a disincentive to provide the care needed. Paying for more tests, more procedures, and more visits rewards waste and inefficiency. The focus needs to change from reimbursement based on volume to reimbursement based on outcome.

Part of the reason our health care system has been able to function for as long and as well as it has is because there are a number of individuals who are deeply committed to serving their patients well. But our current payment system is making it increasingly difficult to deliver effective care.

For example, pay for production—pay for the number of patients seen or procedures performed—drives costs up and is a disincentive to provide the appropriate care at the appropriate time.

We have evidence-based medicine to inform providers, about what the most effective option is for the patient to achieve a healthy outcome. Access to preventative care and screenings, early and consistent management of chronic health conditions.

It comes down to providing the incentives that will help us achieve the goals we seek—well-being and healthy outcomes.

Now is the time to be bold. To align the incentives with the outcomes we desire. Providers want to do it—it is their calling to provide the most effective care possible.

TESTIMONY OF SHANE DAVIS, SECRETARY-TREASURER, SEIU HEALTHCARE MINNESOTA

Good Morning Representative McCollum: At this critical moment, while Congress is deciding to pass quality affordable healthcare for all, I want to sincerely thank you for this opportunity to testify. I would also like to publicly acknowledge your good work in supporting the principles of healthcare reform, put forward by Health Care for America-Now, an important coalition SEIU is proud to support.

My name is Shane Davis; I am the Secretary-Treasurer of SEIU Healthcare Minnesota. We represent more than 17,000 healthcare workers around the state of Minnesota. Our Members, by the thousands, work every day and night for companies currently recognized nationally as models of high-quality, low-cost healthcare, such as Allina, HealthPartners, and the Mayo Clinic. The Minnesota recipe for high-quality, low-cost healthcare includes workers having a real voice on the job. This encourages labor and management to work in partnership; increasing productivity and putting patient care experiences and health outcomes first.

Those of us who bargain contracts have first-hand experience in how badly we need health care reform. The ability to bargain for higher wages, for training funds to upgrade the skills of our members, for higher pensions so that workers can look forward to a secure and dignified retirement has been deeply compromised by escalating health care costs. We've heard that the CEO of Starbucks complains that he spends more money buying health insurance for his employees than he does buying coffee beans. Well, in our industry, as health care workers, it's not coffee bean prices that are outstripped by the cost of health insurance, it's training and upgrade funds, for instance, that would help our members move up career ladders, just so that we can hold on to health insurance.

Our members' stories about how badly they need health care reform are much like the stories of many other Minnesotans. Last month, Pam Bundy told us about her son, a former construction worker who was diagnosed with liver cancer. After months of illness and treatments, he lost his job, exhausted his COBRA benefits, maxed out his credit card with co-pays for treatment, was told he needed to pay cash when he came in for chemotherapy, and ultimately lost his home to foreclosure because of the crushing debt-load that was inevitable. Our members cannot wait for health care reform. Millions like Pam's son cannot wait for healthcare reform. We urge you to reject the siren song of delay and pass a bill.

SEIU believes that a public plan option is an essential and necessary component of real health care reform. It provides an alternative to private insurance and applies competitive pressure to the rest of the insurance industry. Research by the Commonwealth Fund shows that including the public option with other health care reform measures can help save another 77 billion to 1.8 trillion dollars over the next ten years. We are encouraged that a public plan has been included in health care reform legislation passed by the Senate HELP committee, the House Ways and Means committee, and the House Education and Labor committee. SEIU has strongly supported votes to approve these bills.

Once Congress has met the challenge of producing a final bill that includes a public plan option, then Congress has the opportunity to structure the best possible public plan. The deficiencies of our current payment system are well known. As the Dartmouth Atlas Project has highlighted, Medicare reimbursements currently reward high cost, low quality states, and penalize low cost, high quality states. For example, in Miami, Medicare will spend $15,000 per patient per year, while here in Minnesota, that figure is $7,000, less than half the reimbursement, with no difference in patient outcome. We must change how health care is paid for, so that we reward quality outcomes rather than quantity of services. If such changes are incorporated into a strong public plan option, it should reduce the overall cost to taxpayers and produce improved care across the nation. Our task is to make the most of this opportunity for payment reform, while still meeting the immediate challenge of passing real healthcare reform, including a public plan option.

Thank you very much for holding this hearing to ensure that Minnesota's voice is heard in this debate on health care reform.

IN RECOGNITION OF JIM HAMILTON

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. WILSON of South Carolina. Madam Speaker, I wish to recognize Jim Hamilton of Columbia, South Carolina, for his 46 years of service as airport manager of the Columbia Owens Downtown Airport.

Jim has been an active member of our community—participating in many diverse organizations and working to educate the community on aviation, the dangers of drug abuse, and supporting efforts to transport children with disabilities and those suffering from severe burns to Shrine hospitals throughout the country. He has even volunteered his time as an emergency standby pilot for flights to transport transplant candidates and critically ill patients.

For 13 years, Jim has driven a bus each Wednesday morning to bring elderly individuals to shop for groceries and even successfully convinced some of his fellow citizens to contribute refreshments for the bus ride. On behalf of the Columbia Owens Downtown Airport, Jim has fought to secure funding for a reconstruction and redesign of the airport as well as safety upgrades.

In recognition of his tireless service to the community, Jim has been honored twice with the Order of the Palmetto by two separate governors—the state's highest civilian honor—as well as numerous other honors and awards.

I commend Jim Hamilton for his service to our community and his dedication to his fellow citizens.

HONORING THE REV. DR. C.T. VIVIAN OF ATLANTA

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. LEWIS of Georgia. Madam Speaker, today I rise to honor a warrior for civil rights and social justice, a veteran of the modern-day Civil Rights Movement, a resident of the 5th Congressional District, and a friend. In a few days, we in Georgia will be honoring the life of the Reverend Dr. Cordy Tindell Vivian, better known as C.T. Vivian, who will turn 85 years old on July 30, 2009.

Born in 1924, Vivian grew up in Macomb, Illinois and was raised by his mother and grandmother. Even though Illinois was not segregated by law, C.T. Vivian was keenly aware that the customs and traditions of racism and discrimination pervaded his life. As a young man Vivian wanted to find a way to make an impact on society, so after leaving college he began working with youth at Carver Community Center in Peoria, Illinois. As a young man deeply influenced by the church and the visionary faith of his grandmother and mother, Vivian recognized the power of non-violence as a tool for social change. He joined a successful non-violent movement in Peoria in 1947 to integrate restaurants in the city, which brought down barriers in all public eating establishments throughout the city.

In 1955, C.T. Vivian was called to the ministry and enrolled in what would some years later become my alma mater, American Baptist Theological Seminary in Nashville, Tennessee. That same year, he began working with a new subdivision of Martin Luther King Jr.'s organization established by the Rev. Kelly Miller Smith called the Nashville Christian Leadership Conference. The NCLC began training Nashville college students in the discipline and philosophy of non-violence and was involved in organizing the first student sit-ins and marches in the city in 1960.

Vivian's experiences in Peoria helped provide leadership for student organizers in Nashville, and in 1961, he joined the Freedom

Rides, after the Congress for Racial Equality (CORE) had suspended their efforts. One bus had been set on fire in Anniston, Alabama. Freedom Riders had been surrounded by an angry mob in a church in Montgomery, Alabama. Attorney General Robert Kennedy had called in the National Guard to protect riders traveling from Montgomery to Jackson, Mississippi. CORE suspended its efforts to test the desegregation of interstate transportation. In spite of these dangers, Vivian joined a new attempt to renew the rides on a bus trip from Nashville to Jackson. Martin Luther King Jr. asked Vivian to join the executive staff of his organization, the Southern Christian Leadership Conference. He worked with SCLC campaigns in St. Augustine, Florida; Danville, Virginia; and Chicago, Illinois. Vivian was in Birmingham in 1963, participated in the Mississippi Freedom Summer Project in 1964 and came to Selma in 1965.

In Selma, he worked with the voter registration efforts that the Student Non-Violent Coordinating Committee already had in progress, and would serve as a lead protestor, persistently confronting Sheriff Jim Clark on the steps of the Selma, Alabama courthouse at the head of a band of non-violent marchers seeking to register and vote. He was arrested and jailed in Selma several times.

In February 1965, Vivian was a speaker at a non-violent, peaceful night-time rally meant to support protestors jailed in Marion, Alabama. The marchers were ambushed by a violent posse who killed military veteran and Marion native Jimmie Lee Jackson. Efforts to commemorate Jackson's death ultimately became the historic Selma to Montgomery march which culminated in the passage of the Voting Rights Act. The act opened up more free and fair access to the ballot box for all African Americans, as well as other Americans of color, and it resulted in the election of literally thousands of black elected officials in subsequent years, including the first African American president of the United States, Barack Obama.

Following the death of Martin Luther King Jr., Vivian formed an organization dedicated to the training of African American youth called Vision, which ultimately became known as Upward Bound, an educational program that provides college students with scholarships. After working with SCLC, Vivian organized campaigns against racism and advocated for racial justice. He has worked to found other organizations, including the Black Action Strategies and Information Center, the Center for Democratic Renewal, and the C.T. Vivian Leadership Institute, all based in Atlanta. In 2008 he led the Yes We Care campaign, which contributed over $500,000 to Morris Brown University, a fiscally challenged historically black university in the city. He is the author of Black Power and the American Myth.

The Rev. Dr. C.T. Vivian has served as an inspiring leader, an electrifying minister, and a force for good in our society. As a participant in the modem-day Civil Rights Movement, he successfully implemented the discipline and philosophy of non-violent social resistance that helped to transform America forever. For this role, C.T. Vivian must be seen as one of the authors of a new chapter in American history that hastens the advent of a society based on simple justice that values the dignity and the worth of every human being, or the Beloved Community. For his eloquence, insight, vision, persistence, determination and courage, we commemorate the service of C.T. Vivian on his 85th birthday.

HONORING PASTOR BRENDA TIMBERLAKE

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. BUTTERFIELD. Madam Speaker, I rise to recognize Pastor Brenda Timberlake's deep commitment to improving the lives of others and the community. On September 18, 2009, friends, family and well wishers will gather in Cary, North Carolina to celebrate Pastor Timberlake's 60th birthday and her 30 years of ministry.

Over the years, Pastor Timberlake and her late husband, Bishop Mack Timberlake, engaged in a great number of important efforts and projects that continue to help and serve the community.

Among the many successful endeavors undertaken by Pastor Timberlake include: establishing the Christian Faith Center Academy to provide Christian-based education to students from kindergarten through 12th grade; constructing the Royal Pavilions of Creedmor, a 28-unit housing complex for the elderly and disadvantaged; collaborating with the North Carolina Department of Public Health to reduce infant death rates and provide assistance to single mothers through the Family First of Granville County program; and establishing the Raven's Nest Food Bank.

Madam Speaker, these are but a few of Pastor Timberlake's many efforts. I ask that my colleagues join me in recognizing her accomplishments as her friends and family celebrate her birthday, ministry and achievements.

Pastor Timberlake continues to serve as exceptional community leader. Please join me in expressing gratitude for her service to the community and in wishing her continued success as she celebrates her birthday.

EXPRESSING CONDOLENCES TO THE FAMILY AND LOVED ONES OF BORDER PATROL AGENT ROBERT ROSAS

SPEECH OF

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2009

Mr. REYES. Madam Speaker, it is with deep sadness that I rise today in support of H. Res. 681, a resolution which expresses condolences to the family and loved ones of U.S. Border Patrol Agent Robert Rosas. On July 23, 2009, Agent Rosas was killed by gunfire while protecting our nation's southwest border.

Agent Rosas began his law enforcement career in 2001 as a reserve officer in El Centro, California. His desire to one day become a member of the U.S. Border Patrol was fulfilled on May 22, 2006 when he officially joined the Border Patrol family. Agent Rosas was deeply admired and respected by his colleagues for his generosity and service to others and for his dedication to his family. He fully embraced the Border Patrol's mission of securing our nation's borders, and he served with honor and distinction.

Agent Rosas' death serves as a reminder of the many risks that confront Border Patrol agents each day and why we owe them our sincere gratitude for their bravery, service and sacrifice. Before coming to Congress, I served for 26½ years in the Border Patrol, and I will always remain a part of that special family. I know first-hand the challenges and dangers that the agents face each day, and as a Member of Congress, I remain committed to ensuring that they have the resources and support that they need. My thoughts and prayers are with Agent Rosas' family—his wife Rosalie and his two children, Robert and Kayla Alisa. During this extremely difficult time, it is my hope that the family will find some comfort in knowing that Agent Rosas served his country with distinction and that he will be remembered in the hearts of the American people.

TRIBUTE TO MR. RALPH J. INFANTE

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. RYAN of Ohio. Madam Speaker, I rise this evening in recognition of Mr. Ralph J. Infante of Niles, Ohio. Mr. Infante passed away May 26, 2009. Mr. Infante was a lifelong resident of the Mahoning Valley. He leaves his wife, Angeline Ragozine Infante, whom he was married to for 60 years. He also leaves 4 sons, 2 daughters, a sister, 2 brothers, 14 grandchildren, 5 great-grandchildren, and many friends from around the valley.

Mr. Infante worked for many years in the Mahoning Valley. He graduated from Niles McKinley High School in 1947 after serving in World War II. Mr. Infante was a Veteran of the United States Navy, who served in the South Pacific Theater during World War II. He received an Honorable Discharge from the Naval Service of the United States of America on the 29th day of April, 1946 at the U.S. Naval Personnel Separation Center, Great Lakes, Illinois. He served with honor and distinction during his time of service in the U.S. Navy.

Mr. Infante was employed as a die setter at Faull and Son Tool and Die Co. for 26 years. He was also employed for the City of Niles as a Municipal Court Bailiff and worked for the waste water treatment plant for 15 years, retiring in 1990. He was also very active in local politics, serving as Niles 3rd Ward Councilman for 5 years.

Mr. Infante was truly a great part of the community. He was an honorary lifetime member of the Niles Men's Democratic Club and the Italian Fraternal Home of Girard. He was a charter member of the Italian American War Veterans Post 39 in Girard and The Bagnoli Irpino Club, as well as a lifelong member of Our Lady of Mt. Carmel Catholic Church in Niles.

Mr. Infante was an avid Cleveland Browns fan and enthusiast of The Ohio State University. Although his beloved wife, Angeline, was a Cleveland Indians fan his beloved team was the New York Yankees. His six children would be split down the middle (3 New York Yankee

fans and 3 Cleveland Indian fans) which made for interesting family dinner conversations and game day exchanges. Some of their biggest disagreements came when the Yankees and the Indians played each other.

Mr. Infante will always be remembered, as his high school yearbook proclaimed, ''Never Failed a Friend and Never Feared a Foe.''

INTRODUCTION OF THE SALMON SOLUTIONS AND PLANNING ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. BLUMENAUER. Madam Speaker, few issues are more controversial or contentious than the issue of dam removal on the Snake River system. Some have argued because they don't like certain possibilities that they don't want to know about them. This whistling past the graveyard is both unrealistic and unwise. Things we don't like sometimes are options, and we should know the facts.

That is why I am pleased to co-sponsor the Salmon Solutions and Planning Act with my colleagues JIM MCDERMOTT and TOM PETRI. This is an important piece of legislation that will provide policymakers in the Pacific Northwest and around the country with additional information necessary to aide in the recovery of Columbia Basin salmon.

The legislation requires the Army Corps of Engineers, Department of Transportation, Department of Commerce, and Department of Energy to study the environmental, infrastructure, and economic issues associated with removing the four Lower Snake River dams. The bill also includes language authorizing the Secretary of the Army to remove the dams. This language is intended to clarify that lower Snake River dam removal is within the Corps' authority. It is important to note this bill contains no ''trigger language'' that would mandate dam removal.

Salmon are a significant ecological, economic and cultural resource for the Northwest and indeed the entire country. These fish once supported the world's most productive salmon watershed. Unfortunately, wild salmon and steelhead in the Columbia and Snake Rivers have been in decline for decades, with thirteen stocks now listed under the Endangered Species Act. Not only has this decline had negative impacts on the watersheds of the Pacific Northwest, it wreaks havoc on salmon-dependent communities and local economies.

Since coming to Congress, I have supported funding for habitat restoration, reforming hatchery practices, and re-examining our harvest practices, all measures that can contribute to salmon recovery. However, with salmon populations continuing to decline, it's clear that what we have been doing for the past 20 years has not been working. I have called for an approach that evaluates all science-based recovery options, including dam removal. This legislation represents an important piece of that analysis.

Some have equated knowing the facts with actually triggering the process to remove the dams. My support for this legislation is not support for dam removal. My position over the years on this has been consistently to support evaluating all options for salmon recovery. The studies authorized by the bill will help us determine the consequences of dam removal not only for Northwest salmon, and but also for transportation, energy, and irrigation in the region.

Like other Pacific Northwest residents, I have a deep interest in coming to a resolution on salmon recovery. The stress and uncertainty created by illegal biological opinions and the involvement of the judicial system not only harms fish, but also the farmers, fishermen, Tribes, ports, union members, and others whose livelihood depends on the Columbia River system.

This legislation is an important step in having the facts about our options for restoring self-sustaining, fishable populations of Northwest salmon.

PERSONAL EXPLANATION

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mrs. McCARTHY of New York. Madam Speaker, yesterday and today, I missed 26 votes. Had I been present, I would have voted as follows.

Rollcall No. 661, on Agreeing to the Murtha Amendment to H.R. 3326, I would have voted ''Yea.''

Rollcall No. 662, on Agreeing to the Flake Amendment to H.R. 3326, I would have voted ''No.''

Rollcall No. 663, on Agreeing to the Tierney Amendment to H.R. 3326, I would have voted ''No.''

Rollcall No. 664, on Agreeing to the Flake Amendment #1 to H.R. 3326, I would have voted ''No.''

Rollcall No. 665, on Agreeing to the Flake Amendment #258 to H.R. 3326, I would have voted ''No.''

Rollcall No. 666, on Agreeing to the Flake Amendment #389 to H.R. 3326, I would have voted ''No.''

Rollcall No. 667, on Agreeing to the Flake Amendment #432 to H.R. 3326, I would have voted ''No.''

Rollcall No. 668, on Agreeing to the Flake Amendment #439 to H.R. 3326, I would have voted ''No.''

Rollcall No. 669, on Agreeing to the Flake Amendment #449 to H.R. 3326, I would have voted ''No.''

Rollcall No. 670, on Agreeing to the Flake Amendment #553 to H.R. 3326, I would have voted ''No.''

Rollcall No. 671, on Agreeing to the Flake Amendments En Bloc to H.R. 3326, I would have voted ''No.''

Rollcall No. 672, on Agreeing to the Campbell Amendment #1 to H.R. 3326, I would have voted ''No.''

Rollcall No. 673, on Agreeing to the Campbell Amendment #8 to H.R. 3326, I would have voted ''No.''

Rollcall No. 674, on the Motion to Recommit with Instructions to H.R. 3326, I would have voted ''No.''

Rollcall No. 675, on Passage of H.R. 3326, I would have voted ''Yea.''

Rollcall No. 676, on Agreeing to the Resolution H. Con. Res. 172, I would have voted ''Yea.''

Rollcall No. 677, on Agreeing to the Resolution H. Res. 691, I would have voted ''Yea.''

Rollcall No. 678, on the Motion to Suspend the Rules and Pass, as Amended, H.R. 2728, I would have voted ''Yea.''

Rollcall No. 679, on the Motion to Recommit with Instructions to H.R. 2749, I would have voted ''No.''

Rollcall No. 680, on Passage of H.R. 2749, I would have voted ''Yea.''

Rollcall No. 681, on the Motion to Suspend the Rules and Pass, as Amended, H.R. 1752, I would have voted ''Yea.''

Rollcall No. 682, on the Motion to Suspend the Rules and Pass, H.R. 3435, I would have voted ''Yea.''

Rollcall No. 683, on Agreeing to the Frank Amendment to H.R. 3435, I would have voted ''Yea.''

Rollcall No. 684, on Agreeing to the Garrett Amendment to H.R. 3435, I would have voted ''No.''

Rollcall No. 685, on the Motion to Recommit with Instructions to H.R. 3435, I would have voted ''No.''

Rollcall No. 686, on Passage of H.R. 3435, I would have voted ''Yea.''

A SPECIAL BIRTHDAY MESSAGE TO MRS. INIS PUCKETT OF TENNESSEE

HON. LINCOLN DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. DAVIS of Tennessee. Madam Speaker, I rise today to honor and celebrate the life of Inis Puckett on the occasion of her 100th birthday.

Inis Beasley Puckett, the oldest of six children, was born to E.J. and Lecie Fly Beasley, on August 12, 1909, on a farm in Primm Springs, Tennessee. She moved to Centerville with her family when she was 16 years old.

The family quickly became active members of the Centerville Church where her father served as Bible school teacher, treasurer, Sunday school superintendent, song leader and Elder for 30 years until his death in 1958. Her mother died in 1981.

Inis has been a member of the Centerville Church for 82 years. She has taught many Sunday classes, Vacation Bible Study classes, and served as supervisor of the primary department for 20 years.

Inis graduated from Hickman County High School and George Peabody College. Her teaching career, spanning 43 years, began at Bon Aqua teaching third and fourth grades, then to Little Rock for all eight grades, then to McFarlan for all eight grades. There, she rode the bus to Five Points, walked two miles and built the fire in the wintertime. After school, she walked back to the highway, and after dark, caught the bus home. She was transferred to Haley's Creek with all eight grades for 5 years. She then moved to Centerville Elementary School where she taught first grade for 32 years.

After her retirement, she worked with her dad and husband in Beasley Furniture Store until it closed in 1979.

Inis and Paul Puckett were married on April 12, 1934. Paul died on their 60th wedding anniversary. Inis' sight began to deteriorate in

1981. She has had 13 surgeries on her eyes with little success.

In her lifetime she has enjoyed many activities such as gardening, baking and still enjoys playing the organ. Due to the failure of her eyesight, she has memorized 56 selections.

Her present residence has been her home for 67 years.

I ask that my colleagues rise and join me today in wishing Inis a happy birthday as she continues to grace us with her rich, full presence in Tennessee.

TEXAS H. CON. RES. 79

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. CONAWAY. Madam Speaker, at the request of the Secretary of State of the State of Texas, I am officially entering House Concurrent Resolution 79, as passed by the 81st Legislature, Regular Session, 2009 of the State of Texas, into the CONGRESSIONAL RECORD.

HOUSE CONCURRENT RESOLUTION

Whereas, Border communities, such as Laredo, contend with heightened responsibilities in the world today, and since the advent of the North American Free Trade Agreement in 1994, Laredo has become the busiest United States port of entry from Mexico and the sixth-largest customs district in the country, with more than $167 billion in total trade in 2007; while the heavy flow of international commerce is a boon to the local economy, it presents tremendous challenges to the first responders who protect the state and the nation as well as their own community; and

Whereas, The Bureau of Transportation Statistics calculated that more than 1.5 million trucks and 300,000 rail containers crossed through Laredo in 2006, and according to Texas Department of Transportation estimates, truck tonnage will increase by some 250 percent by 2030; about half of this cargo includes hazardous material, and more than 60 million square feet of warehouse space in the city also contains significant amounts of hazardous materials, creating a tempting target for terrorists and enormous potential for a disaster that could not only endanger public health but also disrupt major transportation systems and negatively impact the national economy; and

Whereas, Relatively isolated on its side of the border, Laredo is 150 miles from the nearest sizable U.S. city, and its police, fire, and public health personnel are the primary emergency responders for a region of more than 3,000 square miles; this includes a long stretch of the Rio Grande, which is the primary drinking water source for Laredo, Nuevo Laredo, and other communities in the Rio Grande Valley, making swift response to any contamination extremely critical; in addition, the United States-Mexico Border Health Commission has recognized the region as among those most vulnerable to perils such as bioterrorism and epidemics; and

Whereas, The Laredo Police Department has increased vigilance over border activity since the attacks of September 11, 2001, and confronts an escalating threat from violent international drug traffickers, who have been linked to terrorism; the fire department responds to a wide range of emergencies along the Rio Grande, from the rescue or recovery of individuals who have attempted to cross into the United States to bomb threats; and

Whereas, The emergency response system in Laredo requires a higher level of funding to ensure public safety and meet homeland security imperatives; for instance, the city has only one hazardous materials response unit, purchased in 1991 and long overdue for upgrades; it lacks a detection system for chemical, biological, radiological, nuclear, and high-yield explosive weapons, as well as for quick assessment and management of industrial accidents; among other urgent needs are enhanced police staffing, improved radio coverage in remote areas, and construction of a secure regional emergency operations center where safety personnel and local, state, and federal government officials can coordinate decisions and resources in a crisis; and

Whereas, With an estimated population of 217,000, Laredo is a much smaller city than other major United States ports; its own budget is accordingly limited, and at the same time, its size has been an impediment in the pursuit of federal assistance; homeland security funding formulas currently use census figures rather than threat risk in determining eligibility for such programs as the Urban Areas Security Initiative and Targeted Infrastructure Capability Grants Program, and, as a land port, Laredo is likewise ineligible for the Port Security Grant Program, even though it processes more international shipments than such grant recipients as Mobile, Alabama, and Lake Charles, Louisiana; and

Whereas, Laredo, as the nation's second-busiest land gateway, shoulders unique law enforcement, public safety, and national security burdens far out of proportion to the size of its population; increased federal funding is necessary to strengthen first response where local agencies with strained budgets are responsible for protecting our nation's critical infrastructure and addressing international threats; now, therefore, be it

Resolved, That the 81st Legislature of the State of Texas hereby respectfully urge the United States Congress to refine Department of Homeland Security policy to consider risk levels as well as population size in assessing the financial needs of first responders in border communities along the international boundary created by the Rio Grande; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to the congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

DAVID DEWHURST,
President of the Senate.
JOE STRAUS,
Speaker of the House.
ROBERT HANEY,
Chief Clerk of the House.
PATSY SPAW,
Secretary of the Senate.

Approved: RICK PERRY, *Governor.*

EARMARK DECLARATION

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. ROSKAM. Madam Speaker, pursuant to Republican standards on disclosure for Member project requests, I am submitting the following information regarding projects I support for inclusion in H.R. 3183, the Energy and Water Development and Related Agencies Appropriations Act of 2010.

Congressman PETER J. ROSKAM: H.R. 3183, Army Corps of Engineers, Construction account for the continuation of work on the Des Plaines River, IL. The entity to receive the $3,300,000 in funding for this project is the U.S. Army Corps of Engineers, Chicago District, 111 N. Canal Street, Suite 600, Chicago, IL 60606. It is my understanding that the funding would be used to continue work on the Des Plaines River projects authorized by the Water Resources Development Act of 1999 (Public Law No. 106–53). Funding for this project would be used to continue Phase I of the authorized Des Plaines River Project. Specifically, construction will move forward on the expansion of Big Bend Lake and lowering the normal lake level to obtain an additional 587 acre-feet of storage. Material excavated from the expansion must be removed from the site. Two storm sewer lines, which currently empty into Big Bend Lake, a 96-inch and 24-inch, will be rerouted directly to the Des Plaines River. Recurrent flooding along the Des Plaines River causes an estimated average annual damage of more than $25 million (69 percent traffic damages, 20 percent residential damages, 8 percent commercial/industrial/public damages, 3 percent emergency services costs). Statutory authorization for this project is provided in the Water Resources Development Act of 1999 (Public Law 106–53), and a Project Cooperation Agreement has been signed by the Army Corps of Engineers and the Illinois Department of Natural Resources.

Congressman PETER J. ROSKAM: H.R. 3183, Department of Energy, Energy Efficiency and Renewable Energy, Solar Technology account for Solar Lighting for the Forest Preserve District of DuPage County. The entity to receive the $300,000 funding for this project is the Forest Preserve District of DuPage County, 3S580 Naperville Road, Wheaton, IL 60189. It is my understanding that the funding would be used to install an on-grid solar panel energy collection system to provide power for lighting of one of the entire Danada Forest Preserve Campuses. The Danada Forest Preserve is a high visibility public facility that is used for meetings, wedding events, youth equestrian programs and a soon to be visitor center with native plant demonstration gardens. This campus is home to the Danada House, an equestrian facility, and staff offices. The lighting project is necessary to facilitate night programming while improving safety and security. The solar lighting project would be an educational component that would tie well into the sustainability initiatives currently being proposed for the entire facility. Additionally, the project would serve as a helpful demonstration of solar technology and capacity in the Chicagoland region.

Congressman PETER J. ROSKAM: H.R. 3183, Department of Energy, Energy Efficiency and Renewable Energy, Building Technologies account for a Green Roof for the DuPage County Administration Building. The entity to receive the $250,000 in funding for this project is DuPage County, 421 N. County Farm Road, Wheaton, IL 60187. It is my understanding that the funding would be used to replace a roof in need of repair with one that is environmentally friendly and energy efficient. The objective for implementation of Green Roof

Technology is to reduce energy costs for county campus facilities and to promote and implement new environmental technology. The Jack T. Knuepfer Administration Building roof is currently leaking and is in great need of repair. The roof has been identified to be structurally sound to support a low profile vegetated Green Technology roof system. With the installation of a green roof, the R value, or thermal resistance will increase, thereby contributing to cooler roof temperatures in the summer months, decreasing solar loading effects which transfer heat into the building, ultimately resulting in considerable energy savings, which is good for the environment and taxpayers.

Congressman PETER J. ROSKAM: H.R. 3183, Army Corps of Engineers, Construction account for the McCook and Thornton Reservoirs, IL. The entity to receive the $25,000,000 in funding for this project is the U.S. Army Corps of Engineers, Chicago District, 111 N. Canal Street, Suite 600, Chicago, IL 60606. It is my understanding that the funding would be used to continue ongoing design and construction of the McCook Reservoir, as authorized under the Water Resources Development Act of 1988 (Public Law 100–676). The McCook Reservoir is currently under construction, and when completed will have a total capacity of 10 billion gallons, provide more than $90 million per year in benefits to 3.1 million people in 37 communities, protecting 1,240,000 million structures. The District is proceeding with planning, design and ultimately construction of the Thornton Reservoir under the Section 211 provision of the 2007 WRDA. This provision will allow the District to complete the project, seek reimbursement for the federal share, and bring the flood protection and CSO storage benefits to 556,000 people in 15 communities by 2014. Completing the McCook and Thornton Reservoirs and bringing them fully on-line is crucial to local communities, the health of Lake Michigan and its tributaries, and to the economic development of the region. Without timely completion of the project, communities will face decreased drinking water allocations, significant decreases in water quality and thousands of homes will be vulnerable to flooding. In fact, this project will provide more than $130 million per year in benefits to over 3 million Illinois residents and once complete will protect over 1.3 million structures from flooding. The McCook and Thornton Reservoir projects are a key component of the Chicago Underflow Plan (CUP), the flood control element of the District's Tunnel and Reservoir Plan (TARP). TARP is the long-term comprehensive flood pollution control solution for Chicago and its 51 surrounding communities, and includes a series of underground tunnels and storage reservoirs designed to address combined sewer overflow discharges. This system has been enormously effective in achieving its goal as evidenced by the elimination of 85 percent of the combined sewage pollution in a 325 square mile area.

Congressman PETER J. ROSKAM: H.R. 3183, Army Corps of Engineers, Construction account for the Chicago Sanitary & Ship Canal Dispersal Barriers. The entity to receive the $7,275,000 in funding for this project is the U.S. Army Corps of Engineers, Chicago District, 111 N. Canal Street, Suite 600, Chicago, IL 60606. It is my understanding that the funding would be used to operate Barrier I, complete construction of Barrier II, and prepare designs for making Barrier I permanent, as authorized by the Water Resources Development Act of 2007 (Public Law 110–114). Historically, the Great Lakes and the Mississippi River were separated naturally by a landmass, but since the completion of the Chicago Sanitary and Ship Canal, aquatic species can move freely between the two water systems. This dispersal barrier is needed to keep the invasive species Asian Carp from reaching Lake Michigan and infesting the larger Great Lakes ecosystem. A temporary dispersal barrier (Barrier I) has been operating for nearly seven years, and construction of a permanent barrier (Barrier IIA) will be completed this year. Funding in the amount of $5.0 million is needed to operate Barrier I, complete construction of Barrier II, and prepare designs for making Barrier I permanent.

IN HONOR OF COLONEL THOMAS F. MACLEISH

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. CASTLE. Madam Speaker, it is with great pleasure that I rise today to recognize Colonel Thomas F. MacLeish. On July 1, Colonel MacLeish retired from his position as Superintendent of the Delaware State Police after more than 30 years of service to the residents of Delaware.

A graduate of Wilmington University and the F.B.I. National Academy, Colonel MacLeish joined the Delaware State Police in 1977 and quickly rose through the ranks. During his tenure as Superintendent, Colonel MacLeish was tasked with overseeing 671 troopers and over 200 civilian employees. The Delaware State Police flourished under Colonel MacLeish's leadership as he stressed law enforcement with an attitude of professionalism and compassion.

The State of Delaware saw many accomplishments under the leadership of Colonel MacLeish. Some of these include the creation of the Delaware Information & Analysis Center, the initiation of the Child Predator Task Force, the formation of the Sex Offender Apprehension and Registration Unit, and moving the State Bureau of Identification to a larger and updated location at the Blue Hen Corporate Center. Colonel MacLeish also oversaw the formation of the Cultural Diversity Counsel within the State Police. The purpose of this group is to enlighten police officers in various matters of diversity. Additionally, during his tenure with the State Police, Colonel MacLeish served on many councils and organizations such as the Council on Police Training, the Delaware Police Chiefs Council, the International Association of Chiefs of Police, Camp Barnes—which provides underprivileged children the fun, quintessentially American experience of attending summer camp at no cost to the camper or their family—and others.

I thank Colonel Thomas MacLeish for his many years of tireless effort in keeping Delawareans safe. While Colonel MacLeish has been an asset to the State of Delaware and his dedication will be sorely missed, I am confident that even in retirement he will continue to be a pillar of integrity and diligence in our community.

EARMARK DECLARATION

HON. MARY FALLIN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 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 H.R. 3293, the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2010. I requested and received $200,000.00 for Operation Servicemen Success at the Oklahoma City Community College located at 7777 South May Avenue, Oklahoma City, Oklahoma 73150. This program will provide additional personnel to support Veterans and service members attending OCCC, through a full time Coordinator of Veterans Services, a special population licensed counselor, career advisors, clerical support and tutoring services. Expansion of services for service members enrolled in classes at OCCC should be promoted to these students by the Veterans Services Office functioning as a centralized source of information and referral. To succeed in college, it is critical that veterans have a successful transition from the military into campus life. The aim of this program is to provide intensive transitional and support services for military veterans as many veterans have a difficult time readjusting to civilian life and translating their military service into applicable college and career goals. This service provides enhanced and specialized support services to military veteran students from the time they commit to attending the OCCC through the end of their education and beyond.

I requested and received $350,000.00 for the Proton Cancer Therapy Research and Education Center at Oklahoma State University in Stillwater, Oklahoma 74078. Oklahoma State University and ProCure Treatment Centers Inc. have formed a public-private partnership for training, education and research in proton therapy for the treatment of cancer. In many situations cancer treatment by means of precisely directed beams of energetic protons is the most effective therapeutic alternative to more traditional surgical and radiation cancer treatment procedures. ProCure is currently completing construction of a multi-million dollar, proton treatment facility in Oklahoma City, dedicated to the treatment of cancer. It will allow access to world-leading technology for patients in the central region of the United States and is the first of several such centers planned by ProCure throughout the country in the coming years. We propose to place Oklahoma at the forefront of proton cancer treatment by establishing a world-class, research and education center at OSU, in partnership with ProCure, in order to train accredited personnel in this next-generation cancer treatment modality. Scientists at the world-renowned Radiation Physics Laboratory at OSU have been conducting research in the characterization and monitoring of proton beams used in cancer therapy for over fifteen years. The OSU group has recently teamed with ProCure to establish a research and training program at OSU. The requested federal funding will build from the existing private funding to establish a leading national center of excellence. Establishing a proton therapy center in

the middle of Oklahoma will be of tremendous benefit to the citizens of this state and surrounding states. There are estimated to be over 250,000 cancer patients nationwide, and over 3,000 each year in a 250 mile radius of Oklahoma City, many of whom can benefit from proton radiation therapy.

I requested and received $300,000.00 for Oklahoma State Health Mobile Clinic and Medical Response at Oklahoma State University, Center for Health Systems at 1111 West 17th Street, Tulsa, Oklahoma 74107. This project seeks to do two things: (1) expand and enhance the OSU Center for Health Science's health information technology system, including its telemedicine and distance learning as well as electronic medical records network, and (2) bring diagnostic and medical services to geographic regions in Oklahoma where even telemedicine is not yet feasible or reasonably located by use of a mobile clinic. The mobile clinics will be available to provide medical services in response to natural or man-made disasters.

RECOGNIZING CHANHASSEN, MINNESOTA, FOR BEING NAMED ONE OF THE TOP 5 ''BEST PLACES TO LIVE IN AMERICA'' BY MONEY MAGAZINE

HON. JOHN KLINE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. KLINE of Minnesota. Madam speaker, I rise today to congratulate the community of Chanhassen, a town I am proud to say is part of Minnesota's Second Congressional District.

In naming Chanhassen one of the top 5 ''Best Places to Live in America,'' Money magazine confirmed what many of us in the great state of Minnesota already knew; Chanhassen is an outstanding city.

As the nation's economy has faltered, Chanhassen has flourished. From 2000 to 2008 Chanhassen averaged a 28 percent job growth rate, providing its residents with the economic security necessary to raise their families.

Along with providing economic security, Chanhassen's 11 freshwater lakes and 34 parks offer a pristine wilderness retreat that epitomizes the land of 10,000 lakes.

With its strong economy and Minnesota beauty, it is no surprise Chanhassen was named the second best small town in America.

Congratulations, again, to the entire community of Chanhassen for earning this prestigious distinction. You are second in the nation, and first in our hearts.

EARMARK DECLARATION

HON. WALLY HERGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. HERGER. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I receive part of H.R. 3183, the Energy and Water Development and Related Agencies Appropriations Act, 2010

Requesting Member: Congressman WALLY HERGER

Bill Number: H.R. 3183

Account: Army Corps of Engineers, Construction General

Legal Name of Requesting Entity: State of California, Department of Water Resources

Address of Requesting Entity: 1416 9th Street, Sacramento, CA 95814

Description of Request: Provide an earmark of $15,000,000 for the Sacramento River Bank Protection Project. This project is located within the limits of the existing Sacramento River Flood Control Project (SRFCP) in Northern California. The integrity of various sections of Sacramento River and tributary levees has become seriously eroded, so much so that the State of California issued a statewide emergency declaration to address the levee deficiencies. Much progress has been made to correct the system's weak points, due to support from Congress, the Administration, and the State of California. Additional federal and state funding is required to continue corrective work throughout the Sacramento River system. $163,000,000 of the total project cost ($510,700,000) will be borne by the non-federal sponsors.

Requesting Member: Congressman WALLY HERGER

Bill Number: H.R. 3183

Account: Army Corps of Engineers, General Investigations

Legal Name of Requesting Entity: Reclamation District 2140

Address of Requesting Entity: PO Box 758, Hamilton City, CA 95951

Description of Request: Provide an earmark of $400,000 to enable the Corps of Engineers to complete Preconstruction Engineering and Design (PED) for this ecosystem restoration and flood control project. The Hamilton City, CA flood damage reduction and ecosystem restoration project (P.L. 110–114, Sec. 1001(8)) will provide significantly enhanced flood protection to 2,600 area residents and nearby agricultural lands, and will restore approximately 1500 acres of riparian habitat along the Sacramento River.

Requesting Member: Congressman WALLY HERGER

Bill Number: H.R. 3183

Account: Army Corps of Engineers, General Investigations

Legal Name of Requesting Entity: State of California, Department of Water Resources

Address of Requesting Entity: 1416 9th Street, Sacramento, CA 95814

Description of Request: Provide an earmark of $1,100,000 to enable the Corps to complete the Sutter feasibility study and allow state and local interests to initiate corrective work identified by the Corps' study using state and local funds. The non-federal share of the total project cost (estimated $8,258,000) is estimated to be $4,100,000.

Requesting Member: Congressman WALLY HERGER

Bill Number: H.R. 3183

Account: Army Corps of Engineers, Construction General

Legal Name of Requesting Entity: State of California, Department of Water Resources

Address of Requesting Entity: 1416 9th Street, Sacramento, CA 95814

Description of Request: Provide an earmark of $600,000 to be coupled with dedicated State of California funds and enable the Corps of Engineers to complete the project's Limited Reevaluation Report and continue construction and mitigation work for this flood protection effort. This important project includes levee repair and reconstruction along the Sacramento and Feather Rivers, specifically consisting of installation of landside berms with toe drains, ditch relocation, embankment modification, and slurry cut-off walls to address seepage and levee boil issues which threaten the performance of flood control structures that protect close to $100 million worth of public infrastructure and private property.

Requesting Member: Congressman WALLY HERGER

Bill Number: H.R. 3183

Account: Army Corps of Engineers, Construction General

Legal Name of Requesting Entity: Yuba County Water Agency

Address of Requesting Entity: 1220 F Street, Marysville, CA 95901

Description of Request: Provide an earmark of $1,000,000 to strengthen the federal levee system up to a 200-year level flood protection for communities in Yuba County, California. To date, local interests and the State of California have invested $246,500,000 in the project and the related, advanced improvements. These interests anticipate an additional expenditure of up to $118,200,000, for a total estimated non-Federal investment of $364,700,000. With total project costs estimated to be approximately $445,000,000, the only anticipated federal construction contribution will be $33,000,000 for improvements to the Marysville ring levee, a figure that is well below the authorized 65–35 percent cost-share ratio. When completed, the Yuba River project will provide the highest levee of flood protection for any community in California's Central Valley.

Requesting Member: Congressman WALLY HERGER

Bill Number: H.R. 3183

Account: Army Corps of Engineers, General Investigations

Legal Name of Requesting Entity: State of California, Department of Water Resources

Address of Requesting Entity: 1416 9th Street, Sacramento, CA 95814

Description of Request: Provide an earmark of $150,000 to investigate the feasibility of increasing the level of flood protection for the urbanized area in the City of Woodland, and possibly some nearby unincorporated lands in Yolo County, from a 1 in 10-year level of flood protection to greater than 1 in 100-year level of flood protection. The non-federal sponsors will share 50% of the total project cost.

RECOGNIZING DAY OF THE AFRICAN CHILD

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Ms. McCOLLUM. Madam Speaker, I rise in support of H. Res. 550, a resolution recognizing the Day of the African Child.

Each year more than half a million women die in pregnancy and 9 million children die of preventable causes, half of whom are in Africa. This resolution recognizes the need to reduce maternal, newborn, and child deaths in

Africa, and recognizes the Day of the African Child which is held yearly on June 16th, and the importance of the U.S. partnership with African Leaders.

At this moment millions of boys and girls across the continent of Africa are struggling to survive. In Sub-Saharan Africa roughly 1 in every 7 children fail to reach their fifth birthday—the highest rate of under-five mortality in the world—and 9 out of 10 African mothers will lose a child during their lifetime.

But the picture in Africa is not hopeless. Eritrea, Ethiopia, Malawi and Mozambique, for example, have made significant progress in child survival and have reduced their under-five mortality rates by 40 percent or more since 1990. The African Union has made child survival a theme for their 15th Ordinary Session in 2010 and the G8 Summit leaders have also made a commitment to ensure all children have access to free basic healthcare by 2015.

On June 16, 2009 I held a briefing with the Global Health Caucus and the Subcommittee on Africa and Global Health to commemorate the Day of the African Child to explore the challenges remaining and actions to improve the well being of Africa's children. I was pleased to co-host this event Congressman PAYNE, the African Union, and several other organizations.

I urge my colleagues to support this resolution to make children and mothers in Africa and the developing world a priority.

Madam Speaker, on July 14, 2009 I had the opportunity to speak at the Center for Strategic and International Studies (CSIS) to discuss the development of a comprehensive strategy for improving the health of newborns, children, and mothers in the developing world. I would like to enter my remarks from this event into the CONGRESSIONAL RECORD.

ADVANCING MATERNAL AND CHILD HEALTH IN THE DEVELOPING WORLD

Good morning. I greatly appreciate the opportunity to be asked by CSIS to speak about global health and specifically the health needs of women and children in the world's poorest countries.

Let me start by thanking and congratulating CSIS and Steve Morrison for the ongoing commitment to elevate the importance of global health. The work here is essential to the examination of U.S. foreign policy and the health investments our country is making around the world. CSIS's global health effort is impressive and really important.

Many of you are here today because you are working to improve basic health care for women and children across the developing world. Thank you for all that you do. Your work may be to prevent needless deaths or to create opportunities for tens of millions to achieve a basic quality of life in which extreme poverty, hunger, disease, and suffering are defeated. It is all important work and we need you to keep fighting.

Let me open my remarks with a single sentence from last week's G8 Global Health Experts Report: ''Women and children are among the most vulnerable groups and progress toward the MDGs related to maternal, newborn and child health remains too slow.''

Let me repeat that last part again . . . ''progress toward the MDGs related to maternal, newborn and child health remains too slow.''

Let me rephrase that in another way, 25,000 newborns and children under-five died yesterday, are dying today, and will die tomorrow—and everyday for the foreseeable future. One thousand-five hundred mothers will die during pregnancy or after delivery today, tomorrow, and everyday for the foreseeable future.

Is progress to end needless, preventable deaths progressing too slowly?

Of course it is. We don't need a G8 global health report to tell us this.

What the G8 should do is ask the mother and father of one of the more than nine million children who died last year if progress has been too slow. Or, they could ask the orphaned children whose mother was one of the more than half million women who die every year from a pregnancy related death.

So what are we—the richest nation and the other donor nations—doing to significantly reducing child and maternal mortality while investing in building sustainable health systems?

Unfortunately, not enough in my opinion.

Taking on the challenge of achieving MDG 4 to reduce children mortality (by two-thirds) and MGD 5 to reduce maternal mortality (by three-quarters) is a goal that could be accomplished if the world community invests and acts.

The goals are doable. But the fate of millions of women and children cannot be just a talking point in a speech or a summit declaration. We need to do more than just talk about the MDGs.

With regard to maternal and child health inspiring action may be our biggest challenge. Ministries of Health in Sub-Saharan Africa and South Asia understand that women and children are dying in massive numbers in their countries. The development and global health community understand the problem. Everyone in this room understands the situation.

We don't need to wait for a miracle drug or a great technological breakthrough to deliver an essential package of interventions that can save the lives of millions of children and hundred of thousands of women every year. We are delivering those interventions today. And it is being done all around the world right now, but it does need to be scaled up and sustained.

We know skilled birth attendants are needed at all births and we know how to recruit and train them.

We know expanding access to family planning and child spacing improves the health of women and their children.

We know exclusive breast feeding, immunizations for measles, Vitamin A, and bed nets have combined to save millions of lives over the past decade.

We know the work of GAVI, the Global Fund, UNICEF and UNFPA are saving lives.

And, we know USAID has been making major contributions to maternal and child health, as well as reproductive health, for decades. Tens of millions of people are alive today because of the child health programs implemented by USAID and paid for by the American people over the past forty years. We need to celebrate this tremendous success.

All of you here today know every imaginable statistic and fact about the lack of maternal and child health care, the medical consequences, and the human cost. A lack of data is not the problem.

So let's look at maternal and child health from a different perspective. What don't we know?

This is a harder question.

Something must be missing if we know how to solve such a serious problem, save lives, and yet, children and moms are still dying needlessly.

Let me throw out a few questions for you to think about, because I am looking for answers myself.

Where is the urgency to save the lives of children and mothers?

Where is the political will to invest in the lives of children and mothers?

And does anybody know or care to know the names or the faces of those babies and women who are dying needlessly at this very moment?

These are the questions we need to answer if we are going to translate the endless reports, policy papers and strategic plans into the advocacy, inspiration, investments, and action needed to save lives.

I am looking for answers and I am looking to you to help find them.

I am one voice and vote in the House of Representatives—there are 434 other voices and votes as well. Is child or maternal survival a priority issue for Congress? We know it's not but can it be much more of a priority?

Imagine the possibility of a terrorist attack in which 5 million children were at risk, but we knew how to prevent the attack and we knew it would cost $5 billion to save those lives. Would Congress spend the money? Of course we would—even the Blue Dogs would vote for it.

Unfortunately, the terror that strikes millions of parents who watch their children die from malnutrition or malaria is not the same terror that inspires Congress. The real sense of urgency may need to start beyond Washington, in the very countries in which women and children are dying at unacceptable rates.

For example, India and Pakistan have billions of dollars to spend on advanced military hardware including nuclear arsenals and yet tens of millions of their citizens live in abject misery and die for no reason other than they are poor.

Nigeria, a petroleum exporter, leads the African continent in the number of mothers and children dying each year. This should be a source of shame for such an African power.

Where is the urgency in India, Pakistan, or Nigeria to invest in their own citizens' lives? And, if they aren't willing to make their own children's lives a priority, how do I convince my constituents to make their kids a priority?

Clearly the lack of urgency from the very countries where women and children are dying translates directly into a lack of political will.

Since the whispers of dying moms and children are not heard by politicians in Ethiopia, Zambia, Afghanistan, or the United States, there should be no expectation that preventing these deaths will be a political priority any time soon.

For example, where is the urgency among nations of Sub-Saharan Africa to lobby Congress to save the lives of their own citizens? If Africa's presidents are not prioritizing maternal child health their ambassadors in Washington will not be knocking on Congress's door asking for increased appropriations.

No urgency translates into a lack of political will which in turn means limited resources and more needless deaths—a self-perpetuating cycle.

How will the NGO, think tank, and advocacy community help to break this cycle? I want to hear your ideas.

Here at home, is there the political will for the U.S. to be the global champion for women and children?

The Obama Administration has demonstrated the ability to understand and articulate a global health vision. There have been numerous positive statements regarding maternal child health.

The Administration's leadership would be essential for any major increase in investments for maternal child health in FY2011.

But that requires the President to nominate someone to lead our nation's international development efforts. It is critical that a USAID administrator get in place as soon as possible.

How to inspire the political will—in the U.S. and around the world—is something the child and maternal health advocacy community needs to think long and hard about.

This is an area where policy, politics, and pressure need to come together to make real change.

Unless a new model of grassroots advocacy, political engagement, lobbying of Congress and the White House, and real pressure from Americans all across this country takes place—from school children to church groups to civic organizations—I am afraid maternal and child health will stagnate as an issue and we will not be successful at appropriating the increased dollars needed to save lives.

The reality we are facing is that the political and policy success of the global HIV/AIDS community has put a real squeeze on all other global health accounts.

In the House FY2010 State and Foreign Operations Appropriations bill we invested $7.8 billion for global health with seven out of every ten dollars going to HIV prevention, treatment or care. With regard to treatment, PEPFAR has created a global health entitlement program that means a person's lifetime treatment for HIV takes priority over other health investments, like child and maternal health. The cost is not only financial, but tradeoffs are being made that can be counted in lives lost—too many lives.

As Congress goes through our own domestic health care reform all of my colleagues and I have heard first hand stories from countless constituents about their challenges accessing or affording quality health care. Those stories and the people who tell them demonstrate the real need for health care reform.

Who are the mothers and fathers and children we are willing to invest our tax dollars, our energy and our ideas for to build healthier families and communities in far away places? Unless we can make these lives real—less of a statistical abstraction—tens of millions of children and millions of mothers will continue to die.

Last week Nicholas Kristof wrote in his New York Times column that ''humanitarians are abjectly ineffective at selling their causes.''

He went on to say, ''I also wonder if our unremitting focus on suffering and unmet needs stirs up a cloud of negative feelings that incline people to avert their eyes and hurry by. Maybe we should emphasize the many humanitarian successes, such as falling child mortality rates since 1990—which mean that 400 children's lives are saved every hour, around the clock.''

If Mr. Kristof is correct in his assessment, then we should be championing successes—every toddler who is now a teenager because of access to basic healthcare, good nutrition and clean water.

It is absolutely remarkable to know that there are circumstances in which for a few hundred dollars invested in the right place, at the right time, with the right intervention available—an illness can be prevented, an infection can be treated, a mother can deliver a child safely. Hundreds of thousands of American citizens are contributing their own money to NGOs to make a difference in the life of a family or person they don't even know. If those Americans can be mobilized to make child and maternal health a priority for President Obama and Congress then the power of the American people and our tax dollars will save lives—millions of lives.

As we all know there are many competing development challenges that require resources and collectively contribute to making poor communities healthier, more successful, and better prepared to meet the opportunities of the future. Whether it is basic education, agriculture development, clean water, or maternal and child health, we need to make smart investments that produce results and demonstrate to the American people real improvements in real people's lives.

Let me conclude by asking for your ideas and suggestions about how to mobilize and inspire action from the American people, Congress, the White House, as well as foreign leaders to make maternal and child health a global priority. I would like the opportunity for a dialogue on what NGOs, donors and policy makers can do to energize, mobilize and communicate more effectively on this issue.

As all of you know, I am the author of H.R. 1410—The Newborn, Child, and Mother Survival Act—which authorizes the development of a U.S. strategy to reduce child and maternal mortality and implementation of the strategy by USAID.

It is a good bill, but it's not enough.

We need a campaign—a movement—in support of the millions of children and women's lives we can save if we only try.

We need action in Congress and parliaments in donor and developing countries.

We need to organize parents and children as activists.

We need to motivate and mobilize a political movement that will create the support for the resources to allow investments in interventions that will save lives, change communities, and transform our future.

I am committed to making pregnancy, child birth and a newborn's start in the world safe, healthy and a joy for every family—even the poorest of families in the poorest of countries.

We have a lot of work to do to make this vision a reality and I look forward to hearing you ideas about how we can get moving.

IN RECOGNITION OF THE 103RD BIRTHDAY OF MRS. PAULINE M. ELLIOTT

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. ROGERS of Alabama. Madam Speaker, I would like to request the House's attention today to pay recognition to the special life of Mrs. Pauline Elliott of Anniston, Alabama.

The daughter of Lena Geneva Rosamond Morrison and James Edward Morrison, Pauline Morrison Elliott was born on August 13th, 1906. Pauline is the first of six children, and today is the sole survivor of her siblings. Mrs. Pauline Morrison Elliott was married to Mr. William Hoyt Elliott of Rome, Georgia for sixty-seven years.

Mrs. Elliott was an active member in the Broadmoor Church of God serving as the clerk, a Sunday school teacher, and a member of the choir. Because of the Elliotts' dedicated service, Broadmoor Church of God added a new wing to the church in honor of Hoyt and Pauline Elliott.

Since joining Harvest Church of God, this past Mother's Day Mrs. Elliott was honored with an award for being the eldest mother in their congregation. She resides with one of her three nieces, Ms. Helen Chastain Bennett, in Anniston, Alabama.

Today I would like to wish Mrs. Pauline Elliott a very Happy 103rd Birthday.

EARMARK DECLARATION

HON. WALLY HERGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. HERGER. 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. 3288, the Transportation, Housing, and Urban Development, and Related Agencies Appropriations Act, 2010.

Requesting Member: Congressman WALLY HERGER

Bill Number: H.R. 3288

Account: Federal Highway Administration, Federal Lands (Public Lands Highways)

Legal Name of Requesting Entity: Butte County Association of Governments

Address of Requesting Entity: 2580 Sierra Sunrise Terrace, Suite 100, Chico, CA 95928

Description of Request: Provide an earmark of $2 million for the Forest Highway 171 widening project. This project will upgrade a 9.6 mile section of roadway that crosses federal lands between communities of Inskip and Butte Meadows from a one-lane gravel road to a paved two-lane route. These improvements are necessary to provide an emergency evacuation route for Upper Ridge residents who are surrounded by federal forest lands that have not been properly managed to mitigate the threat of catastrophic wildfire. The need for this project is greater than ever considering the Humboldt Fire and Butte Lightning Complex Fires that swept through the ridge and surrounding areas last summer destroying homes and forcing thousands of people to evacuate the area. The project will also increase the chances for effective efforts to control instances of wildfire by cutting in half the response time for fire backup support services. The total project cost is approximately $21,000,000. The county is using its State Transportation Improvement Program (STIP) dollars (approximately $2,665,000) for the project. It has received a $5,000,000 grant from the Federal Highway Administration's Federal Lands Highway Program, $5,800,000 in SAFETEA–LU, $980,000 and $998,450 in the FY08 and FY09 appropriations bills.

VOLUNTEERING IN AMERICA 2009

HON. JASON CHAFFETZ

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. CHAFFETZ. Madam Speaker, volunteering in America 2009 found that a total of 61.8 million Americans volunteered through an organization in 2008.

For the fourth year in a row, Utah was the top volunteer state with a volunteer rate of 43.5%. With a whopping 62.9% volunteer rate, Provo, Utah again led the nation in volunteering rates from mid-sized cities.

Every day millions of Americans are helping to solve some of our toughest challenges. Instead of turning inward, Americans are responding to tough times by reaching out to help others in need.

Volunteering is a great way to address pressing community needs and the people of

Provo, Utah are demonstrating that on a daily basis.

During this prolonged economic recession, the need of volunteers is growing. I am proud of the many Provo city residents who are pitching in to help.

TRIBUTE TO DR. SANKU S. RAO, M.D.

HON. FRANK D. LUCAS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. LUCAS. Madam Speaker, I am pleased to commend the service of my constituent Dr. Sanku S. Rao, M.D., who recently completed a one-year term as President of the American Association of Physicians of Indian Origin (AAPI).

Dr. Rao has practiced Gastroenterology and Internal Medicine in Enid, Oklahoma at St. Mary's Regional Medical Center since 1979. He is a member of the American Society of Internal Medicine, serves as Chairman of the Oklahoma Blood Institute, is President-Elect of the Garfield County Medical Association, and is Board Certified by the American Board of Internal Medicine.

Dr. Rao was elected President of AAPI for 2008–2009. AAPI has entered its 28th year, and with 15,000 members, it is one of the largest ethnic medical associations in the nation. Dr. Rao is truly committed to the Indian American community and serves as a vital link between the medical communities in the U.S. and India. As President of AAPI, Dr. Rao organized the Indo-U.S. Healthcare Summit in New Delhi, India in January 2009. Medical specialists from the U.S., India, and the UK discussed prevention, treatment and the management of six major diseases including heart disease, diabetes, infectious diseases, HIV, tuberculosis, and allergies, and promoting better maternal child health care. Dr. Rao established a free endoscopy clinic at a hospital in Hyderabad, India and has assisted young Indian American physicians to secure residency positions in the U.S.

Dr. Rao exemplifies the success story that has made Indian American physicians so vital to our health care system. He graduated Valedictorian of St. Paul's High School in Hyderabad and received his medical degree with distinction from the Institute of Medical Sciences in Hyderabad. He completed his medical residency and fellowship in New York and has been a longtime resident of Oklahoma. He lives in Enid with his wife, Dr. Sanku Rohini, and has two children, Archna and Ameet Rao.

I want to congratulate my constituent Dr. Sanku Rao for his able service as the national President of the American Association of Physicians of Indian Origin.

INTRODUCTION OF THE WATERFRONT BROWNFIELDS REVITALIZATION ACT

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Ms. SLAUGHTER. Madam Speaker, today I am proud to introduce the Waterfront Brownfields Revitalization Act. This bill will authorize a much needed grant program to assist communities that are overcoming the unique challenges of waterfront brownfields and foster innovative approaches to remediation.

America's industrial heritage was established along the banks of its rivers, lakes and coasts. Our nation's vast and interconnected natural water system helped provide the power that fueled our rise to international prominence, and allowed us to move our manufactured goods efficiently to all corners of the country. However, that legacy also includes many decades of environmental contamination on the waterfront. Abandoned factories, dilapidated mills and underutilized ports can be found along the shores of many metropolitan areas. As localities seek to reconnect with their waterfronts and revitalize their downtowns, brownfield barriers threaten to derail community efforts to create jobs, promote recreational opportunities, restore the ecology, increase tourism, and grow their tax base.

Waterfront brownfields present challenges beyond typical environmental assessment and cleanup projects. Hydrology, water quality, wetlands, endangered species, habitat, dredged materials, flooding, environmental infrastructure, navigation, and other considerations must be carefully addressed so as not to exacerbate existing site contamination. Typically, waterfront brownfields require the involvement of multiple governmental agencies. As such, waterfront brownfields require special attention and resources to overcome their larger hurdles.

In my own district, the city of Rochester, NY is currently working to revitalize its beautiful waterfront, while attempting to cope with the unique challenges that waterfront brownfields present. The city is undertaking a major community revitalization strategy to redevelop its port and waterfront area into a mixed use development, which will include housing, commercial, retail, and educational uses, enhanced recreation, new parks and open space, and improved public access to Lake Ontario, the Genesee River and the surrounding ecosystem. However, because the Port of Rochester was used extensively for industrial purposes from the late 1800s into the first half of the 20th century, significant environmental remediation will be required prior to redevelopment.

Initial investigations have found that more than ten acres of the site contain up to several feet of slag from a former iron works. Portions of the site are impacted from petroleum releases and unsuitable fill materials. Old Genesee River deposits on the site and bank sediments have been shown to contain high levels of heavy metals cadmium and silver as well as pesticides and furans. The marina must also be dredged. Before the waterfront reuse can proceed, the Port of Rochester must first address an estimated $500,000 in environmental assessment issues related to contaminated sediments, beneficial reuse of sediments, groundwater contamination, and waste characterization related to the construction of the marina—and an unknown level of remediation.

Madam Speaker, Rochester is not alone in facing these types of complicated and expensive challenges to redevelopment. Cities all across the country are dealing with similar roadblocks as they try to engage incorporate waterfront real estate into their redevelopment plans, from Yuma, AZ and Portland, OR in the west, to Savannah, GA, and Philadelphia, PA in the east, and almost everywhere in between where lakes and rivers exist.

My bill recognizes that the federal government can be an effective partner to communities interested in reconnecting with their waterfronts. Specifically, this legislation would authorize the U.S. Environmental Protection Agency to establish a waterfront brownfields pilot demonstration program to provide localities and other eligible entities with up to $500,000 to assess and cleanup waterfront brownfields. The bill would also establish an interagency taskforce on waterfront brownfields restoration to identify barriers and potential solutions to waterfront brownfields revitalization, and seek methods for federal interagency collaboration on such projects.

As cities across the country struggle to thrive in a changing global economy, and as our domestic manufacturing continues to diminish, it is imperative that Congress do all that it can to help these cities redevelop and succeed. Industrialization and manufacturing helped make this country the power that it is today, but as manufacturing has moved overseas it has not only taken jobs and changed the economic base of many industrial cities, it has also left behind decades of contamination. This legislation will give these cities the support they need to redevelop in an environmentally safe way, and utilize their waterfront as an incredible economic asset.

HONORING THE MEMORY OF HALLIE BOTTER WYNNE

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. BONNER. Madam Speaker, the city of Mobile and indeed all of South Alabama recently lost a dear friend, and I rise today to honor her and pay tribute to her memory. Hallie Botter Wynne was a beloved citizen who, for 97 years, lived a spirited life dedicated to her family, friends, and a multitude of community endeavors.

Hallie Wynne loved life. Her adult years were characterized by her vivacious pursuit of countless interests, the evidence of her rich life. When she graduated from Murphy High School in 1930, she had lettered in several sports and distinguished herself as a varsity basketball standout. Soon after, she cofounded the Ladies Auxiliary of the Gulf Fishing and Boating Club in Mobile. The active life Mrs. Wynne began as a young woman continued into her adult years; she became an avid sailor out of the Buccaneer Yacht Club alongside her husband of 51 years, Red Wynne, Sr. In all of her recreation, she excelled: she was recognized as a champion skeet shooter and known to friends as a formidable poker player.

Her energy and spirit overflowed to the community, and Mobile came to know Mrs. Wynne as a respected businesswoman. As general manager of Chin Laundry and Drycleaners, she beautifully served the community of Mobile until the birth of her children. She and her husband owned nationally-recognized Wynne's Kennel where they bred and showed championship English bulldogs and cocker spaniels, dogs that made the couple immensely proud.

Of all her accomplishments, however, Mrs. Wynne was most proud of the legacy of her family. Those who know her well can attest that family was her first love. Born one of eight children and married 51 years, Mrs. Wynne certainly understood family. And as an enthusiastic Alabama football fan, she made certain that each of her children and grandchildren attended the University of Alabama. In the company of those most dear to her, she graciously entertained guests, and friends knew her as the epitome of a hospitable, Southern lady. It is said that rarely a day went by that she did not welcome visitors into her home.

Madam Speaker, I ask my colleagues to join me in remembering a gracious host; a devoted family figure; and a respected woman of Mobile. Hallie will be dearly missed by her family—her daughter, Hallie Wall; her son, William W. Wynne, Jr.; her son, Phillip Andrew Wynne, Sr.; her granddaughters, Nancy Wynne Wall and Hallie Elizabeth Wynne; her grandson, Phillip Andrew Wynne, Jr.; a sister, Evelyn Botter Biretta Wilson; and a number of nieces, nephews, and great nieces and nephews—as well as the countless friends she leaves behind.

Our thoughts and prayers are with them during this difficult time.

EARMARK DECLARATION

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. GERLACH. 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. 3183, the Energy and Water Development and Related Agencies Appropriations Act, 2010.

The Electric Power Research Institute, Palo Alto, CA—$1 million to develop ultra fast power processor for Smart Grid. Silicon Power located in Malvern, PA is a partner on this project.

FISCAL SOLVENCY OF CERTAIN TRUST FUNDS

SPEECH OF

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2009

Mr. HENSARLING. Mr. Speaker, as a member of the House Budget Committee and House Financial Services Committee, one of my top priorities is to get the job engine running again in America. Over the past year, Congress has spent over $1 trillion to get the economy moving again, but 2.6 million Americans have lost their jobs since President Obama took office and we have the highest unemployment rate in 25 years. Clearly, Washington Democrats' plan for economic recovery has been an abject failure.

I support policies that will provide struggling Texas small businesses with tax relief, enabling small businesses, which create 2 of every 3 jobs in America, to begin hiring workers. But we also must ensure that those who have lost their jobs through no fault of their own have a temporary safety net to help them weather this economic storm. That is why I voted for H.R. 6867 on October 3, 2008. H.R. 6867 provides up to 59 weeks of unemployment compensation benefits, and I was pleased that it was signed into law on November 21, 2008.

The House recently considered H.R. 3357, which transferred $7 billion from the General Fund to the Highway Trust Fund to cover a projected shortfall of funds. This legislation also would provide funds for the Unemployment Trust Fund.

I support those provisions that would ensure the Unemployment Trust Fund, which is the funding mechanism for federal unemployment compensation benefits, has the resources it needs. In these tough economic times, I know how important unemployment benefits are to those who have lost their job. I do not, however, support provisions of H.R. 3357 that would transfer $7 billion from the General Fund to the Highway Trust Fund, as this would add $7 billion to the deficit and send the bill to our children and grandchildren. While I support a first-class highway system and would not want to see the Highway Trust Fund run short of funds, simply adding $7 billion to the deficit was not the solution to the Highway Trust Fund's problems. This $7 billion is on top of an $8 billion transfer in 2008 and the $27 billion provided to the Highway Trust Fund in the so-called stimulus bill.

Unfortunately, Members of Congress have wasted billions of taxpayer dollars on transportation earmarks over the last decade, helping lead to the depletion of the fund. While not all earmarks are bad, too many have diverted funds from the fund to pay for the Bridge to Nowhere, parking garages and bike paths. Had Members of Congress spent Highway Trust Fund money more wisely, we may not have been forced to replenish the fund.

Even though I support the Unemployment Trust Fund provision of H.R. 3357, at a time when the federal government is running a record debt in excess of $11 trillion, a projected record deficit of $1.8 trillion, and a 9.5 percent unemployment rate that is the highest unemployment rate in over 25 years, I simply could not support a bill that would borrow $7 billion and send the bill to future generations.

EARMARK DECLARATION

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. SMITH of New Jersey. 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 10 Energy and Water Development Appropriation Act.

Requesting Member: Rep. CHRISTOPHER H. SMITH

Bill Number: H.R. 3326

Project name: Intelligence, Surveillance and Reconnaissance (ISR) Simulation Integration Laboratory

Account: Research, Development, Test and Evaluation, Army Account

Legal Name of Requesting Entity: RF PRODUCTS, INC.

Address of Requesting Entity: 1500 Davis Street, Camden, NJ 08103

Description of Request: Provides additional operational connectivity capabilities onboard aircraft that work to ensure the safety of ground personnel and prevent unplanned events including fratricide and wrong target hits. This capability will allow more information to be transmitted to the aircraft, such as an injured soldiers' medical record, or to the ground forces, such as real-time enemy locations.

Project name: Marine Mammal Detection System to Support Navy Training

Account: Research, Development, Test and Evaluation, Navy Account

Legal Name of Requesting Entity: Integrated Systems Solutions, Inc. (ISSI)

Address of Requesting Entity: Naval Air Warfare Center Aircraft Division, Route 547, Building 195/Hangar 6, Lakehurst, NJ 08733

Description of Request: Providing the Navy with new technology to track marine mammals in coastal training areas from the air—providing habitat protection, offering environmentally enhanced tracking alternatives and saving training time and money. The funding will be allocated as follows: $1,618,477 for salaries; $148,715 for expendables such as aviation fuel; $83,800 for direct travel; $107,864 for direct material such as sensors and other electronic equipment; and $41,144 for support equipment vehicles.

TEXAS H. CON. RES. 38

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. CONAWAY. Madam Speaker, at the request of the Secretary of State of the State of Texas, I am officially entering Senate Concurrent Resolution 38, as passed by the 81st Legislature, Regular Session, 2009 of the State of Texas, into the CONGRESSIONAL RECORD.

SENATE CONCURRENT RESOLUTION

Whereas, During the Vietnam War, the United States military sprayed more than 19 million gallons of Agent Orange and other herbicides over Vietnam to reduce forest cover and crops used by the enemy; these herbicides contained dioxin, which has since been identified as carcinogenic and has been linked with a number of serious and disabling illnesses now affecting thousands of veterans; and

Whereas, The United States Congress passed the Agent Orange Act of 1991 to address the plight of veterans exposed to herbicides while serving in the Republic of Vietnam; the Act amended Title 38 of the United States Code to presumptively recognize as service-connected certain diseases among military personnel who served in Vietnam between 1962 and 1975; this presumption has provided access to appropriate disability compensation and medical care for Vietnam veterans diagnosed with such illness as Type II diabetes, Hodgkin's disease, non-Hodgkin's lymphoma, chronic lymphocytic leukemia, multiple myeloma, prostate cancer, respiratory cancers, and soft-tissue sarcomas; and

Whereas, Pursuant to a 2001 directive, United States Department of Veterans Affairs policy has denied the presumption of a service connection for herbicide-related illnesses to Vietnam veterans who could not

furnish written documentation that they had ''boots on the ground'' in-country, making it virtually impossible for countless United States Navy and United States Air Force veterans to pursue their claims for benefits; many who had landed on Vietnamese soil could not produce proof due to incomplete or missing military records; moreover, personnel who had served on ships in the ''Blue Water Navy'' in Vietnamese territorial waters were, in fact, exposed to dangerous airborne toxins, which not only drifted offshore but also washed into streams and rivers draining into the South China Sea; and

Whereas, Warships positioned off the Vietnamese shore routinely distilled seawater to obtain potable water; a 2002 Australian study found that the distillation process, rather than removing toxins, in fact concentrated dioxin in water used for drinking, cooking, and washing; this study was conducted by the Australian Department of Veterans' Affairs after it found that Vietnam veterans of the Royal Australian Navy had a higher rate of mortality from Agent Orange-associated diseases than did Vietnam veterans from other branches of the military; when the United States Centers for Disease Control and Prevention studied specific cancers among Vietnam veterans, it found a higher risk of cancer among United States Navy veterans; and

Whereas, Agent Orange did not discriminate between soldiers on the ground and sailors on ships offshore, and legislation to recognize this tragic fact and restore eligibility for compensation and medical care to United States Navy and United States Air Force veterans who sacrificed their health for their country is critical; and

Whereas, When the Agent Orange Act passed in 1991 with no dissenting votes, congressional leaders stressed the importance of responding to the health concerns of Vietnam veterans and ending the bitterness and anxiety that had surrounded the issue of herbicide exposure; the United States Congress should reaffirm the nation's commitment to the well-being of all of its veterans and direct the United States Department of Veterans Affairs to administer the Agent Orange Act under the presumption that herbicide exposure in the Republic of Vietnam includes the country's inland waterways, offshore waters, and airspace; now, therefore, be it

Resolved, That the 81st Legislature of the State of Texas respectfully urge the Congress of the United States to restore the presumption of a service connection for Agent Orange exposure to United States Navy and United States Air Force veterans who served on the inland waterways, in the territorial waters, and in the airspace of the Republic of Vietnam; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to the congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

DAVID DEWHURST,
President of the Senate.
JOE STRAUS,
Speaker of the House.
PATSY SPAW,
Secretary of the Senate.
ROBERT HANEY,
Chief Clerk of the House.

Approved: Rick Perry, *Governor*.

HONORING JULIE REICHERT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. GRAVES. Madam Speaker, I proudly rise today to recognize Julie Reichert. On July 16, 2009, Julie received a Gold Medal while competing at the National Family, Career and Community Leaders of America National Leadership Conference. This is the highest award in the Nation for her FCCLA event.

She has been very active with her local chapter and has contributed greatly to her area through her service. Not only has she distinguished herself through her involvement, she has earned the respect of her family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Julie Reichert for her accomplishments with the National Family, Career and Community Leaders of America and for her efforts put forth in achieving the highest distinction in the National Leadership Conference competition.

EARMARK DECLARATION

HON. JOHN ABNEY CULBERSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. CULBERSON. 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. 3183, the FY 2010 Energy and Water Development and Related Agencies Appropriations Act.

Requesting Member: Congressman JOHN CULBERSON

Bill Number: H.R. 3183

Account: U.S. Army Corps of Engineers' Construction General account

Legal Name and Address of Requesting Entity: Harris County Flood Control District at 9900 Northwest Freeway, Suite 220, Houston, TX 77092.

Description of Request: Provide an earmark of $11,018,000 to the Harris County Flood Control District. It is my understanding that the funding would be used for construction of a flood damage reduction project along Brays Bayou in Harris County, Texas.

Requesting Member: Congressman JOHN CULBERSON

Bill Number: H.R. 3183

Account: U.S. Army Corps of Engineers' Investigations account

Legal Name and Address of Requesting Entity: Harris County Flood Control District at 9900 Northwest Freeway, Suite 220, Houston, TX 77092.

Description of Request: Provide an earmark of $100,000 to the Harris County Flood Control District. It is my understanding that the funding would be used for construction of a flood damage reduction project along White Oak Bayou in Harris County, Texas.

Requesting Member: Congressman JOHN CULBERSON

Bill Number: H.R. 3183

Account: U.S. Army Corps of Engineers' Investigations account

Legal Name and Address of Requesting Entity: Harris County Flood Control District at 9900 Northwest Freeway, Suite 220, Houston, TX 77092.

Description of Request: Provide an earmark of $100,000 for the Harris County Flood Control District. It is my understanding that the funding would be used for oversight of a flood damage reduction project aimed at reducing the loss of life, injury, and property destruction in the Buffalo Bayou in Harris County, Texas.

Requesting Member: Congressman JOHN CULBERSON

Bill Number: H.R. 3183

Account: U.S. Army Corps of Engineers' Construction General account

Legal Name and Address of Requesting Entity: Port Authority of Houston, P.O. Box 2562, Houston, TX 77252.

Description of Request: Provide an earmark of $500,000 for the Port Authority of Houston. It is my understanding that the funding would be used to add capacity for dredged material disposal sites along the Channel.

Requesting Member: Congressman JOHN CULBERSON

Bill Number: H.R. 3183

Account: U.S. Army Corps of Engineers' Operations and Maintenance account

Legal Name and Address of Requesting Entity: Port Authority of Houston, P.O. Box 2562, Houston, TX 77252.

Description of Request: Provide an earmark of $15,063,000 for the Port Authority of Houston. It is my understanding that the funding would be used for operations and maintenance of the Channels, including dredging activities.

RECOGNIZING THE RETIREMENT OF JOSEPH W. TESTA AS AUDITOR OF FRANKLIN COUNTY, OHIO

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. TIBERI. Madam Speaker, it is my pleasure to recognize Joseph W. Testa for his service to the people of Franklin County, Ohio.

Joe Testa has been a tireless advocate for good government, first serving as Franklin County Recorder from 1985 to 1992, and since then, as Franklin County Auditor. Throughout his career as an elected official, Joe acted as a resounding voice of fiscal responsibility.

Joe's career also showcased the finest level of professionalism. For more than 17 years, he ran one of the most effective and innovative county offices in the State of Ohio, and was consistently recognized as such by the County Auditor's Association of Ohio. As an early advocate of the potential of the internet and its benefits to local government, Joe's vision helped Franklin County government to become an example for other metropolitan areas in the region in how to maximize technology for public use.

In addition to his work with the county as an elected official, Joe made a lasting impression on the greater Central Ohio community. Driven by his deep faith, he has made service a priority throughout his life. Serving as an adjunct professor at The Ohio State University, and a

founder of a local charter school, Joe spent much of his free time helping provide a quality education for area students. Joe also founded a local non-profit which helps to locate, renovate and restore veteran gravesites going back to the Revolutionary War, ensuring that all veterans are remembered for their sacrifice.

This sense of service and level of commitment has made Joe a highly-respected figure in our community. While the Auditor's office and the taxpayers of Franklin County will certainly miss his principled leadership, I know he will continue to assist many in Central Ohio through his service as a private citizen.

For his years of service to Franklin County and consistent hard work toward the betterment of Central Ohio, I commend Joe Testa upon his retirement.

NAACP CENTENNIAL CELEBRATION

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. REYES. Madam Speaker, I rise today to congratulate the NAACP on their 100th anniversary. As the nation's oldest and largest grassroots civil rights organization, I commend the NAACP for their landmark accomplishments as well as their ongoing efforts to remove all barriers of racial discrimination in our nation.

Founded on February 12, 1909, the NAACP was established by a diverse and determined small group of brave men and women whose stated goal was to secure for all people the rights guaranteed by the 13th, 14th, and 15th Amendments to the U.S. Constitution. Over the span of 100 years, the NAACP's trailblazing work with federal and state legislators as well as in courthouses across the country transformed the organization into an instrumental force in the movement for political, educational and economic equality. As we begin the 21st century, the NAACP continues to pursue these important goals while remaining focused on promoting voter empowerment initiatives as well as closing the economic and educational disparities that continue to plague minority communities.

In my hometown of El Paso, Texas, the local NAACP branch has a distinguished and rich history of civic participation, as this branch is the oldest in the State of Texas. Established in 1915, the El Paso Branch was led by one of its pioneer charter members, Dr. Lawrence Aaron Nixon. Dr. Nixon worked tirelessly for nearly 20 years to remove the legal barriers that prevented African Americans from participating in Democratic primary elections in Texas. Dr. Nixon was the lead plaintiff in two lawsuits in which the U.S. Supreme Court ruled in his favor by declaring Texas' discriminatory laws to be unconstitutional. In recent times, the El Paso branch continues to serve our community through economic development programs and initiatives to assist our troops and veterans. I am proud of this history as well as the ongoing efforts that the local branch continues to spearhead in El Paso.

While much progress has been made in our nation over the past 100 years, there is unquestionably a lot of work that remains to be done. It is my belief that the NAACP will remain in the forefront in creating positive change and that through the combined efforts of all people, the promise of America can be reality for all.

IN MEMORY OF LOMPOC MAYOR DICK DEWEES

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. GALLEGLY. Madam Speaker, I rise in memory of Lompoc, California, Mayor Dick DeWees, who passed away last night from complications related to a prior medical condition.

Dick DeWees was more than a legislative colleague. He was an ally and personal friend. The relationship we built over the years greatly benefited our mutual constituencies.

I will miss his leadership and friendship.

Dick and his wife of more than 30 years, Jane, moved to Santa Barbara in 1974 and to Lompoc in 1987, where Dick quickly became involved in the community. In addition to serving as mayor, Dick served on the Santa Barbara County Local Agency Formation Commission and is its past chairman, and was the City of Lompoc's representative on the Santa Barbara County Association of Governments. Dick also served on numerous local non-profit organization boards.

As owner of a local advertising agency, DeWees & Company Media Services, which specializes in electronic media, Dick was the recipient of the Sam Walton Business Leader Award. In addition, he taught a public speaking course at the Lompoc Valley Center of Alan Hancock College.

Jane and Dick met while they were performing Summer Stock Theater together in Michigan. Their two married children, Nathan and Anna, also live in Lompoc, as does their first grandchild, Emma Chastain.

Mr. Speaker, I know my colleagues will join me in sending our condolences to Jane, their children, their grandchild, and all their family and friends.

Godspeed, Dick.

TRIBUTE TO PAUL BALLOU HOFER, JR.

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. CALVERT. Madam Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to the community of Ontario, California were exceptional. Today I ask that the House of Representatives honor and remember an incredible man and American patriot, Paul Ballou Hofer, Jr. Paul was a dear friend of mine and I was deeply saddened by his passing on July 8, 2009.

Paul was born to Paul Ballou Hofer and Frances Morgan Hofer on January 23, 1921 at the family ranch in Ontario, California. He attended Mountain View Elementary School, Chaffey High School and the University of Southern California. A natural athlete, at Chaffey he played varsity basketball for four years and was a halfback on the football team, receiving dual scholarships to USC for both sports.

During World War II Paul served in the U.S. Navy, commissioned as a Naval Aviator, with several thousand hours of flight time. In 1944 Paul married his high school sweetheart, Laura Jean Belcher, who preceded him in death. They had three sons, Paul III, John and Brett who grew up in the same house in which their father was born. Along with his brothers Morgan, also deceased, and Phillip, Paul was a fourth generation vineyard farmer at Hofer Ranch which was founded by his family in 1882. Paul always believed that the lessons learned from lifetimes of farming, hard work and determination, coupled with the deeply held and abiding belief that land is what endures, have been the anchor that has guided the family through seven generations on the ranch.

In addition to ranching, Paul was a man of many interests. He had a great love of the outdoors, with a passion for fly fishing and wing shooting. Paul was a member of the Masons, and also of the Republican Party. He collected antique farm and winery equipment, proudly adding to the collection at Hofer Ranch. In addition to his three sons, Paul is survived by his brother, Phillip, and his family; his grandchildren, Jason Hofer (Christina), Jacklyn Hofer Winton (Jeremy), Morgan Hofer and Laura Hofer; his great-granddaughter, Elizabeth; and other family members.

Paul's passion for his ranch, his family, and his community has contributed immensely to the betterment of the Ontario, California. I was proud to call Paul a fellow community member, American and good friend. I hope his family knows that their father, brother, and grandfather, and the goodness he brought to this world, will always be remembered.

COMMEMORATING THE VOTING RIGHTS ACT OF 1965

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. DAVIS of Illinois. Madam Speaker, as we enter into the month of August, I would like to take this opportunity to commemorate the anniversary of The Voting Rights Act of 1965. On August 6, 1965, President Lyndon Johnson signed the Voting Rights Act into law. The date marks a pivotal moment in our country's progress in extending equal membership in the political processes to every American. The right to vote is a fundamental principle of all democracies. Yet, in our great nation whose founding fathers and documents boasted of its creation to promote equality, there was a substantial period of history during which minority men and women were barred from that very right. The Fifteenth Amendment to the Constitution guarantees the right to vote for every citizen, but the discriminatory practices of Jim Crow in the antebellum south used taxes, literacy tests, gerrymandering, and language discrimination to prevent Blacks from voting and taking part in the government. Without the right to vote, many African-Americans were subject to intolerable injustices and appalling prejudice.

The Voting Rights Act represents a culmination of the great efforts of civil rights organizations and activists to inform the nation of the

extensive disenfranchisement taking place throughout the country. The anniversary of the enactment of this historic law provides an opportunity to acknowledge these activists. Most notably, their tremendous dedication and uncompromising pursuit of equality took the form of peaceful marches from Selma to Montgomery that were met with vicious attacks by state and local police forces. These events caught the attention of the President and Congress, contributing to a commitment to new civil rights legislation to counter the resistance and discrimination laws within the states. The enactment of the Voting Rights Act in 1965 allowed African-Americans across the country to finally have a say in the functioning of the country. Today, I celebrate the anniversary of this law as a reflection of what our country represents: a nation pledged to representing the views, values, and beliefs of all the people it serves.

TRIBUTE TO TRINITY UNITED METHODIST CHURCH

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Ms. DEGETTE. Madam Speaker. I would like to recognize the remarkable history and invaluable contributions of an extraordinary church and congregation in the 1st Congressional District of Colorado. It is fitting that we recognize this outstanding institution for its inspiring history as the City of Denver's ''First Church'' and for its enduring service to the people of our community and our nation. It is to commend this distinguished organization that I rise to honor the Trinity United Methodist Church on the occasion of its 150th Anniversary.

In the spring of 1859, only months after the mining camps of Auraria and Denver City were precariously settled along the banks of Cherry Creek, the Kansas-Nebraska Conference of the United Methodist Church sent out members to set up churches in the already rowdy mining camps of the newly established Pikes Peak region. On August 2, 1859, frontier minister William H. Goode and 23-year-old Jacob Adriance established the Auraria and Denver City Methodist Episcopal Mission, known today as Trinity United Methodist Church. In 1864, a new Trinity United Methodist Church was built at 14th and Lawrence Streets to serve a burgeoning congregation.

The ''Lawrence Street Church'' served the community well. However, after arrival of the railroads to Denver, the City expanded greatly spreading the church's congregation further out into the growing city. By 1888 a new church rose at 18th and Broadway in Denver to accommodate the congregation's growing members. For over a century Trinity United Methodist Church has remained at this location. The church was regarded by its architect, Robert S. Roeschlaub, as the crowning achievement of his extensive career. Built of local sandstone and materials the sanctuaries ornate and carefully considered carvings and architecture are a testament to the commitment of the church to its members and community. Its 184 foot spire was one of the tallest stone towers in 1888 and remains a distinctive feature. Inside reside soaring stain glass windows and solid brass pulpit along with a custom crafted 4,202 pipe organ which brings parishioners to prayer.

Today under the banner of ''We're Here for Good!'' over 50,000 church members share in weekly worship. In honor of its 150th Anniversary and in continuation of the church's service to our community and fellow humankind, the congregation has laid out four ambitious missions; planting a new church for those on the margins of society; completing construction of the John Wesley School in Guatemala; partnering to reduce infant, child, and maternal mortality in Liberia; upgrading the interior to be greener, safer, and more welcoming.

Please join me in commending Trinity United Methodist Church for its 150 years of invaluable service to our community and our nation. It is the commitment and dedication that Trinity United Methodist Church and members of its congregation exhibit on a daily basis which continually enhances our lives and builds a better future for all of our people.

TRIBUTE TO LUCILE GOODHUE

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. LATHAM. Madam Speaker, I rise today to congratulate Lucile Goodhue on the celebration of her 100th birthday on August 26, 2009.

Lucile was born on what is now a 150-year old farm near Hartford, Iowa in 1909. She became a farm wife when she married her husband Wilbur. Lucile enjoyed traveling with Wilbur and collecting antiques. She has been blessed with numerous children, grandchildren and great grandchildren. Lucile's secrets to a long life are to keep active, take power naps and remain positive. She always followed these directives with a great sense of humor. Lucile currently lives at the Good Same Care Center in Indianola, Iowa.

There have been many changes that have occurred during the past one hundred years. Since Lucile's birth we have revolutionized air travel and walked on the moon. We have invented the television and the Internet. We have fought in wars overseas, seen the rise and fall of Soviet communism and the birth of new democracies. Lucile has lived through eighteen United States Presidents and twenty-two Governors of Iowa. In her lifetime the population of the United States has more than tripled.

I congratulate Lucile Goodhue for reaching this milestone of a birthday. I am extremely honored to represent Lucile in the United States Congress and I wish her happiness and health in her future years.

HONORING THE 75TH ANNIVERSARY OF THE EAST BAY REGIONAL PARK DISTRICT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. STARK. Madam Speaker, I rise today to pay tribute to the 75th Anniversary of the East Bay Regional Park District, headquartered in Oakland, California. The story of the EBRPD is an inspirational one in which citizens, during the toughest of economic times, had a mission. In the late 1920s, thousands of acres of surplus watershed land were available for development. Far-sighted civic leaders sought to preserve this land and retain a balance of recreational and wilderness features.

With 65 parks, over 1,100 miles of trails, campgrounds, visitor centers, historic sites, lakes and shorelines, the mission of the East Bay Regional Park District is to provide recreational opportunities, ensure the natural beauty and cultural history of the land, and protect wildlife habitat.

In 1934, during the depths of the Great Depression, members of a grassroots land preservation movement placed a measure on the ballot. It passed by a resounding 71% and the first regional park agency in the nation, the East Bay Regional Park District, was created.

At the outset, the Park District included only seven Alameda County communities and no parks. By 1936, it was able to purchase enough land to create three parks. The first three parks were opened with great fanfare on October 18, 1936. The opening of Redwood Regional Park in 1939 soon followed.

In the 1940s, Pearl Harbor and the start of World War II halted the District's growth. Much of Tilden Regional Park was turned over to the U.S. Army Defense Command. At the end of the war, the District began an era of prudent growth as people returned to the parks seeking family recreation. Concessions such as Tilden Regional Park's steam train, carousel, and pony ride were added. This growth continued into the 1950s with Roberts Regional Park's swimming pool, baseball field, and picnic areas.

Between 1968 and 1987, the District added 32 new regional parks and preserved 43,000 acres of the East Bay's most scenic parkland. During the period 1988–2008, the District added 15 new regional parks and an additional 34,000 acres of open space. There were increased volunteer opportunities and expanded communication tools, such as the District's website. District staff also built and opened Camp Arroyo, a state-of-the art environmental education and youth camp.

The Park District describes itself as a work in progress as it struggles to acquire and operate regional parks and trails to serve the Bay Area population. Regardless of future challenges and opportunities, the East Bay Regional Park District is committed to providing East Bay residents with recreational opportunities and open space reserves close to home.

I join the community in celebrating the East Bay Regional Park's 75th Anniversary and send best wishes for many more successful years of service.

IN TRIBUTE TO CHARLES HOBBY STRIPLING, SR.

HON. JIM MARSHALL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. MARSHALL. Madam Speaker, it is with great pleasure I rise today not only to honor Hobby Stripling for his continuing contributions

to the State of Georgia and the United States of America, but also to congratulate him on the next chapter in his career as he joins the U.S. Department of Agriculture's Farm Service Agency as the State Executive Director for Georgia.

As many of you know, Hobby most recently served as my District Director. There aren't many people in Georgia politics who don't recognize Hobby's name. His longstanding relationships with civic and political leaders throughout the state are nothing short of legendary. His wealth of knowledge has helped many Georgians improve their communities and his wise counsel has untangled many seemingly insoluble problems. Hobby reminds me of those old E F Hutton ads. When he speaks, I listen and almost always follow his advice. Georgia's farmers and rural communities will be well served by Hobby. My loss is their gain.

Madam Speaker, prior to joining my staff in 2002, Hobby was District Director for Congressman SANFORD BISHOP and ran the campaign for former Ambassador, Mayor, Congressman and Civil Rights activist Andy Young in his 1990 bid to become Georgia's governor.

Hobby also worked for many years as a local business owner, Mayor and Municipal Court Judge in Vienna, Georgia. He has served on and chaired numerous state boards including the Georgia Municipal Association, the Georgia Department of Labor Middle Flint Employment and Training Council, the State Bar of Georgia Disciplinary Board and the Board of Directors of Crisp/Dooly County Joint Development Authority.

Madam Speaker, I am confident my colleagues will join me in recognizing the accomplishments of this great Georgian and great American and in congratulating him as he starts this next chapter of his career.

RECOGNIZING GENERAL AVIATION

SPEECH OF

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Ms. NORTON. Mr. Speaker, H. Res. 508 recognizes the contributions of general aviation and encourages general aviation activities. General aviation is a little recognized, major sector of the airline industry, which contributes $150 billion to United States direct and indirect economic output. I also want to mention the Transportation Security Administration Reauthorization Act of 2009, which included an important section setting up a general aviation working group within the Aviation Security Advisory Committee, to advise the Transportation Security Administration (TSA) on security issues in general aviation. This advisory group was established after the TSA began rulemaking on the Large Aircraft Security Program that threatened to swallow general aviation amidst burdensome and unnecessary regulations, suited for large commercial aircraft. Longstanding unattended issues and insufficient attention to the nation's important General Aviation sector are finally getting the attention they deserve. Along with other members of the House Committee on Homeland Security, I intend to see that General Aviation security issues are treated uniquely for the sector to administer.

However, as most members who have sat in on any hearing with the FAA, TSA, DHS or any other security agency may now know, the District of Columbia's main airport, the Ronald Reagan Washington National Airport (DCA), is uniquely hampered by impossibly restrictive regulations that have destroyed general aviation in the nation's capitol, and arbitrary practices may be spreading to others. In the Homeland Security Committee, we have taken the important first steps to give detailed attention to this major section of the airline industry to the new administration.

After 9/11 the restrictions on General Aviation in the nation's capitol, in particular, became symbolic of arbitrary action against general aviation that could happen anywhere. Even though New York City was the epicenter of 9/11, the nation's capitol is the only location that suffers under unique restrictions that have crippled general aviation here. In fact, there was no general aviation for four years. After joining in my complaints at hearings, the former Chairman of the Transportation and Infrastructure Committee, DON YOUNG, threatened to subpoena any agency that did not comply with a bill that aimed to compel the resumption of general aviation flights at DCA and to hold them in contempt if they refused to appear before the committee to report on progress. As a result, a plan finally was put in place requirements but the DCA Access Standard Security Program (DASSP) was almost worse than no plan at all. Before 9/11, general aviation activity at DCA accounted for ⅓ (approximately 30,000) of the total annual operations at DCA. In contrast, in October 2005 when program DASSP began, operations averaged about one flight per week. Today, activity averages about three to four flights per day, about 1,000 a year. The requirements in the DASSP include:

General aviation operators must adopt a security program, background check flight crews, identify a security coordinator, and train on security procedures.

All DASSP flights must carry an armed security officer (ASO) on board (very few such accredited officers are available).

Flights must depart from one of 27 TSA approved DASSP gateway airports. Full departure screening of crew, passengers, baggage, and aircraft by TSA security inspectors.

Flights must request permission to operate in DCA no sooner than 72 hours in advance of the flight (due to DCA slot requirements) and no later than 24 hours in advance of the flight (for TSA security reviews) for each flight into DCA.

These same screening procedures must be used for flights departing DCA.

Charges of approximately $230 are assessed to cover TSA's screening costs plus $15/passenger for screening names against the No-Fly and Selectee lists.

Requirements for an Armed Security Officer and use of a gateway airport are predictably, and we think, deliberately impossible for most operators to meet. TSA has approximately 200 registered operators in the DASSP, making the wait for an ASO intolerable.

However, the Department of Homeland Security has determined ''that general aviation presents only limited and mostly hypothetical threats to security . . . (and) that the steps general aviation airport owners and managers have taken to enhance security are positive and effective.'' DHS goes further in its report on general aviation:

''The current status of [general aviation] operations does not present a serious homeland security vulnerability requiring TSA to increase regulatory oversight of the industry.''

''Although [TSA's Office of Intelligence] has identified potential threats, it has concluded that most [general aviation] aircraft are too light to inflict significant damage, and has not identified specific imminent threats from general aviation''.

Nevertheless, the nation's capitol has been singled out as the only jurisdiction under particularly onerous, unnecessary and wasteful program restrictions. As the initial approach of TSA to general aviation in general showed, however, the entire general aviation sector was about to be buried by the Large Aircraft Security Program, until our committee said "NO!" The thoughtless creep mission of the TSA into General Aviation, and the total failure to weigh actual security risks against the implications of draconian security measures, was stopped by our Committee on Homeland Security. The District of Columbia general aviation community deserves the same respect and attention.

General aviation at DCA is not the only industry in the District of Columbia that has been wiped out by arbitrary and restrictive airspace regulations. The South Capitol Street Heliport is a commercial heliport that once served east coast cities such as New York, Miami and Boston. It continues to serve the Metropolitan Police Air Support Unit and the U.S. Park Police. The heliport is also the point of evacuation for the Supreme Court and part of the Department of Defense Nightingale program. In fact, on 9/11 this heliport actually became the Air Control Command Tower when DCA was evacuated. Moreover, having shown it was a vital asset, not a liability, for two years after 9/11, under an agreement with the Secret Service—an agreement that was later adopted by the TSA to develop its Civil Aviation Security Rules—the South Capitol Heliport continued to receive corporate commercial clients and news gathering helicopters. Yet, without explanation, beginning in October 2003, commercial operators have been altogether restricted from using the heliport, despite the fact that the heliport owners have been clear that they are willing to comply with any and all security demands.

The nation's capitol has all but lost helicopter service, even for the vital security purposes our heliport has performed. Without corporate commercial clients the South Capitol Heliport cannot generate enough revenue to survive. The owner has submitted the highest level security plans, but the TSA and the Department of Homeland Security have failed to respond. At my request, the Committee on Homeland Security has added heliports specifically to the list of entities on the general aviation working group. This heliport is vital for both security and commercial helicopter operations that the District of Columbia cannot afford to lose. While we pause to recognize the importance of general aviation to the U.S. economy, I use this occasion to remind my colleagues in the Congress and the Administration to recognize the importance of general aviation to the nation's capitol.

EARMARK DECLARATION

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. JORDAN of Ohio. Madam Speaker, pursuant to House Republican Conference standards on earmarks, I submit the following information regarding a project included at my request in H.R. 3326, the Fiscal Year 2010 Department of Defense Appropriations Act:

Requesting Member: Congressman JIM JORDAN (OH–04)

Bill: H.R. 3326

Account: Army Research, Development, Test, and Evaluation (RDT&E)—Combat Vehicle and Automotive Advanced Technology

Requesting entity: Joint Systems Manufacturing Center, 1161 Buckeye Road, Lima, Ohio

Project title: Friction Stir Welding Program

Description: With federal assistance in fiscal years 2005, 2006, and 2009, the government-owned Joint Systems Manufacturing Center in Lima, Ohio, has developed better methods of fusing metals used in large combat vehicle manufacturing. These methods are proving to be stronger than results achieved through traditional arc welding, resulting in stronger superstructures. The $3 million included for this program in H.R. 3326 will help perfect friction stir welding technology for current and future vehicle production, reducing procurement costs to the government.

EARMARK DECLARATION

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. POSEY. Madam Speaker, pursuant to the Republican Leadership standards on earmarks as well as in accordance with Clause 9 of Rule XXI, I am submitting the following information regarding earmarks for my Congressional District as a part of H.R. 3183, Energy and Water Development and Related Agencies Appropriations Act, 2010

Requesting Member: The Administration and Congressman BILL POSEY

Project Funding Amount: $4,600,000

Bill Number: H.R. 3183, Energy and Water Development and Related Agencies Appropriations Act, 2010

Account: Corps of Engineers, O&M

Legal Name of Requesting Entity: Corps of Engineers.

Address of Requesting Entity: U.S. Army Corps of Engineers, Jacksonville District Office, 701 San Marco Blvd., Jacksonville, Florida 32207–8175

Description of Request: This funding will be used by the US Army Corps of Engineers to provide annual operation and maintenance of the channel at Port Canaveral, Florida.

Consistent with Republican Leadership's policy on earmarks, I hereby certify that to the best of my knowledge this request (1) is not directed to any entity or program that will be named after a sitting Member of Congress; (2) is not intended to be used by an entity to secure funds for entities unless the use of the funding is consistent with the specified purpose of the earmark; and (3) meets or exceeds all statutory requirements for matching funds where applicable.

Requesting Member: Congressman BILL POSEY

Project Funding Amount: $900,000

Bill Number: H.R. 3183, Energy and Water Development and Related Agencies Appropriations Act, 2010

Account: Corps of Engineers, Investigations

Legal Name of Requesting Entity: Canaveral Port Authority.

Address of Requesting Entity: Canaveral Port Authority, 445 Challenger Road, P.O. Box 267, Cape Canaveral, Florida, 32920.

Description of Request: This funding will be used by the U.S. Army Corps of Engineers Port Canaveral has completed a Section 203 report, which has been submitted to the Corps for consideration. The Corps can then start Preconstruction, Engineering, and Design (PED), which is cost-shared with the non-Federal sponsor 75/25. The non-federal sponsor is prepared to provide their 25% match. The recommended improvements to the channel are urgently required to provide adequate channel capacity and safety.

Consistent with Republican Leadership's policy on earmarks, I hereby certify that to the best of my knowledge this request (1) is not directed to any entity or program that will be named after a sitting Member of Congress; (2) is not intended to be used by an entity to secure funds for entities unless the use of the funding is consistent with the specified purpose of the earmark; and (3) meets or exceeds all statutory requirements for matching funds where applicable.

Requesting Member: Congressman BILL POSEY

Project Funding Amount: $600,000

Bill Number: H.R. 3183, Energy and Water Development and Related Agencies Appropriations Act, 2010

Account: Corps of Engineers, Construction

Legal Name of Requesting Entity: Brevard County, Florida.

Address of Requesting Entity: Brevard County, Florida, 2725 Judge Fran Jamieson Way, Building A–219, Viera, Florida, 32940.

Description of Request: This funding is will be used by the U.S. Army Corps of Engineers to begin construction of the first phase of renourishing the Mid-Reach section of the Brevard County Storm Damage Protection Project. The federal, state, and county governments have already completed the Northern and Southern section of this project. This funding will help provide the federal portion of funding toward this authorized federal project. This funding will enable the Corps to dredge sand to be placed in the Mid-reach the following year. The County has funding set aside and available for this project, and this is a top priority for the state.

Consistent with Republican Leadership's policy on earmarks, I hereby certify that to the best of my knowledge this request (1) is not directed to any entity or program that will be named after a sitting Member of Congress; (2) is not intended to be used by an entity to secure funds for entities unless the use of the funding is consistent with the specified purpose of the earmark; and (3) meets or exceeds all statutory requirements for matching funds where applicable.

IN RECOGNITION OF JAMES J. BRUNO FOR HIS YEARS OF SERVICE TO THE KANKAKEE TOWNSHIP FIRE PROTECTION DISTRICT & THE KANKAKEE CITY FIRE DEPARTMENT

HON. DEBORAH L. HALVORSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mrs. HALVORSON. Madam Speaker, on August 14, 2009, friends, family, and colleagues of James J. Bruno will gather to celebrate his 27½ years of service to the Kankakee Township Fire Protection District and the Kankakee City Fire Department. Today I join the chorus of praise for Jim's service.

After the unfortunate death of his father of a heart attack, Jim took the opportunity to devote himself to saving lives by joining the Kankakee Township Fire Protection District. Just 6 years after becoming a fire fighter, he rose to the rank of Lieutenant and was the first paramedic in the department. In 1988, Jim joined the Kankakee City Fire Department. In 1990, Jim received the Distinguished Service Award for his role in rescuing a heart-attack victim from her burning home. With the help of his partner, Steve Born, Jim entered a blazing home, located the woman, hoisted her on his shoulders, and carried her to safety. She made a full recovery. This was an obvious act of heroism. What is less obvious, but no less important, are the lives Jim saved through countless inspections he conducted of homes and businesses as well as the education programs he participated in that prevented fires. Prevention efforts like the ones Jim participated in have been highly effective. Since 1982, deaths due to fires in the home have decreased 36 percent. Firefighters like Jim have made our communities much safer.

Jim has been an active labor leader for over 20 years. He has performed many roles in the Kankakee Firefighters Union including Chaplin and Executive Board Secretary. He completed many labor trainings on how to participate in productive grievance and arbitration hearings. Jim has been an effective advocate for hard-working firefighters.

Jim is also a compassionate father and husband. Jim is a proud supporter of his wife, Captain Stacey Ann Bruno, who will begin her second tour of duty in Iraq in September. He is a loving father of three teenage children.

The 11th District and the community of Kankakee owe Jim Bruno a debt of gratitude. I am proud to represent him and all the wonderful firefighters around my district in Congress. I wish Jim the best of luck as he enters retirement.

EARMARK DECLARATION

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. ALEXANDER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2010, H.R. 3293.

Congressman RODNEY ALEXANDER
H.R. 3293
Department of Education, Elementary & Secondary Education (includes FIE)

Ouachita Parish School Board located at 701 St. John Street, Monroe, LA 71201.

The Northeast Louisiana Family Literacy Interagency Consortium; $400,000. The Northeast Louisiana Family Literacy Interagency Consortium (NELFLIC). NELFLIC is requesting funding so that more families can continue to be served, and served more effectively, by securing staff and resources. NELFLIC is determined to enhance its services to provide flexible, year-round hours and to target special populations more intensely than ever before. The English as a Second Language services to be offered in Union and West Carroll parishes can double the number of participants in each site. Serving the incarcerated population in Richland parish incurs significant expenses due to the dynamics of the program and to ensure that children can participate sufficiently in appropriate services. In order to serve the high school population in Lincoln parish, the Even Start center must have highly qualified personnel available to work with the children from 7:20 to 3:35 five days per week. Funding is requested to retain the staff at each site and to provide transportation and other support services to accommodate the flexible schedules and growing population of participants. Expanding services or the service area will help to empower families to gain literacy skills, build strong families, earn a living wage, and move toward self-sufficiency.

Congressman RODNEY ALEXANDER
H.R. 3293
Department of Education—Elementary & Secondary Education (includes FIE)

Institute for Student Achievement, One Hollow Lane, Suite 100, Lake Success, NY 11042

Institute for Student Achievement; $150,000. ISA is requesting $150,000 in funding to continue its partnership with the Point Coupee Central Prep High School located in the Point Coupee Central High School building. Point Coupee Central Prep High School opened in September, 2008 with a cohort of grade nine students. It will grow one grade per year until it serves students in grades 9 to 12, at which time the Point Coupee Central High School will be phased out. ISA will remain in partnership with EBR throughout the entire school development period. A clear, explicit set of non negotiable principles defines the ISA research-based school reform capacity-building model. With its strategic partner, the National Center for Research, Education, Students and Teaching (NCREST) at Columbia University, ISA facilitates the implementation of these principles through coaching and professional development. Additionally, ISA provides technical assistance, administrative guidance, and formative student assessments in writing and mathematics which inform instructional practice, program advocacy and program assessment.

Congressman RODNEY ALEXANDER
H.R. 3293
Department of Health & Human Services Centers for Medicare and Medicaid Services (CMS)—Research & Demonstration.

PACE Greater New Orleans, 4201 North Rampart, New Orleans, LA 70117.

PACE Greater New Orleans, for facilities and equipment; $500,000. This project is for $4 million to allow PACE Greater New Orleans, Franciscan PACE and CHRISTUS Health to expand and develop additional PACE services and space on the Westbank of Jefferson Parish as well as in Monroe and Alexandria so they may be able to serve more elderly and offer them an alternative to institutionalized care. Expansion of service personnel and capacity could allow PACE New Orleans to serve 150 more elderly, PACE Monroe approximately 124 and PACE Alexandria approximately 125. The Program of All-Inclusive Care for the Elderly (PACE) is a capitated benefit authorized by the Balanced Budget Act of 1997 (BBA) that features a comprehensive service delivery system and integrated Medicare and Medicaid financing. The program is modeled on the system of acute and long term care services developed by On Lok Senior Health Services in San Francisco, California. The model was tested through CMS (then HCFA) demonstration projects that began in the mid-1980s. The PACE model was developed to address the needs of long-term care clients, providers, and payers. For most participants, the comprehensive service package permits them to continue living at home while receiving services rather than be institutionalized. Participants must be at least 55 years old and be certified as eligible for nursing home care by the appropriate State agency. However the average age of a PACE recipient is 75. The PACE program becomes the sole source of services for Medicare and Medicaid eligible enrollees.

Congressman RODNEY ALEXANDER
H.R. 3293
Department of Health & Human Services, Health Resources and Services Administration (HRSA)—Health Facilities and Services.

CHRISTUS Health St. Francis Cabrini Hospital, 3330 Masonic Drive, Alexandria, LA 71301.

CHRISTUS Health St. Francis Cabrini Hospital for an electronic medical records initiative; $400,000. CHRISTUS St. Francis Cabrini has undertaken an initiative to lower the cost of care by leveraging communication and health information technology, with an emphasis on using these tools to improve access and lower costs for the under- and uninsured. The project will reduce inappropriate use of the emergency department while providing a care team to help coordinate their care and provide a medical home. Reducing the cost of care requires investment in health IT infrastructure. This project began almost a year ago by deploying community health workers using all manual processes. This activity will automate the process of data collection, information sharing and increased communications with the clients to reduce inappropriate utilization, improve access and reduce costs, all while helping them to better care for themselves. Internal funding is lacking due to competing priorities. Funds will be used for investing in core infrastructure needs that will become operating costs in future years but at a much lower level.

Congressman RODNEY ALEXANDER
H.R. 3293
Department of Health & Human Services, Health Resources and Services Administration (HRSA)—Health Facilities and Services.

CHRISTUS Health System, 9830 Jennifer Lane, Shreveport, LA 71106.

CHRISTUS Health System for a rural health initiative; $350,000. School-Based Health Centers (SBHCs) enable CHRISTUS Health to provide primary and preventative health care services to children and adolescents in Louisiana, many of whom are among the working poor. Besides immunizations and physical examinations, SBHCs provide well-child care, dispensation of over-the-counter and prescribed medicines, routine lab tests, management of chronic conditions, and initial care for acute illnesses and injuries. The centers provide mental health services including individual, family, and group therapy. SBHCs emphasize prevention as well as early identification and treatment of physical and mental health concerns. Prevention programs concentrate on proper nutrition, dental hygiene, exercise, and the elimination of substance abuse, use of tobacco, teenage pregnancy, violence, and suicide. CHRISTUS Health sponsors and operates 25 of the 62 SBHCs in Louisiana. With earmark funds of $350,000, these centers could address such critical health issues as childhood and adolescent obesity. The money could also help the centers provide more dental services and expand mental health services.

Congressman RODNEY ALEXANDER
H.R. 3293
Department of Health & Human Services, Health Resources and Services Administration (HRSA)—Health Facilities and Services.

Richland Parish Hospital, 407 Cincinnati Street, Delhi, LA 71232.

Richland Parish Hospital for facilities and equipment; $1,025,000. This request would increase access to vital preventive and diagnostic health care services in Northeast Louisiana through the use of one-time funding to purchase Digital Mammography and 16-Slice Computerized Tomography (CT) Scan machine and a Mobile Unit to transport the equipment throughout the region. This will particularly impact the low-income, under and uninsured residents of the most rural areas of the region, who so many times do not have the resources to travel to the larger urban areas to obtain these services. Currently, a resident must travel at least to Monroe to obtain these services, which is over 60 miles away from many of the communities in the most northeast part of the state. RPH is a participant in the LA Rural Health Information Exchange Network and was the first hospital to be linked with the LSU Health Sciences Center (LSUHSC–S) in Shreveport. If they are able to obtain this equipment, they will be able to transmit these tests to the specialists at LSUHSC–S. Many of the low-income, under and uninsured patients are referred to LSUHSC–S for specialty care. Due to the lack of resources, patients may very well forego treatment until the condition is much more serious.

Congressman RODNEY ALEXANDER
H.R. 3293
Department of Health & Human Services, Health Resources and Services Administration (HRSA)—Health Facilities and Services.

University of Louisiana at Monroe, 700 University Avenue, Monroe, LA 71209

University of Louisiana at Monroe for facilities and equipment, including purchase of a mobile dental unit; $840,000. The University of Louisiana at Monroe College of Health Sciences Department of Dental Hygiene proposes the purchase of a mobile dental unit for use throughout the northeastern portion of the State of Louisiana. The use of this mobile unit would enhance the teaching capabilities of the dental hygiene program and would provide a

critically needed service to patients unable to access regular dental/dental hygiene care. The mobile dental unit would serve the delta area of Louisiana which has been designated an economically and socially depressed area, which in the past has been approved for federal development funding. The mobile unit would benefit underserved patients who lack the financial resources and/or transportation to obtain proper dental care. The unit would be staffed by a dentist, dental assistant, dental hygienist and dental hygiene students who would work with local public health offices to coordinate services.

Congressman RODNEY ALEXANDER
H.R. 3170
SBA

Grambling University, 400 Main St., Grambling, LA 71245

The primary goals of the Greater North Louisiana Community Development Corp are to: a) stimulate creation, attraction, retention and expansion of business and industry in North Louisiana, b) provide access to financial capital, c) promote the growth of ''homegrown'' business using technology to provide rural isolated entrepreneurs with access to information, technical assistance, professional services and expertise. The Rural U.S. is home to over 56 million Americans who live in some of the country's poorest regions. As nationally publicized by all mediums, the state of Louisiana is involved in a long-running battle to find solutions to poverty and combating literacy (see attachments A & B—GNLCDC Service Area Demographics and Maps). The primary employers in the targeted parishes are light manufacturing companies. It is expected that manufacturing jobs will continue to decline in the 21st Century, therefore diversification is critical to the stimulation and survival of rural communities.

Congressman RODNEY ALEXANDER
H.R. 3326
RDTE, A

Louisiana Tech University, 700 W California Ave, Ruston, LA 71272

Anti-Tamper Research and Development $3,800,000. This program will provide the research, development, and testing of technologies that can significantly reduce or eliminate the threat of reverse-engineering or software extraction from the guidance/avionics package of military aircraft and missiles. We will initiate the R&D of specific technologies that can be used to prevent tampering of aviation and missile systems, initiate the development and instrumentation of techniques that can be used to test the vulnerability of missile systems before and after insertion of the technology, and test the initial technology produced by this program. Technologies developed will prevent the extraction, disassembly, and reuse of U.S. aviation and missile Critical Technology/Critical Program Information hardware and software. The DoD is currently aware of how vulnerable its weapons systems are to reverse-engineering, and this effort will develop measures to decrease or eliminate this vulnerability.

Congressman RODNEY ALEXANDER
H.R. 3326
RDTE, AF

Louisiana Tech University, 700 W California Ave, Ruston, LA 71272

Remote Language-Independent Suspect Identification $3,200,000. Louisiana Tech University seeks funding for research in remote language-independent suspect identification. Our researchers have developed technologies that use mathematical models for identity verification. Aspects of this work have been commercialized in the private sector. The University has worked with the Air Force and industry partners in further development of the algorithms and software for military applications. These funds will support our faculty and partners identified by the Air Force in extending the development of these algorithms.

Congressman RODNEY ALEXANDER
H.R. 3326
RDTE, AF

Louisiana Tech University, 700 W California Ave, Ruston, LA 71272

Cyber Security Research Program $1,500,000. Louisiana Tech University seeks funding to initiate programs in the recently funded Cyber Security Laboratory to support new research and educational efforts in cyber security. This laboratory is a key component of the Center for Secure Cyberspace (CSC), a collaboration between Louisiana Tech University and Louisiana State University. Funding for the CSC, totaling $8 million, has been provided by the Louisiana Board of Regents and the two universities. Researchers are developing core research foundations in evolvable sensor hardware/software and corresponding transformational technologies for the early prediction, detection, and control of anomalous behavior in cyberspace. The CSC has built strategic collaborative relationships between national and international academic and industrial partners, with the Air Force Cyber Command (P), Air Force Research Laboratory, and other state and federal agencies. Many of these partners have provided input into the design of the CSL. The proposed funding will enable us to configure, test and validate the new equipment and software, which is being purchased in FY 2009, and to support initial research projects between the CSC and partners. These initial projects will enable Tech and its partners to gather preliminary data to serve as the basis for further funding from multiple agencies.

TEXAS H. CON. RES. 39

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. CONAWAY. Madam Speaker, at the request of the Secretary of State of the State of Texas, I am officially entering House Joint Resolution 39, as passed by the 81st Legislature, Regular Session, 2009 of the State of Texas, into the CONGRESSIONAL RECORD.

A JOINT RESOLUTION

post-ratifying Amendment XXIV to the Constitution of the United States prohibiting the denial or abridgment of the right to vote for failure to pay any poll tax or other tax.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The 87th Congress of the United States, on August 27, 1962, in the form of Senate Joint Resolution No. 29, proposed to the legislatures of the several states an amendment to the Constitution of the United States, and by a proclamation dated February 4, 1964, published at 29 *Federal Register* 1715–16 and at 78 Statutes at Large 1117–18, the Administrator of General Services, Bernard L. Boutin—in the presence of native Texan, President Lyndon Baines Johnson—declared the amendment to have been ratified by the legislatures of 38 of the 50 states, thereby becoming Amendment XXIV to the United States Constitution, pursuant to Article V thereof, and reading as follows:

''AMENDMENT XXIV.

''SECTION 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

''SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.''

''SECTION 2. While the congress was still deliberating on the poll tax amendment in August of 1962, President John Fitzgerald Kennedy urged the United States House of Representatives to follow the lead of the Senate and propose the amendment for the consideration of the state legislatures '' . . . to finally eliminate this outmoded and arbitrary bar to voting. American citizens should not have to pay to vote.'' And in witnessing the issuance of Amendment XXIV's certificate of validity 17 months later, Kennedy's successor, President Johnson, noted that abolishing the tax requirement '' . . . reaffirmed the simple but unbreakable theme of this Republic. Nothing is so valuable as liberty, and nothing is so necessary to liberty as the freedom to vote without bans or barriers. . . . A change in our Constitution is a serious event. . . . There can now be no one too poor to vote.''

SECTION 3. Although Amendment XXIV has been the law of the land since 1964, some 13 years following its effective date, it received symbolic post-ratification in 1977 from the General Assembly of the Commonwealth of Virginia, as reflected in the *Congressional Record* of March 28, 1977, which printed the full text of Virginia's post-ratification; 12 years after that, the amendment gained ceremonial post-ratification in 1989 from the General Assembly of the State of North Carolina, as reflected in the *Congressional Record* of June 6, 1989, which printed the full text of North Carolina's post-ratification; and nearly 13 years after that, the amendment acquired its most recent post-ratification in 2002 from the Legislature of the State of Alabama, as reflected in the *Congressional Record* of September 26, 2002, which printed the full text of Alabama's post-ratification.

SECTION 4. The Legislature of the State of Texas—one of only five states still levying a poll tax by 1964—has never approved Amendment XXIV to the Constitution of the United States, but precedent makes clear the opportunity of Texas to post-ratify the amendment in a manner similar to the actions of lawmakers in Alabama, North Carolina, and Virginia.

SECTION 5. The Legislature of the State of Texas, as a symbolic gesture, hereby post-ratifies Amendment XXIV to the Constitution of the United States.

SECTION 6. Pursuant to Public Law No. 98–497, the Texas secretary of state shall notify the archivist of the United States of the action of the 81st Legislature of the State of Texas, Regular Session, 2009, by forwarding to the archivist an official copy of this resolution.

SECTION 7. The Texas secretary of state shall also forward official copies of this resolution to both United States senators from Texas, to all United States representatives from Texas, to the vice president of the United States in his capacity as presiding officer of the United States Senate, and to the

speaker of the United States House of Representatives, with the request that this resolution be printed in full in the *Congressional Record*.

DAVID DEWHURST,
President of the Senate.
JOE STRAUS,
Speaker of the House.
ROBERT HANEY,
Chief Clerk of the House.
PATSY SPAW,
Secretary of the Senate.
HOPE ANDRADE,
Secretary of State.

SALUTING THE NOMINEES OF THE 2009 TECH TITANS FINALISTS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. SAM JOHNSON of Texas. Madam Speaker, I rise to congratulate the finalists for the 2009 Tech Titans Award presented by Metroplex Technology Business Council, the largest technology trade association in Texas. On August 28th, the winners will be announced in categories designed to showcase the most cutting-edge technologies and the brightest talent emerging from the North Texas region at the 2009 Tech Titans Awards and Fast Tech gala. The event will also reveal the rankings of the 2009 Titan Fast Tech, which lists the fastest-growing DFW technology companies based on percentage revenue growth over the last year and the fastest-growing DFW technology companies based on percentage revenue growth over the last five years.

The Tech Titans gala also raises funds to support a scholarship program for students at local universities who are pursuing degrees in math, science, engineering and technology, as well as high school teachers who teach in these disciplines. Founded in 1994, the Metroplex Technology Business Council (MTBC) is a non-profit organization composed of approximately 300 members that include technology businesses and providers from across the DFW Metroplex. The MTBC produces numerous events, including the Management in High-Tech Luncheon Series, the Technical Luncheon Series, Tech Week in Austin and the Tech Titans and Fast Tech Awards.

Recently, the Economist, a reputable international magazine, featured a special in-depth section showcasing the wonders of Texas for business. The MTBC is a shining example of the face of the future for Texas. Make no mistake, the MTBC is making great things happen for the Lone Star State—and the world.

''The Tech Titans Awards and Fast Tech provide the premier recognition of fast-growing, highly innovative companies that contribute to the vibrancy of the North Texas economy and make our region an exciting place to live and work,'' said Cindi Keith, partner/technology marketing industry leader, PricewaterhouseCoopers, and co-chair of the MTBC's Tech Titans steering committee. ''We look forward to showcasing the true leaders in our industry and celebrating their hard work and creativity.''

Besides the MTBC, other supporters of the Tech Titans Awards and Fast Tech event are PricewaterhouseCoopers, TechAmerica (formerly American Electronics Association), Deloitte, Dallas Business Journal, KBA Group LLP, Time Warner Cable Business Class, GSCS Inc., Farstar Inc., and AVMG.

Congratulations one and all. I salute you.

The 2009 Tech Titan Finalist names and the categories follow:

CORPORATE CEO AWARD CATEGORY

Bruce Ballengee, CEO and Co-Founder, Pariveda Solutions, Inc.

Timothy Gallagher, CEO, Electronic Transaction Consultants Corporation

Dale Sohn, President, Samsung Telecommunications America

Charlie Vogt, President and CEO, GENBAND

EMERGING COMPANY CEO AWARD CATEGORY

Steve Steinheimer, CEO, SSG Ltd

Nina Vaca, CEO, Pinnacle Technical Resources, Inc.

Paul VanMeter, President and CEO, Colo4Dallas

Alastair Westgarth, President and CEO, Tango Networks, Inc.

CORPORATE HORIZON AWARD CATEGORY

Electronic Transaction Consultants Corporation

Entrust

Fujitsu Network Communications, Inc.

Nokia Siemens Networks

EMERGING COMPANY HORIZON AWARD CATEGORY

Airwalk Communications, Inc.

OnAsset Intelligence, Inc.

Sipera Systems

Tango Networks, Inc.

TECH INNOVATOR AWARD CATEGORY

Austin Crowder, CEO and Founder, Alpha Med-Surge, Inc., dba L.I.T. Surgical

Dr. Harold ''Skip'' Garner, PO'B Montgomery Distinguished Chair, Professor of Biochemistry and Internal Medicine, University of Texas Southwestern Medical Center

Dr. Bruce Li, President and CTO, 21-Century Silicon, Inc.

Dr. Frank Lu, Professor of Mechanical and Aerospace Engineering, Director of the Aerodynamics Research Center, University of Texas at Arlington

TECH ADVOCATE AWARD CATEGORY

Rep. Dan Branch, Texas State House of Representatives

North Texas Enterprise Center for Medical Technology, Larry Calton

North Texas Regional Center for Innovation & Commercialization, Mike Lockerd

TECH Fort Worth, Darlene Ryan

TECH ADOPTER AWARD CATEGORY

Chesapeake Energy Corporation

North Texas Tollway Authority

Smart Hospital at the University of Texas at Arlington

Travelocity Business

COMMUNITY HERO AWARD CATEGORY

Corey Kirkendoll, Solutions Architect, 2009 National Society of Black Engineers Alumni, Extension Pre-College Initiative for Region V, Cisco Systems

Paul Klocek, General Manager, ELCAN Optical Technologies

Jo-ann Olsovsky, Vice President, Technology Services and CIO, Burlington Northern and Santa Fe Railway Company

Gurvendra Suri,

CEO, Optimal Solutions Integration, Inc.

TECH TITAN OF THE FUTURE UNIVERSITY LEVEL

Challenging Algorithmics and Mathematics in Problem Solving (CHAMPS) The University of Texas at Dallas—Jonsson School of Engineering and Computer Science

Military Programs of the Dallas TeleCollege Dallas County Community College District

UTeach Dallas, The University of Texas at Dallas

Venture Innovation Partnership, The University of Texas at Arlington

TECH TITAN OF THE FUTURE HIGH SCHOOL LEVEL

Daniel Brown, Hillcrest High School, Dallas Independent School District

Dr. George J. Hademenos, Richardson High School,

Richardson Independent School District

Wesley Kirpach, Plano West Senior High School, Plano Independent School District

Jacqueline Lewis, Williams High School, Plano Independent School District

TechAmerica

TEXAS LEGEND AWARD, Jim Von Ehr, President and Founder, Zyvex Corporation.

HONORING BRUCE G. MCATTEE

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. KILDEE. Madam Speaker, I rise today to pay tribute to Bruce G. McAttee as he retires from his position as CAP Coordinator for UAW Region 1C. A retirement party is planned for August 28th in Lansing Michigan.

Bruce McAttee began his career working for General Motors in August 1976. In 1982 he completed his Electrician Apprenticeship and ran for Committeeman in November of that year. He was elected and held the position until 1990. He was elected Financial Secretary Treasurer of UAW Local 652 in June 1990. During this time he also was elected Vice Chair of Region 1C Skilled Trades Council and Chairman in 1986. This made him the youngest person to ever serve on the UAW International Skilled Trades Advisory Committee. In 1994 he accepted a position on the UAW International Staff and was assigned to UAW Region 1C as CAP Coordinator one year later.

Bruce's interest in politics was sparked at the age of 13 when he worked on his first political campaign. He went to Wolverine Boys State during his high school years and he served as an intern with the Michigan House of Representatives. Since that time he has worked on numerous campaigns including the campaigns for every Democratic Presidential candidate since Jimmy Carter ran for office in 1976. He has served on the Michigan Democratic Party's State Central Committee for the past 14 years. He has served as delegate to the Democratic National Convention in 2000 and 2004. In 2004 he served as a Presidential Elector for the 8th District casting his ballot for JOHN KERRY. The Clinton County Democratic Party honored him with their 2009 Phil Hart Award.

In addition to his work with the UAW and the Democratic Party, Bruce is active with Cancer Society, the Martin Luther King Holiday Commission and the Red Cross Great

Lakes Regional Board of Directors. The Lansing Area APRI Chapter recognized him earlier this year as a Role Model for his work in Civil Rights and the community.

Madam Speaker, I ask the House of Representatives to rise with me and applaud the work of a dear friend, Bruce G. McAttee. For many years an important member of my own campaigns, I consider Bruce a dear friend and skilled analyst. I value his capable, proficient expertise on a broad variety of subjects. I wish him the best as he enters this next phase of his life.

CONGRATULATING THE NATIONAL JOINT APPRENTICESHIP TRAINING COMMITTEE ON THEIR 20TH NATIONAL TRAINING INSTITUTE

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. DINGELL. Madam Speaker, I rise today to congratulate the National Joint Apprenticeship and Training Committee (NJATC) on the occasion of the 20th anniversary of their National Training Institute, which will be held this weekend at the University of Michigan in Ann Arbor. It will also be my pleasure to address this gathering back home in Michigan's 15th Congressional District.

I wish to commend the NJATC's National Training Institute for what they do for working men and women across the country. I believe they serve as an example of the good work labor unions have done for this country. I think it is entirely appropriate that the 20th annual National Training Institute will be held in Michigan, the state that most have deemed the birthplace of the American labor movement. This is a point in which I take great pride, as Michigan has long had a history of looking out for our workers and supporting the growth and success of our labor unions.

The partnership of the National Electrical Contractors Association and the International Brotherhood of Electrical Workers is unique and it has led to a special training institute that puts a value on skilled trade and allows apprentices to ''earn while you learn.'' This is critical for those in Southeast Michigan and across the country, as they start their second career, or even begin their first. Skilled trades provide our families with respectable and fair wages, benefits that will provide for their families and training that will allow them to successfully complete various jobs within the electrical industry.

As the National Joint Apprenticeship & Training Committee enters its 68th year, I would like to once again commend them for their fine work and congratulate them for the more than 350,000 apprentices which they have skillfully trained. I look forward to their 20th National Training Institute and I am so pleased that they will be holding this special event in Michigan's 15th Congressional District.

RECOGNIZING GENERAL AVIATION

SPEECH OF

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Ms. NORTON. Mr. Speaker, H. Res. 508 recognizes the contributions of general aviation and encourages general aviation activities. General aviation is a little recognized, major sector of the airline industry, which contributes $150 billion to United States direct and indirect economic output. I also want to mention the Transportation Security Administration Reauthorization Act of 2009, which included an important section setting up a general aviation working group within the Aviation Security Advisory Committee, to advise the Transportation Security Administration (TSA) on security issues in general aviation. This advisory group was established after the TSA began rulemaking on the Large Aircraft Security Program that threatened to swallow general aviation amidst burdensome and unnecessary regulations, suited for large commercial aircraft. Longstanding unattended issues and insufficient attention to the nation's important General Aviation sector are finally getting the attention they deserve. Along with other members of the House Committee on Homeland Security, I intend to see that General Aviation security issues are treated uniquely for the sector they administer.

However, as most members who have sat in on any hearing with the FAA, TSA, DHS or any other security agency may now know, the District of Columbia's main airport, the Ronald Reagan Washington National Airport (DCA), is uniquely hampered by impossibly restrictive regulations that have destroyed general aviation in the nation's capital, and arbitrary practices may be spreading to others. In the Homeland Security Committee, we have taken the important first steps to give detailed attention to this major section of the airline industry to the new administration.

After 9/11 the restrictions on General Aviation in the nation's capital, in particular, became symbolic of arbitrary action against general aviation that could happen anywhere. Even though New York City was the epicenter of 9/11, the nation's capital is the only location that suffers under unique restrictions that have crippled general aviation here. In fact, there was no general aviation for four years. After joining in my complaints at hearings, the former Chairman of the Transportation and Infrastructure Committee, DON YOUNG, threatened to subpoena any agency that did not comply with a bill that aimed to compel the resumption of general aviation flights at DCA and to hold them in contempt if they refused to appear before the committee to report on progress. As a result, a plan finally was put in place with requirements, but the DCA Access Standard Security Program (DASSP) was almost worse than no plan at all. Before 9/11, general aviation activity at DCA accounted for ⅓ (approximately 30,000) of the total annual operations at DCA. In contrast, in October 2005 when program DASSP began, operations averaged about one flight per week. Today, activity averages about three to four flights per day, about 1000 a year. The requirements in the DASSP include:

General aviation operators must adopt a security program, background checks on flight crews, identify a security coordinator, and train on security procedures

All DASSP flights must carry an armed security officer

(ASO) on board (very few such accredited officers are available.)

Flights must depart from one of 27 TSA approved DASSP gateway airports. Full departure screening of crew, passengers, baggage, and aircraft by TSA security inspectors

Flights must request permission to operate in DCA no sooner than 72 hours in advance of the flight (due to DCA slot requirements) and no later than 24 hours in advance of the flight (for TSA security reviews) for each flight into DCA.

These same screening procedures must be used for flights departing DCA

Charges approximately $230 are assessed to cover TSA's screening costs plus $15/passenger for screening names against the No-Fly and Selectee lists

Requirements for an Armed Security Officer and use of a gateway airport are predictably, and we think, deliberately impossible for most operators to meet. TSA has approximately 200 registered operators in the DASSP, making the wait for an ASO intolerable.

However, the Department of Homeland Security has determined ''that general aviation presents only limited and mostly hypothetical threats to security . . . (and) that the steps general aviation airport owners and managers have taken to enhance security are positive and effective.'' DHS goes further in its report on general aviation:

''The current status of [general aviation] operations does not present a serious homeland security vulnerability requiring TSA to increase regulatory oversight of the industry.''

''Although [TSA's Office of Intelligence] has identified potential threats, it has concluded that most [general aviation] aircraft are too light to inflict significant damage, and has not identified specific imminent threats from general aviation''

Nevertheless, the nation's capital has been singled out as the only jurisdiction under particularly onerous, unnecessary and wasteful program restrictions. As the initial approach of TSA to general aviation in general showed, however, the entire general aviation sector was about to be buried by the Large Aircraft Security Program, until our committee said ''NO!'' The thoughtless creep mission of the TSA into General Aviation, and the total failure to weigh actual security risks against the implications of draconian security measures, was stopped by our Committee on Homeland Security. The District of Columbia general aviation community deserves the same respect and attention.

General aviation at DCA is not the only industry in the District of Columbia that has been wiped out by arbitrary and restrictive airspace regulations. The South Capitol Street Heliport is a commercial heliport that once served east coast cities such as New York, Miami and Boston. It continues to serve the Metropolitan Police Air Support Unit and the U.S. Park Police. The Heliport is also the point of evacuation for the Supreme Court and part of the Department of Defense Nightingale program. In fact, on 9/11 this heliport actually became the Air Control Command Tower when DCA was evacuated. Moreover, having shown it was a vital asset, not a liability, for two years after 9/11, under an agreement with the Secret Service—an agreement that was later

adopted by the TSA to develop its Civil Aviation Security Rules—the South Capitol Heliport continued to receive corporate commercial clients and news gathering helicopters. Yet, without explanation, beginning in October 2003, commercial operators have been altogether restricted from using the heliport, despite the fact that the heliport owners have been clear that they are willing to comply with any and all security demands.

The nation's capital has all but lost helicopter service, even for the vital security purposes our heliport has performed. Without corporate commercial clients the South Capitol Heliport cannot generate enough revenue to survive. The owner has submitted the highest level security plans, but the TSA and the Department of Homeland Security have failed to respond. At my request, the Committee on Homeland Security has added heliports specifically to the list of entities on the general aviation working group. This heliport is vital for both security and commercial helicopter operations that the District of Columbia cannot afford to lose. While we pause to recognize the importance of general aviation to the U.S. economy, I use this occasion to remind my colleagues in the Congress and the Administration to recognize the importance of general aviation to the nation's capital.

CITY OF NEWCASTLE

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. REICHERT. Madam Speaker, I rise today to congratulate the City of Newcastle, Washington, which was recently ranked seventeenth by Money Magazine on their list of ''America's Best Small Towns.'' I'm proud to represent Newcastle, a city that affords residents a unique opportunity to live near the ''hustle and bustle'' of everyday life while retreating into a rural small town setting.

It is fitting that Money Magazine released its rankings the same week that Newcastle held a ribbon-cutting ceremony on a multi-year, multi-phase public works project that shows the city's true colors: leadership, patience and encouragement. Although I couldn't be at the celebration personally, I once again congratulate them on the expansion of the Coal Creek Parkway, to help alleviate the flow of traffic for its businesses and citizens.

Newcastle has grown by leaps and bounds, developing and offering new attractions and conveniences for citizens and businesses alike. Officially incorporated in 1994, Newcastle's population at the time was 7,000. 15 years later, Newcastle's population has grown to about 10,000 and the city's amenities continue to grow as well. A new YMCA will open in September, complete with swimming pools, community rooms, and gyms. A new transit center currently under construction will provide new bus shelters and improve the city's main intersection, benefiting commuters, pedestrians and bicyclists.

In true Pacific Northwest tradition, Newcastle also boasts a vast array of accessible natural resources and outdoor activities. Lake Boren Park, the city's best known location in its parks and trails system, offers walking trails, tennis and basketball courts, playground equipment for children and is home to special events: the Fourth of July fireworks celebration and Newcastle's summer series of ''Concerts in the Park.'' Of course, I must mention Newcastle's wonderful golf club; perhaps the city's most marketable asset as well as a terrific place for civic engagement and community fundraising. The course is truly beautiful and attracts attendees from all over the Pacific Northwest.

Newcastle is a beautiful city filled with a great mix of small town charm, big city access and natural, fantastic neighborhoods and open spaces, and is very well-deserving of this award to of one of America's best small towns in the country. I look forward to continuing to support the goals and ideals of Newcastle residents and its elected leaders.

AMERICA'S AFFORDABLE HEALTH CHOICES ACT

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, I rise in support of real health care reform for the American people. As a member of the Committee on Ways and Means, I have been working hard to develop a bill that really makes health care better.

What stands out to me the most from my work are the stories I hear from my district in California. Neighbors like Blasa Ochoa, who lost her insurance when her employer went bankrupt, and who has been unable to get another policy because she has a pre-existing condition.

Or Denise from Lakewood who told me that doctors treat her special-needs son like a number and not a person.

The other night, I spoke to several hundred of my neighbors during a telephone town hall, and they told me about the problems with the current system: high costs, exclusions for pre-existing conditions, and the flat out inability to find a plan for those 60 and older.

I'm working so hard on this issue because I know health care reform is what my neighbors back home in California want and need.

America's Affordable Health Choices Act will fix these problems and more.

But sadly, there are still many misconceptions out there.

So let me clear some things up.

This bill will put a stop to abusive insurance company practices, so that you can get a policy no matter what your age or whether you have a pre-existing condition.

This bill will control skyrocketing health costs and make health insurance more affordable. Its strongest cost-control tool is the public health plan option.

We need a strong and stable public option because the private plans, busy seeking profits, have been unsuccessful in controlling the growth in healthcare costs. Their idea of controlling costs is denying care!

But a robust public plan, like the one in this bill, will give the private plans real competition and persuade them to change their ways. This makes health care cheaper for you.

A strong public plan will show how investing in comprehensive, high-quality care, including preventive care, will make Americans healthier and save money at the same time.

An NBC/Wall Street Journal Poll from earlier this year showed that 76 percent of American voters want a public health plan option. And I am proud to have worked on a bill that gives them just that.

But the public plan option is not the only standout provision in this bill.

This bill will protect small businesses and their employees.

This bill is going to help small businesses offer health insurance to their employees—something most small employers want, but can't afford to do right now.

Currently, small businesses pay an average of 18 percent more for health coverage than large businesses.

But with the America's Affordable Health Choices Act, small businesses will have access to the new Health Insurance Exchange, giving them the benefits of lower rates that only large businesses now enjoy. The exchange will also give small businesses more plans to choose from.

The bill also creates a new tax credit—worth up to half the cost of health insurance premiums—to assist small employers who want to offer coverage.

Finally, small businesses will be exempt from the ''pay or play'' requirements that will apply to large employers. Small businesses with a total payroll of $250,000 or less—that's $250,000 in employee payroll, and doesn't count the owner's take home pay—will be exempt from ''pay or play.''

Altogether, the bill makes it easier for small businesses and their employees to afford high quality care while protecting their bottom line.

I encourage my colleagues in both chambers and on both sides of the aisle to stop the bickering—and stop spreading misconceptions that are delaying this much-needed reform bill.

Americans cannot wait any longer. They're counting on us to get this done. We need to pass reform that lowers cost, promotes choice and provides care for all, no matter where they work or how large—or small—their paychecks.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Ms. MCCOLLUM. Madam Speaker, I rise in strong support of the Fiscal Year 2010 Department of the Interior, Environment, and Related Agencies Appropriations Act (H.R. 2996). This important bill makes timely investments to protect and preserve our country's natural resources, enhance climate change research and adaptation efforts, empower Native American communities, and support the arts. I thank Chairman OBEY, Chairman DICKS, my colleagues on the Appropriations Committee, and the House leadership for their hard work on this legislation.

This legislation upholds America's leadership in environmental stewardship. It includes an 8 percent funding increase for the National Parks Service and a 6 percent increase for the National Wildlife Refuges. I am pleased that the bill includes my language for the first ever

national, comprehensive study to identify best practices to protect and preserve the Mississippi River, America's greatest waterway. Additionally, by passing this bill, Congress is investing in tackling the urgent challenge of global climate change. The bill provides over $178 million for climate change programs in the Department of the Interior, $80 million for climate change planning and on-the-ground conservation efforts at the Fish and Wildlife Service, and $31 million for climate change adaptation activities at the Bureau of Land Management, the National Park Service, and Bureau of Indian Affairs. Climate change is happening now, and Congress must invest to adapt to its impacts on America's lands and economy.

My state of Minnesota is blessed with fresh water resources, including over 10,000 lakes and the headwaters of the Mississippi River. This legislation provides $667 million—$507 million over FY2009—in much-needed investments to promote and protect our nation's great water bodies. This includes $475 million for the Great Lakes Restoration Initiative, which will involve the coordination and collaboration of 16 Federal agencies, the States of the Great Lakes Region, local government, and citizens groups in an effort to restore the source of 20 percent of the world's fresh surface water. This bill also directs EPA to invest in essential research on the human health and environmental impacts of endocrine disrupting compounds and other contaminants in our water supply.

This bill makes important investments to empower our country's Native American communities and enhance support of the arts. It provides $6.8 billion for programs at the Bureau of Indian Affairs and the Indian Health Service, including almost an almost $7 million increase in funding for the Urban Indian Health Program. And finally, H.R. 2996 includes funding increases for the National Endowment of the Arts and the National Endowment for the Humanities. I strongly support these investments and applaud the Committee for these including these provisions.

I urge passage of this legislation.

IN MEMORY OF FATHER FLOYD LOTITO

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Ms. SPEIER. Madam Speaker, I pay tribute today to a man of God who dedicated his life to improving the lives of those less fortunate. Father Floyd Lotito, the heart and soul of St. Anthony's Dining Room, left our world on July 14, ending his long and valiant struggle with Parkinson's disease.

Born in Los Angeles, as Alfonso Joseph Lotito, he took Floyd as his religious name when he entered the Franciscan Order in 1953, prior to being ordained into the priesthood seven years later. He received his Bachelor of Sacred Theology from Old Mission Theological Seminary in Santa Barbara and his Masters in Speech and Communication Arts from Marquette University.

Before joining the St. Anthony Foundation in 1968, Father Floyd spent time as a high school teacher in Santa Barbara and as a parish priest in communities all across our country.

When I think of Father Floyd, I remember a man who knew everyone's name, yet called us all ''brother'' or ''sister'' as a sign of respect. He went out of his way to make people feel special and was known locally for his annual Blessing of the Taxi Fleet and the Blessing of the Animals.

Father Floyd's wisdom and eloquence garnered him invitations to give the benediction at the 1984 Democratic National Convention in San Francisco, the opening of Pacific Bell Park in 2000, and many others.

The St. Anthony Foundation has ministered to the poor and down-on-their-luck for more than 40 years, in large part due to Father Floyd's ability to reach people of all types in profoundly personal ways. He did not see rich or poor, he only saw those who could help and those who needed help.

Father Floyd held many positions at St. Anthony's, but nearest to his heart was the St. Anthony Dining Room. Opened in 1981, it is now the leading free-meal program in the city, providing more than 2,500 meals a day to San Francisco's poor. Earlier this year, Father Floyd served his 35 millionth meal.

Madam Speaker, our community is fortunate to have been blessed with Father Floyd. He leaves our community better than he found it and it brightens my heart to know that San Francisco has yet another angel to help guide us.

A TRIBUTE HONORING THE FALKENTHAL-NICHOLS WEDDING

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Ms. ROYBAL-ALLARD. Madam Speaker, I rise today to extend my best wishes to two young Americans who are starting their new life together. On Friday, June 4, 2009, Michelle Lynn Falkenthal and Michael David Nichols were joined in matrimony surrounded by their loving family and friends at the Earl Burns Miller Japanese Garden located on the campus of California State University, Long Beach.

Michelle Falkenthal was born in West Covina, California on December 24, 1979. Her mother, Evelyn Bobbitt, is an accounting technician for the County of San Bernardino, and her step-father, David Bobbitt, is a director of audits for Riverside Community College. Her father is Robert Falkenthal, an attorney in private practice, and her step-mother is Jennette Falkenthal, a homemaker. Michelle graduated from Colton high school and is currently employed as a billing agent for Cox Communications.

Michael Nichols was born in Arcadia, California on December 12, 1980. His mother, Linda Nichols, is a secretary at Arcadia High School, and his father, Ken Nichols, is a general contractor. Michael attended Arcadia High School and Embry Riddle Aeronautical University in Prescott, Arizona. He is employed as an independent contractor pilot.

In this constantly developing age of electronic communications, it's no surprise that the young couple first met via the internet. After several weeks of getting acquainted online, Michelle and Michael had their first date on June 5, 2007. They were engaged fifteen months later on September 14, 2008. The couple enjoys spending time with family and friends, going to Big Bear Lake, bike riding, and remodeling their new home, among other activities. Their many friends say Michelle and Michael are very well suited for each other, and their families already consider each of them a member of the family. The newlywed couple will make their home in the city of Chino Hills in Los Angeles County.

Michelle and Michael were joined in their wedding celebration in Long Beach by guests from across town and across the country. Family and friends traveled from Maryland, Washington, DC, Sacramento, Oxnard, Newberry Park, the Inland Empire, and from across southern California. Special participants in the wedding ceremony included the maid of honor Casandra Holiday, the bridesmaids, Sally Lara and Evie Bobbitt, the bride's niece and sister respectively, and the groomsmen Travis Amezcua, Ryan Benigno, Caleb Gray, and Dustin Mullins. Leading the bridal party and assembled family and guests in the wedding celebration and officiating the vows was the Reverend Doctor Paul Yestebo of the New Hope Community Church in Huntington Beach.

Madam Speaker, I offer my best congratulations to the Bobbitt, Falkenthal, and Nichols families, and their friends and guests on this happy and memorable occasion. To Michelle and Michael, I offer the sentiment and gifts which George Bailey offered the Martini family as they moved into their new home in the classic film, ''It's a Wonderful Life'': ''Bread! That their house may never know hunger. Salt! That life may always have flavor. And wine! That joy and prosperity may reign forever.'' Lastly, I wish that throughout their wonderful life together, Michelle and Michael will always have an abundance of what St. Paul wrote of in his letter to the Corinthians, ''faith, hope, and love; and the greatest of these is love.''

FOOD SAFETY ENHANCEMENT ACT OF 2009

SPEECH OF

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2009

Mrs. BACHMANN. Mr. Speaker, I rise today in reluctant support of H.R. 2749, the Food Safety Enhancement Act of 2009. While I support the legislation, it is by no means perfect and it is my sincere hope that the concerns I share with my colleagues in the House will be addressed as the bill moves through the legislative process.

Ensuring the safety of America's food supply is a critical issue, which warrants our utmost attention. In light of recent outbreaks of food-borne illnesses that have caused sickness and death in our country, I believe it is imperative the action be taken to restore confidence to the American people in the food they eat. This task requires careful analysis of our current food supply dynamic, as well as thoughtful consideration of implications of any potential solutions. Our constituents deserve no less.

Indeed, every link in the food supply chain from the farm to the shelf plays a valuable role in delivering a safe product to consumers, and I believe each link requires flexibility in order to continue to provide high-quality, competitively priced goods to American consumers. A dutiful producer should expect unwarranted government intrusion no more than a consumer should expect their next meal will make them sick.

The detrimental consequences of an overly onerous federal government and bureaucratic red-tape must be carefully weighed against the need for regulation to ensure safe foods. That being said, H.R. 2749 does attempt to find a balance. As a result, the bill has earned the support of a wide range of stakeholders from farm groups to distributors.

Madam Speaker, while I stress the importance of continued work to improve the bill, I support its passage and urge my colleagues to do the same.

EARMARK DECLARATION

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. FRANKS of Arizona. Madam Speaker, pursuant to the Republican Leadership standards on budget requests, I am submitting the following information regarding budget designations I received as part of H.R. 3326: FY 2010 Defense Appropriations Bill.

(1) Recipient: Robertson Aviation

Budget Designation: $3,000,000

This designation funds the procurement of internal 200 gallon A-kits and B-kits for installation on UH–60 Black Hawk helicopters operated by the Army National Guard. The Internal Auxiliary Fuel Tank System is a crashworthy, ballistically self-sealing, single-point pressure refuelable internal auxiliary fuel system that has been developed and fielded to H–60 helicopters operated by the U.S. Army Special Operations, the U.S. Navy, U.S. Air Force Combat Search and Rescue, and certain units of the U.S. Army National Guard. Having this system installed on an H–60 helicopter saves lives by reducing the risk of post crash fires by using military standard crashworthy self sealing bladders integrated into rugged aluminum honeycomb fiberglass outer containers. The resulting system provides ballistic protection for aircrews operating in hostile environments and crashworthy protection for all operations.

(2) Recipient: Southwest Gas Corporation

Budget Designation: $3,000,000

This funding request is for a Gas Engine Heat Pump (GEDAC) demonstration. GEDAC provides essential peak electric and winter gas load reduction. GEDACs not only provide increased energy efficiency, reduced peak electricity demand, costs savings to the U.S. military, resource reductions (water), and reduction of greenhouse gas emissions, it also diversifies energy sources and provides the foundation for grid independence in electricity production. This type of energy independence is invaluable to a military installation, or other facility of national interest, that has to continue to function in the event of a national emergency.

(3) Proposed Recipient: USAF, Air Education and Training Command

Budget Designation: $1,500,000

This funding request is for Air Education & Training Command (AETC) aircraft range upgrades, specifically Barry M. Goldwater Range (BMGR) improvement projects. Air Education and Training Command ranges have an unfunded requirement for enhancements to bring them more in line with the operational capabilities of the F–35. The Barry M. Goldwater Range has an identified unfunded requirement to secure a sensor training area and new instrumented target area as well as two ground moving target sets to conduct real world training which mirrors Global War on Terror requirements. Acquisition of ground moving targets, and development of a sensor training area/instrumented target area within the Barry M. Goldwater Tactical Range addresses the operational requirements which F–16 and future pilots (F–35) will face in defeating urban and moving targets with high precision.

(4) Proposed Recipient: Advanced Ceramics

Budget Designation: $2,000,000

This funding request supports efforts at the U.S. Army Battle Command Battle laboratory at Ft. Huachuca to aggressively pursue experimental deployment efforts and spiral development of sensor and micro-transponder technologies using the Silver Fox and Manta unmanned aerial systems (UAS). Silver Fox and Manta systems' uniquely compact size and stealth technology coupled with the use of advanced sensors and transponders enable them to detect, track, and isolate the smallest enemy movements, including the emplacement of improvised explosive devices (IEDs)—the enemy's weapon of choice against our troops in Iraq and Afghanistan.

RECOGNIZING THE EXTRAORDINARY SERVICE OF THE UNITED STATES COAST GUARD AND THE ''JERSEY BOYS OF THE USCGC MUNRO''

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. ROTHMAN of New Jersy. Madam Speaker, I rise today in recognition of the United States Coast Guard, and the dedicated service men and women who provide invaluable service to our country. I would especially like to recognize Lieutenant Junior Grade Paul Windt of Paramus, Lieutenant Junior Grade Lee Crusius of Hackensack, Boatswain's Mate 3rd Class Daniel McGrath of West Milford, and Electronics Technician 2nd Class Lorin Fisher of Jersey City, whose efforts during a heroic rescue on March 28, 2008 saved the lives of 42 fishermen in the Alaskan Sea. These 4 brave crew members of the Coast Guard Cutter Munro, who go by the name 'The Jersey Boys of the USCGC Munro,' are New Jersey natives and deserve recognition and commendation for their brave and selfless actions that day.

Following in the Coast Guard's rich tradition of service to the American people, these young men, away from their homes and families on Easter morning of 2008, were called to action to rescue the crew of a sinking ship. They battled minus 24-degree weather and a pitching sea which threatened to throw them overboard, while transporting the freezing crew of the sinking ship aboard the *Munro*. Thanks to the heroics of these brave men, 42 of the 47 fishermen aboard the sinking ship survived that frigid morning in March 2008.

Madam Speaker, I ask my colleagues to join with me today in commending the thousands of Americans who serve and have served in the United States Coast Guard. They are a great credit to our country.

GENERAL SUPPORT OF VETERAN BILLS FOR WEEK OF JULY 27

HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Ms. WATERS. Madam Speaker, I rise in strong support for the veterans' bills considered on the floor this week. I am very pleased that we have reached a point where we can begin to address the many institutional problems our returning soldiers endure under the Department of Veteran Affairs. While some of these issues can be attributed to administrative deficiencies, many of the department's problems can be helped by increased federal support. These brave men and women deserve our support as they risk their lives in combat. This support should be reflected in appropriate legislative action to ease the burdens they confront upon returning home. While many of us in Congress may disagree on our military strategy and presence in Iraq and Afghanistan, we can all agree that our returning veterans deserve far more than what they have received upon returning home from combat.

Although the Bush Administration initiated the wars in Iraq and Afghanistan, it failed to provide for critical veterans' health care benefits and programs that would have helped to reorient our returning troops into society. However, under a new administration and as evidenced by the bills considered this week, Congress is working diligently to introduce and pass critical legislation that will provide our veterans with long overdue support and efficient access to medical resources. Therefore, I am pleased to support all of the veterans' bills on the floor this week, and I commend my colleagues in Congress for their commitment to our nation's troops.

A New York Times report published last fall reported that the nation's newest veterans, particularly the wounded, are paying an exceptionally high price for their service to our country. According to various veterans' advocacy groups, the combination of injury and unemployment coupled with the long VA disability claims process has forced many veterans into foreclosure and other financial hardships. Thus, the legislation on the floor this week will provide for beneficial assistance through federal appropriations, employment and housing resources, and improved veterans' medical insurance programs.

H.R. 3219, the Veterans' Insurance and Health Care Improvements Act of 2009 will expand veterans' insurance and provide much needed healthcare improvements. Additionally, this measure establishes permanent VA authority to provide hospital care, medical services, and nursing home care to Vietnam-era herbicide-exposed veterans and Persian Gulf War veterans who have insufficient medical

evidence to establish a service-connected disability. Undoubtedly, many of our current veterans from past and our present international conflicts stand to benefit a great deal from this bill.

In addition, H.R. 1293, the Disabled Veterans Home Improvement and Structural Alteration Grant Increase Act of 2009, will increase the amount of authorized grants the Department of Veterans Affairs can pay for improvements and structural alterations for homes of veterans with service-connected disabilities of 50 percent or more. Accordingly, this bill will provide much needed assistance for veterans to make any necessary improvements they are otherwise unable to fix on their own. As many may suffer from service-connected physical disabilities impeding their normal life activities, this bill would authorize the VA to increase their financial assistance to veterans. This measure will greatly supplement the bill we passed last Congress, the Homes for Heroes Act, H.R. 3329. Where that bill expanded the supply of permanent housing for veterans, H.R. 1293 will provide the grants to make improvements for veterans' current homes.

Moreover, H.R. 2270, the Veterans Nonprofit Research and Education Corporations (NREC) Enhancement Act of 2009 will amend federal provisions regarding the establishment at the Department of Veterans Affairs medical facilities of nonprofit and research and education corporations (NRECs) to allow an NREC to facilitate the conduct of research or education, or both, at more than one VA medical center. This will greatly benefit the VA so that they can have readily available resources to help them confront challenges facing our veterans.

And H.R. 3155, the Caregiver Assistance and Resource Enhancement Act will provide federal assistance to individuals providing noninstitutional extended care to disabled veterans. These valuable services include educational and teaching caring techniques; strategies and skills; nursing care, and mental and health services.

And finally, H.R. 1803, the Veterans Business Center Act of 2009 will amend the Small Business Act to direct the Administrator of the Small Business Administration (SBA) to establish within the SBA a Veterans Business Center program to provide entrepreneurial training and counseling to veterans. This will create yet another resource to benefit our returning veterans who may have trouble finding employment.

Madam Speaker, these are incredibly important bills, providing our veterans with the federal resources so they may have efficient access to much needed medical assistance, job, and housing support. As a strong advocate for veterans' rights, I am pleased to add my voice of support for all of these measures. Moreover, I will be working with my colleagues to make sure we continue to provide the necessary resources towards protecting our veterans' rights and ensuring fair and just access to their rightful benefits.

HONORING BRITTANY LEAP'S FIGHT AGAINST NEURODEGENERATION WITH BRAIN IRON ACCUMULATION

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to recognize the bravery and fortitude of a very special and courageous constituent of mine, Brittany Leap; and her mother, Sandy, and father, Richard. In February 2006, Brittany was diagnosed with a debilitating and degenerative disorder—Neurodegeneration with Brain Iron Accumulation (NBIA).

NBIA is a very rare and devastating neurological disorder that only gets worse over time—resulting in constant muscle cramping, an inability to control one's body, difficulty with speech, a loss of peripheral vision, and even blindness. No cure or specific means of treatment currently exists for NBIA, and scientists are still baffled by the factors that influence the disease.

Imagine waking up one morning having lost the ability to walk, or talk, or even eat. In Brittany's case, however, this is no dream. This is a very real challenge that Brittany faces every day of her life. To make matters worse, one of the few laboratories dedicated to researching her disease is at risk of having to close its doors because of a lack of funding; doors that upon closing will forfeit the hope of Brittany, her family, and the thousands of other people suffering from NBIA, that a cure may one day be realized.

Brittany is determined to continue fighting this disease and the potentially devastating consequences of what will happen if the research to develop a cure is suspended. She is unwavering in her pursuit to raise the funds necessary to keep hope alive, not only for her, but for everyone else with NBIA. Brittany has taken it upon herself, with the help of her loving parents—and so many others across this great nation—to raise $250,000 by year's end to keep the search for a cure alive.

Madam Speaker, I ask my colleagues to join me in wishing Brittany and her family and all others with NBIA our heartfelt regards for their efforts to bring an end to this devastating illness, and I ask they give their support in any way possible to help Brittany in her efforts. I am inspired by Brittany's determination and I am honored to bring her story to the floor of this Chamber.

EARMARK DECLARATION

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. LAMBORN. Madam Speaker, I recently submitted a member request declaration for the record. In that declaration, I stated that my requests were in H.R. 2647. It should have read that these requests were in H.R. 3326 as noted below.

Requesting Member: Representative DOUG LAMBORN, CO–05

Bill Number: H.R. 3326

Account: RDTE Navy, Line 27, PE 0603216N

Legal Name of the Requesting Entity: Global Near Space Services

Legal Address of the Requesting Entity: 8610 Explorer Dr, Ste 140, Colorado Springs, CO 80920

Description of the Request: Requesting $6 million funding for the Lighter-Than-Air Stratospheric UAV for Persistent Communications Relay and Surveillance. This project will develop a lighter-than-air, unmanned aerial vehicle (UAV) that will fly at 85,000 feet for three to four months, providing low cost, persistent surveillance, high bandwidth and over the horizon communications needed to effectively fight terrorism, achieve maritime domain awareness, protect critical infrastructures and secure national borders.

Requesting Member: Representative DOUG LAMBORN, CO–05

Bill Number: H.R. 3326

Account: RDTE Air Force, Line 8, PE 0602201F

Legal Name of the Requesting Entity: Colorado Engineering, Inc

Legal Address of the Requesting Entity: 1310 United Heights, Suite 105 Colorado Springs, CO 80921

Description of the Request: Requesting $3 million funding for the Unmanned Sense, Track, and Avoid Radar (USTAR) for low rate initial production of an advanced radar system for the Global Hawk unmanned aerial vehicle platform to detect and track large and small targets. USTAR will allow the UAV to identify potential collision risks and increase maneuvering capability in controlled airspace and improve operability in adverse weather conditions.

Requesting Member: Representative DOUG LAMBORN, CO–05

Bill Number: H.R. 3326

Account: RDTE Defense-wide, Line 89, PE 0603898C

Legal Name of the Requesting Entity: Not Applicable

Legal Address of the Requesting Entity: Not Applicable

Description of the Request: Requesting $500,000 funding for an Independent Advisory Group to review Ballistic Missile Defense (BMD) Education and Training Needs and recommend a BMD education and training solution to include a recommendation of roles and responsibilities, organizational structure, and/or resources and facilities for integrated missile defense training.

NIHI TA HASSO, UNHAPPY LABOR—A HISTORY OF THE TIYAN AIRFIELD, GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Ms. BORDALLO. Madam Speaker, on July 21, 2009, our community on Guam marked the 65th anniversary of our liberation from enemy occupation. It was a day of commemoration and celebration as we recalled the sacrifices made for our freedom by our elders who survived this brutal occupation and of the servicemembers who landed on our beaches to liberate us from the oppression of the

enemy during war. My predecessor, General Ben Blaz, penned a narrative about the history of the Tiyan airfield on this occasion. Today, the Tiyan airfield is the site of the Antonio B. Won Pat Guam International Airport and General Blaz' narrative was printed in this year's Liberation Day Special Edition of the Pacific Daily News. I submit this narrative for print in the CONGRESSIONAL RECORD. It helps us connect the past with the present. It also helps us gain an appreciation for the history of the landscape that continues to serve today as an important transportation link for our island. This is one story of many through which we can understand and interpret the period of occupation, and the trials experienced and endured by the Chamorro people.

NIHI TA TASSO . . .

Time and tide have eroded and buried remnants of the barricades and trenches on the beaches of our island. The verdant jungle has reclaimed the old concentration camp sites over the past six and a half decades. Heavy foliage and buildings now camouflage pillboxes and fortifications anchored along expected landing sites to obstruct the advance of liberating forces.

In contrast, a modest landing strip, built at Tiyan under extreme duress and a pervasive sense of personal insecurity by the Chamorros during the occupation in World War II, has risen from the ashes of war, a la the legendary Phoenix. It continues to grow with each passing year and now accommodates millions of visitors and handles thousands of tons of food and cargo so vital to the island's economy. Remarkably, Tiyan is the Chamorro word for stomach and the airfield there serves as Guam's breadbasket. Visitors from Asia, North America, and elsewhere as well as local citizens routinely arrive and depart from the airport, seemingly oblivious to how dearly we paid, with blood and tears, to carve its foundation out of a jungle for the enemy.

The latte stones of antiquity enjoy a special place in our history. Considering the circumstances under which the original landing strip was built and its indispensability to the island's future, it has attained memorial stature at least among those who wielded the primitive tools to build it. It makes a worthy companion to the latte stone which, interestingly enough, was also used as foundation stone, among others, by our ancestors.

The airport today dwarfs what we achieved during the occupation but it was built with earth movers, bulldozers, backhoe, and steamrollers. If, during the occupation, we had known the wonders that modern technology could perform, we might have said that what was being asked of us was impossible. And, having decided that, we might never have completed the airstrip. We would never have been able to overcome the psychological barrier that we would have created between us and the job's completion. There would have been nothing that the Japanese could do to make us get the project done. It would not be that we would have worked more slowly. In the actual construction, our lack of enthusiasm translated to a snail's pace in any event. Rather, we would have been so daunted by our perception of the enormity of the task that we simply wouldn't have been able to do it. Our naiveté then worked to the Japanese's advantage. We got the job done simply because we didn't know that we couldn't!

As we were finishing the airstrip, it was not possible to simply dismiss it as something we were forced to do. Surprisingly, most of us looked at it with a kind of pride of proprietorship. It was ours. We made it—not only the construction but survived the incredibly taxing ordeal. This was possible because of the older men in our forced labor groups who rose to lead us. There were many such men but I remember two of them in particular because they were my immediate leaders—Frank D. Perez and Nito Cristobal. We worked together, we prayed together and, on occasion, we laughed together. It was 1944 and I was 16.

Evidently, American reconnaissance planes noticed that the airstrip was nearing completion and it became a daily target for bombing. Seeing the American planes bomb the airstrip in daylight was a tonic beyond description even though we knew we had to repair the runway that same night guarded by soldiers angered similarly beyond description. One of the ironies of our forced labor was how it played against one of the most cherished of Chamorro traditions, adalak, whereby neighbors helped one another build houses or prepare fields for crops. We participated in adalak willingly and from our hearts in keeping with our custom and tradition. The closest English translation of the word is ''happy labor.'' This was not so when we were digging caves, constructing barricades and felling the jungle to build an airstrip.

In an incredible twist of fate, on June 20, 1944, during the Battle of the Philippine Sea, the Japanese lost more than 400 planes in a resounding defeat in air combat which U.S. Naval aviators referred to as the Great Marianas Turkey Shoot. A month later, Guam was liberated by U.S. Marines, soldiers, sailors and airmen. Following the capture of the Tiyan airstrip, we watched with astonishment and great delight as U.S. Navy Seabees widened, extended, and surfaced the runway with remarkable efficiency in but a few days. Seeing U.S. planes land and take off from ''our'' airstrip to continue the war against Japan made grown men cry. And teenagers, too.

Poetic justice comes to mind.

IN MEMORY OF MANETTE SEADY

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Ms. KAPTUR. Madam Speaker, from biblical times, each of us can recall images of strong women carrying heavy water jars—bringing the precious, essential liquid of life to family, to friends, to community. Water takes a special place in the Catholic Mass, recalling the holiest moments of Christian celebration. Jesus blessed the water and then blessed the people with that water. The women who carried water would gather at the well. Others would be drawn to conversation with them, and from their gatherings, community came to be built, gently and progressively, conversation, one by one. Ancient history rarely recorded women's words. We know now, it should have. We know their faithfulness at the well sustaining those they loved. All life needs water.

Manette in so many ways was a Biblical woman, in our time. She was faithful, a Christian of the Catholic variety, strong, vital, wise and—as we all know now, courageous—carrying her water jar with sparkling eyes, a broad smile, humor and generosity. She gave you an extra portion. Her wisdom, born of faith, hard work and ethnic and gender sensitivity was an endless fountain for those who could appreciate it.

She ministered to all who crossed her path. And importantly, she plowed her own path to seek those who others might not know. She did so unselfishly, with a rare spirit of self-giving. She worked hard, at every worthy task she undertook. She was a laboring woman who labored with love.

As a child at her father and mother's side, she would rise at 4 am to accompany her dad as he opened the family restaurant called Najaim's and then Manette's. She hated that early rise but she learned to fill water glasses of countless people of all ages and stations. No one was a stranger at the Seady fountain. She learned about community at a young age. She was comfortable with people, most especially from Delta. She never wanted to leave them. She reminisced last week about the beauty of Delbert Dunbar's gardens, the Democratic women's club, St. Casper's and Father Ed. When I asked her, ''Manette, what especially did you want me to share with those who will gather to celebrate your life?'' She replied: ''Tell them how we worked to help the seniors.'' The idea for creating for our country The Senior Farmer's Market coupons was formed here, where it now serves 23,000 seniors in northwest Ohio, well as millions across our nation. She delivered communion to shut-ins, befriended individuals—Dorothy Biddle, Edwina Mattimore, Mary Turi, Nona Sue-Mack, Clarence Seifert—carrying her water jar. She influenced the younger generation, including members of our Congressional staff here today: Steve, Sue, Theresa and Karen among them.

Theresa has written:

It is just so hard to imagine life without our Manette . . . the Fulton County Fair (she loved the ribbon chips and getting tacos from J & A Taco Wagon from Defiance), having dinner at Byblo's and looking at Christmas lights (Manette asked Sue and me to be mystery judges for the Chamber's Christmas light contest) . . . none of that will be the same. She loved her community, her family, and had such a warm heart.

Now, I have met thousands upon thousands of people in my own life. But there has been only one Manette, my sister-friend, The ''Blessed Woman of Delta with the Water Jar''. There is much I did not know about her family. I was reminded yesterday, her father ran for the Mayor of Delta, Of course, Manette ran for the Fulton County Recorder. Each took representative government a step forward.

As a representative of our Congressional office in Fulton County, she stayed in touch with hundreds of people. She let us know what their concerns were. She took her duties very seriously. She practiced the route to events twice the day before. She planned every moment at every event. She left nothing to chance. She always worked hard, a laboring woman who provided her own sustenance, cared for her parents, working 28 years at Aunt Jane's Foods, and upon its closure, as an Administrative Assistant at the Fulton Mill Service.

In her beautiful memory, Manette Ann Zogby Seady, we ordered a U.S. flag flown over the Capitol for a loving, generous, hard-working daughter, niece, cousin, godmother, beloved friend, devout woman of the church, and patriotic citizen for all time. She made her passage with grace and coverage. At twilight on the day of her passage, her cousin recalls she saw a rainbow through the trees, but there had been no rain. Truly, Manette was a ''Blessed Woman At the Well.''

HONORING KELLI REICHERT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. GRAVES. Madam Speaker, I proudly rise today to recognize Kelli Reichert. On July 16, 2009, Kelli received a Gold Medal while competing at the National Family, Career and Community Leaders of America National Leadership Conference. This is the highest award in the nation for her FCCLA event.

She has been very active with her local chapter and has contributed greatly to her area through her service. Not only has she distinguished herself through her involvement, she has earned the respect of her family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Kelli Reichert for her accomplishments with the National Family, Career and Community Leaders of America and for her efforts put forth in achieving the highest distinction in the National Leadership Conference competition.

Daily Digest

HIGHLIGHTS

Senate agreed to H. Con. Res. 172, Adjournment Resolution.

Senate

Chamber Action

Routine Proceedings, pages S8619–S8639

Measures Introduced: Three bills were introduced, as follows: S. 1553–1555. **Page S8631**

Measures Passed:

Adjournment Resolution: Senate agreed to H. Con. Res. 172, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page S8633**

Measures Considered:

Agriculture, Rural Development, Food and Drug Administration Appropriations Act: Senate continued consideration of 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, taking action on the following amendment proposed thereto: **Pages S8619–23**

Adopted:

Kohl (for Leahy) Amendment No. 2234 (to Amendment No. 1908), to provide funding for the Office of Inspector General to conduct inspections of the national organic program. **Pages S8622–23**

Pending:

Kohl/Brownback Amendment No. 1908, in the nature of a substitute. **Page S8619**

Kohl (for Tester) Amendment No. 2230 (to Amendment No. 1908), to clarify a provision relating to funding for a National Animal Identification Program. **Page S8619**

Brownback Amendment No. 2229 (to Amendment No. 1908), to establish within the Food and Drug Administration 2 review groups to recommend solutions for the prevention, diagnosis, and treatment of rare diseases and neglected diseases of the developing world. **Pages S8620–22**

Kohl (for Murray/Baucus) Amendment No. 2225 (to Amendment No 1908), to allow State and local governments to participate in the conservation reserve program. **Pages S8622–23**

Kohl (for Nelson (FL)) Amendment No. 2226 (to Amendment No. 1908), to prohibit funds made available under this Act from being used to enforce a travel or conference policy that prohibits an event from being held in a location based on a perception that the location is a resort or vacation destination. **Pages S8622–23**

A motion was entered to close further debate on the Kohl/Brownback Amendment No. 1908 (listed above), and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Friday, July, 31, 2009, a vote on cloture will occur at 5:30 p.m., on Monday, August 3, 2009, and that if cloture is invoked, postcloture time be considered to have begun as if cloture had been invoked at 11 a.m., on Monday, August 3, 2009. **Pages S8619–20**

A motion was entered to close further debate on the bill and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Monday, August 3, 2009. **Page S8620**

A unanimous-consent agreement was reached providing that Senate resume consideration of the bill at approximately 3 p.m., on Monday, August 3, 2009; provided further, that first-degree amendments be filed at the desk by 3:30 p.m., on Monday August 3, 2009. **Page S8620**

Nominations Confirmed: Senate confirmed the following nominations:

Kevin W. Concannon, of Maine, to be Under Secretary of Agriculture for Food, Nutrition, and Consumer Services. (Prior to this action, Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration.)

Christine M. Griffin, of Massachusetts, to be Deputy Director of the Office of Personnel Management.

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.

Richard G. Newell, of North Carolina, to be Administrator of the Energy Information Administration.

Nancy J. Powell, of Iowa, to be Director General of the Foreign Service.

Donald Henry Gips, of Colorado, to be Ambassador to the Republic of South Africa.

Samuel D. Hamilton, of Mississippi, to be Director of the United States Fish and Wildlife Service.

Earl Michael Irving, of California, to be Ambassador to the Kingdom of Swaziland.

8 Air Force nominations in the rank of general.

14 Army nominations in the rank of general.

2 Marine Corps nominations in the rank of general.

48 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, and Navy.

Pages S8633–36, S8637–39

Nominations Received: Senate received the following nominations:

Edward M. Avalos, of New Mexico, to be a Member of the Board of Directors of the Commodity Credit Corporation.

Kevin W. Concannon, of Maine, to be a Member of the Board of Directors of the Commodity Credit Corporation.

Kathleen A. Merrigan, of Massachusetts, to be a Member of the Board of Directors of the Commodity Credit Corporation.

James W. Miller, of Virginia, to be a Member of the Board of Directors of the Commodity Credit Corporation.

Evan J. Segal, of Pennsylvania, to be a Member of the Board of Directors of the Commodity Credit Corporation.

Dallas P. Tonsager, of South Dakota, to be a Member of the Board of Directors of the Commodity Credit Corporation.

Susan Tsui Grundmann, of Virginia, to be Chairman of the Merit Systems Protection Board.

Susan Tsui Grundmann, of Virginia, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2016.

Anne Marie Wagner, of Virginia, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2014.

Abdul K. Kallon, of Alabama, to be United States District Judge for the Northern District of Alabama. vice U. W. Clemon, retired.

Jacqueline H. Nguyen, of California, to be United States District Judge for the Central District of California.

Daniel G. Bogden, of Nevada, to be United States Attorney for the District of Nevada for the term of four years.

Deborah K. R. Gilg, of Nebraska, to be United States Attorney for the District of Nebraska for the term of four years.

Timothy J. Heaphy, of Virginia, to be United States Attorney for the Western District of Virginia for the term of four years.

Peter F. Neronha, of Rhode Island, to be United States Attorney for the District of Rhode Island for the term of four years.

David Edward Demag, of Vermont, to be United States Marshal for the District of Vermont for the term of four years.

Genevieve Lynn May, of Louisiana, to be United States Marshal for the Eastern District of Louisiana for the term of four years.

David Lyle Cargill, Jr., of New Hampshire, to be United States Marshal for the District of New Hampshire for the term of four years.

A routine list in the National Oceanic and Atmospheric Administration. **Page S8637**

Measures Placed on the Calendar: **Pages S8619, S8631**

Additional Cosponsors: **Pages S8631–32**

Statements on Introduced Bills/Resolutions: **Page S8631**

Amendments Submitted: **Pages S8632–33**

Privileges of the Floor: **Page S8633**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 12:54 p.m., until 2 p.m. on Monday, August 3, 2009. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8636.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 98 public bills, H.R. 3435–3532; and 23 resolutions, H. Con. Res. 174–178; and H. Res. 703–720 were introduced. **Pages H9275–80**

Additional Cosponsors: **Pages H9280–83**

Reports Filed: Reports were filed today as follows:

H.R. 2913, to designate the United States courthouse located at 301 Simonton Street in Key West, Florida, as the "Sidney M. Aronovitz United States Courthouse" (H. Rept. 111–240);

H.R. 2053, to designate the United States courthouse located at 525 Magoffin Avenue in El Paso, Texas, as the "Albert Armendariz, Sr., United States Courthouse" (H. Rept. 111–241);

H. Res. 636, directing the Attorney General to transmit to the House of Representatives all information in the Attorney General's possession relating to the transfer or release of detainees held at Naval Station, Guantanamo Bay, Cuba, into the United States (H. Rept. 111–242);

H.R. 2651, to amend title 46, United States Code, to direct the Secretary of Transportation to establish a maritime career training loan program (H. Rept. 111–243); and

H.R. 2989, to amend the Employee Retirement Income Security Act of 1974 to provide special reporting and disclosure rules for individual account plans and to provide a minimum investment option requirement for such plans, to amend such Act to provide for independent investment advice for participants and beneficiaries under individual account plans, and to amend such Act and the Internal Revenue Code of 1986 to provide transitional relief under certain pension funding rules added by the Pension Protection Act of 2006, with an amendment (H. Rept. 111–244, Pt. 1). **Page H9275**

Chaplain: The prayer was offered by the Guest Chaplain, Reverend Dr. Ivan Raley, First Baptist Church, Byrdstown, TN. **Page H9209**

Corporate and Financial Institution Compensation Fairness Act of 2009: The House passed H.R. 3269, to amend the Securities Exchange Act of 1934 to provide shareholders with an advisory vote on executive compensation and to prevent perverse incentives in the compensation practices of financial institutions, by a recorded vote of 237 ayes to 185 noes, Roll No. 686. **Pages H9213–33, H9240–44**

Rejected the Sessions motion to recommit the bill to the Committee on Financial Services with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 178 ayes to 244 noes, Roll No. 685. **Pages H9242–43**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as adopted. **Page H9213**

Agreed to:

Frank (MA) amendment (No. 1 printed in H. Rept. 111–237), as modified, that strikes language prohibiting clawbacks of executive compensation approved by shareholders and inserts language prohibiting rules of financial regulators from requiring recovery of incentive-based pay under arrangements in effect on the date of enactment (by a recorded vote of 242 ayes to 178 noes, Roll No. 683). **Pages H9225–27, H9240–41**

Rejected: Garrett (NJ) amendment in the nature of a substitute (No. 2 printed in H. Rept. 111–237) that sought to replace annual shareholder "say on pay" vote with a triennial vote on compensation for public companies, allow shareholders to opt out of "say on pay" provision, allow state law to preempt the bill regarding independent compensation committees, and strike Section 4 of the bill (by a recorded vote of 179 ayes to 244 noes, Roll No. 684). **Pages H9227–33, H9241–42**

H. Res. 697, the rule providing for consideration of the bill, was agreed to by voice vote after the previous question was ordered without objection. **Pages H9211–13**

Order of Procedure: Agreed that the Speaker be authorized on this legislative day to entertain a motion to suspend the rules relating to H.R. 3435. **Page H9233**

Suspensions: The House agreed to suspend the rules and pass the following measure:

Making supplemental appropriations for fiscal year 2009 for the Consumer Assistance to Recycle and Save Program: H.R. 3435, to make supplemental appropriations for fiscal year 2009 for the Consumer Assistance to Recycle and Save Program, by a ⅔ yea-and-nay vote of 316 yeas to 109 nays with 2 voting "present", Roll No. 682. **Pages H9233–40**

Authorizing the use of the Capitol Grounds: The House agreed to discharge and agree to H. Con. Res. 171, to authorize the use of the Capitol Grounds for an event to honor military personnel who have died in service to the United States and to acknowledge the sacrifice of the families of those individuals as part of the National Weekend of Remembrance. **Page H9244**

Sidney M. Aronovitz United States Courthouse Designation Act: The House agreed by unanimous consent to H.R. 2913, to designate the United States courthouse located at 301 Simonton Street in Key West, Florida, as the ''Sidney M. Aronovitz United States Courthouse''. **Pages H9244–45**

Granting the consent and approval of Congress to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact: The House agreed to discharge and agree to S.J. Res. 19, to grant the consent and approval of Congress to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact. **Pages H9245–46**

Supporting the goals and ideals of ''National Save for Retirement Week'': The House agreed to discharge and agree to H. Res. 662, to support the goals and ideals of ''National Save for Retirement Week'', including raising public awareness of the various tax-preferred retirement vehicles as important tools for personal savings and retirement financial security. **Page H9245**

Expressing support for designation of September 2009 as ''Gospel Music Heritage Month'': The House agreed to discharge and agree to H.J. Res. 12, to express support for designation of September 2009 as ''Gospel Music Heritage Month'' and to honor gospel music for its valuable and longstanding contributions to the culture of the United States. **Pages H9246–47**

Supporting the goals and purpose of Gold Star Mothers Day: The House agreed to discharge and agree to H. Res. 513, to support the goals and purpose of Gold Star Mothers Day, which is observed on the last Sunday in September of each year in remembrance of the supreme sacrifice made by mothers who lose a son or daughter serving in the Armed Forces. **Page H9247**

Committee on Transportation and Infrastructure—Communication: Read a letter from Chairman Oberstar wherein he transmitted copies of three resolutions for the U.S. Army Corps of Engineers adopted by the Committee on Transportation and Infrastructure on July 30, 2009. **Page H9248**

Senate Messages: Messages received from the Senate today appear on pages H9209, H9244, H9249.

Quorum Calls—Votes: One yea-and-nay vote and four recorded votes developed during the proceedings of today and appear on pages H9240, H9240–41, H9241–42, H9243, H9243–44. There were no quorum calls.

Adjournment: The House met at 9 a.m. and at 5:54 p.m., pursuant to the provisions of H. Con. Res. 172, the House stands adjourned until 2 p.m. on Tuesday, September 8, 2009.

Committee Meetings

AMERICA'S AFFORDABLE HEALTH CHOICES ACT OF 2009

Committee on Energy and Commerce: Ordered reported, as amended, H.R. 3200, America's Affordable Health Choices Act.

WARTIME TREATMENT STUDY ACT

Committee on the Judiciary: Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law approved for full Committee action, as amended, H.R. 1425, Wartime Treatment Study Act.

RECOVERY ACT PROGRESS REPORT

Committee on Transportation and Infrastructure: Held a hearing on the Recovery Act: 160-Day Progress Report for Transportation and Infrastructure Programs. Testimony was heard from Craig E. Hooks, Acting Assistant Administrator, Administration and Resources Management, EPA; Terrence C. Salt, Acting Assistant Secretary of the Army (Civil Works), Corps of Engineers, Department of the Army; Anthony E. Costa, Acting Commissioner, Public Buildings Service, GSA; the following officials of the Department of Homeland Security: W. Ross Ashley, Assistant Administrator, Grant Programs, FEMA; and Martin J. Rajk, Deputy Assistant Commandant, Resources and Deputy Chief Financial Officer; U.S. Coast Guard; and Katherine A. Siggerud, Managing Director, Physical Infrastructure Issues, GAO.

Joint Meetings

No joint committee meetings were held.

CONGRESSIONAL PROGRAM AHEAD

Week of August 3 through August 8, 2009

Senate Chamber

On *Monday*, at approximately 3 p.m., Senate will resume consideration of H.R. 2997, Agriculture, Rural Development, Food and Drug Administration Appropriations Act, and vote on the motion to invoke cloture on Kohl/Brownback Amendment No. 1908, at 5:30 p.m.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Banking, Housing, and Urban Affairs: August 4, to hold hearings to examine strengthening and streamlining Prudential Bank supervision, 9:30 a.m., SD–538.

August 4, Subcommittee on Housing, Transportation and Community Development, to hold hearings to examine rail modernization, focusing on transit funding, 2:30 p.m., SD–538.

August 5, Full Committee, to hold hearings to examine proposals to enhance the regulation of credit rating agencies, 9:30 a.m., SD–538.

Committee on Commerce, Science, and Transportation: August 5, to hold hearings to examine the nominations of Dennis F. Hightower, of the District of Columbia, to be Deputy Secretary of Commerce, and Robert S. Adler, of North Carolina, and Anne M. Northup, both to be a Commissioner of the Consumer Product Safety Commission, 10 a.m., SR–253.

August 5, Full Committee, business meeting to consider pending calendar business, 2 p.m., SR–253.

August 6, Subcommittee on Aviation Operations, Safety, and Security, to hold hearings to examine aviation safety, focusing on the relationship between network airlines and regional airlines, 10 a.m., SR–253.

August 6, Full Committee, to hold hearings to examine waste, fraud, and abuse in the SBIR Program, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: August 4, business meeting to consider any pending nominations and legislation, 2:45 p.m., SD–366.

August 6, Full Committee, to hold hearings to examine the nominations of John R. Norris, of the District of Columbia, to be a Member of the Federal Energy Regulatory Commission for the remainder of the term expiring June 30, 2012, Jose Antonio Garcia, of Florida, to be Director of the Office of Minority Economic Impact, Department of Energy, and Joseph G. Pizarchik, of Pennsylvania, to be Director of the Office of Surface Mining Reclamation and Enforcement, Department of the Interior, 10 a.m., SD–366.

Committee on Environment and Public Works: August 3, Subcommittee on Water and Wildlife, to hold hearings to examine protecting the Chesapeake Bay, focusing on reauthorizing the Chesapeake Bay Program, 2 p.m., SD–406.

August 4, Full Committee, to hold hearings to examine the nomination of Gary S. Guzy, of the District of Columbia, to be Deputy Director of the Office of Environmental Quality, 10 a.m., SD–406.

August 6, Full Committee, to hold hearings to examine climate change and clean energy, 10 a.m., SD–406.

Committee on Finance: August 4, to hold hearings to examine climate change legislation, focusing on allowance and revenue distribution, 10 a.m., SD–215.

Committee on Foreign Relations: August 4, business meeting to consider the nominations of Matthew Winthrop Barzun, of Kentucky, to be Ambassador to Sweden, Bruce J. Oreck, of Colorado, to be Ambassador to the Republic of Finland, James B. Foley, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the Republic of Croatia, Philip D. Murphy, of New Jersey, to be Ambassador to the Federal Republic of Germany, Douglas W. Kmiec, of California, to be Ambassador to the Republic of Malta, William Carlton Eacho III, of Maryland, to be Ambassador to the Republic of Austria, Judith Gail Garber, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor to be Ambassador to the Republic of Latvia, John R. Bass, of New York, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador to Georgia, Michael H. Posner, of New York, to be Assistant Secretary of State for Democracy, Human Rights, and Labor, Kerri-Ann Jones, of Maine, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, Ertharin Cousin, of Illinois, for the rank of Ambassador during her tenure of service as U.S. Representative to the United Nations Agencies for Food and Agriculture, David Killion, of the District of Columbia, for the rank of Ambassador during his tenure of service as the United States Permanent Representative to the United Nations Educational, Scientific, and Cultural Organization, Glyn T. Davies, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador, and to be Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador, Jon M. Huntsman, Jr., of Utah, to be Ambassador to the People's Republic of China, John Victor Roos, of California, to be Ambassador to Japan, Jonathan S. Addleton, of Georgia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador to Mongolia, Teddy Bernard Taylor, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador to the Solomon Islands and Ambassador to the Republic of Vanuatu, Martha Larzelere Campbell, of Michigan, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the Republic of the Marshall Islands, Kenneth E. Gross, Jr., of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador to the Republic of Tajikistan, and Michael Anthony Battle, Sr., of Georgia, to be Representative to the African Union, with the rank and status of Ambassador, 2:15 p.m., S–116, Capitol.

August 4, Subcommittee on European Affairs, to hold hearings to examine Georgia one year after the August war, 2:30 p.m., SD–419.

August 5, Full Committee, business meeting to consider pending calendar business, 2:15 p.m., S–116, Capitol.

August 5, Full Committee, to receive a closed briefing to examine civil nuclear cooperation agreement between the United States and the United Arab Emirates, 4 p.m., SVC–217.

Committee on Health, Education, Labor, and Pensions: August 4, business meeting to consider pending nominations, Time to be announced, Room to be announced.

August 4, Full Committee, to hold hearings to examine protecting patients from defective medical devices, 2:30 p.m., SD–430.

Committee on Homeland Security and Governmental Affairs: August 3, Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine eliminating wasteful contractor bonuses, 3 p.m., SD–342.

August 4, Ad Hoc Subcommittee on Disaster Recovery, to hold hearings to examine children in disasters, focusing on evacuation planning and mental health recovery, 10:30 a.m., SD–342.

August 5, Full Committee, to hold hearings to examine the nomination of Kelvin J. Cochran, to be Administrator, United States Fire Administration, Federal Emergency Management Agency, Department of Homeland Security, 10 a.m., SD–342.

August 5, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine strengthening the federal acquisition workforce, focusing on government-wide leadership and initiatives, 2:30 p.m., SD–342.

August 6, Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine the United States Postal Service, 10 a.m., SD–342.

Committee on Indian Affairs: August 6, business meeting to consider pending calendar business; to be immediately followed by a hearing to examine S. 1011, to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity, 2:15 p.m., SD–628.

Committee on the Judiciary: August 4, to hold hearings to examine the Performance Rights Act and parity among music delivery platforms, 2:30 p.m., SD–226.

Committee on Small Business and Entrepreneurship: August 6, to hold hearings to examine the nominations of Winslow Lorenzo Sargeant, of Wisconsin, to be Chief Counsel for Advocacy, and Peggy E. Gustafson, of Illinois, to be Inspector General, both of the Small Business Administration, 10 a.m., SR–428A.

Select Committee on Intelligence: August 4, to receive a closed briefing on certain intelligence matters from officials of the intelligence community, 11 a.m., S–407, Capitol.

House

No committee meetings are scheduled.

Joint Meetings

Commission on Security and Cooperation in Europe: August 6, to receive a briefing to examine Moldova's recent elections, 10 a.m., SVC–202/203.

Next Meeting of the SENATE
2 p.m., Monday, August 3

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond one hour), Senate will resume consideration of H.R. 2997, Agriculture, Rural Development, Food and Drug Administration Appropriations Act, and vote on the motion to invoke cloture on Kohl/Brownback Amendment No. 1908, at 5:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES
2 p.m., Tuesday, September 8

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Program for Tuesday: To be announced.

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