The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. Davis of Tennessee).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC, October 1, 2009.

I hereby appoint the Honorable Lincoln Davis to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PLEDGE OF ALLEGIANCE

The Speaker pro tempore, Will the gentlewoman from New York (Mrs. McCarthy) come forward and lead the House in the Pledge of Allegiance.

MRS. MCCARTHY of New York led the Pledge of Allegiance.

WELCOME REV. DR. ADAM DOOLEY

The Speaker pro tempore, Without objection, the gentleman from Tennessee (Mr. Wamp) is recognized for 1 minute.

There was no objection.

Mr. WAMP. I want to welcome this morning to the House of Representatives my pastor, Dr. Adam Dooley, who hails from Berea, Kentucky, graduated from Clear Creek Bible College, and went on to receive his Doctor of Divinity from the Southern Baptist Theological Seminary.

He was the senior pastor at the Red Bank Baptist Church in Kentucky before he came to my home church of Red Bank Baptist in Red Bank, Tennessee.

Dr. Dooley, his wife, Heather, and their son, Carson, bless our large congregation there in Chattanooga, and today we welcome him to the House of Representatives as the guest chaplain.

Welcome, Dr. Dooley.

MAD AS HELL DOCTORS

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

Mr. KUCINICH. I want to acknowledge the presence in our Capitol of a group of physicians who have traveled across the country rallying public support for a single-payer health care system.

The group, which calls itself the Mad As Hell Doctors, is expressing the concern of millions of Americans about a health care system which is failing to meet the people's needs: that there are 47 million Americans without any health insurance, that 50 million Americans are underinsured, that people are literally going broke, not being able to pay their hospital bills.

We clearly recognize that this system is not sustainable. That's why John Conyers and I drafted a bill, H.R. 676, that provides for universal single-payer, not-for-profit health care. We're already paying for such a system. It's just that we're not getting it because $1 out of every $3 goes for the activities of the for-profit system for corporate profits, stock options, executive salaries, advertising, marketing, the cost of paperwork.

It's time to take that $800 billion a year and put it into care for people. Everyone is covered then for vision care, dental health care, mental health care, prescription drugs, long-term care. It's time for single-payer.
CONTRADICTING INTELLIGENCE ON IRAN’S NUCLEAR PROGRAM

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

Mr. KIRK. The United States revealed a secret underground uranium enrichment facility near Qom, Iran. U.S. officials told us they were careful, fully observing it for “several years.” But earlier this year, the Director of National Intelligence, Dennis Blair, provided written congressional testimony that the intelligence community has “no evidence that Iran has yet made a decision to produce highly enriched uranium.”

There is a glaring contradiction between the administration’s revelation and Blair’s testimony. I urge Members to cosign the bipartisan Kirk-Berkley letter calling on Director Blair to account for contradictory testimony on the growing Iranian threat.

The 2007 National Intelligence Estimate on Iran downplaying the threat now appears to be a glaring Intelligence failure. According to the Wall Street Journal, the main authors of that NIE, Van Van Diepen, Tom Finger, and Ken Bril, should be accountable, too.

Congress should ensure that key officials get this right, especially on Iran.

ALERT DRIVERS ACT

(Mrs. MCCARTHY of New York asked and was given permission to address the House for 1 minute.)

Mrs. MCCARTHY of New York. Madam Speaker, distracted driving is a serious problem in our Nation. One study conducted by Virginia Tech University found that drivers are 23 times more likely to get into an accident when texting. A recent New York Times/CBS News Poll indicated 90 percent of adults agree that texting while driving should be illegal.

This is an issue that rises above political power. This is why the Department of Transportation has dedicated a 2-day summit here in Washington this week to address the rising concerns of distracted driving on our Nation’s highways.

H.R. 3535, the ALERT Drivers Act, which I am proud to introduce along with my colleague, Nita Lowey from New York, would ban anyone from writing, sending, or reading text messages while operating a moving vehicle.

Already endorsed by Ford Motors and the Advocates for Highway and Auto Safety, I ask that you join me in curbing preventable accidents on our Nation’s roadways and cosponsor the ALERT Drivers Act.

Madam Speaker, we see these accidents all the time. We need to do something.

SMALL BUSINESSES AND HEALTH CARE

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

Mr. BUCHANAN. Madam Speaker, affordable health care is critical to our country, but let’s not forget small businesses. They create 70 percent of the jobs in Florida. Ninety-nine percent of all businesses in Florida are small businesses, but yet in this debate we’re looking at charging small businesses an 8 percent tax on payroll. That’s like a fixed expense. They’re also looking to raise taxes up to 45 percent, with a 5.4 in sunsetting President Bush’s tax. So, again, 45 percent. A lot of that’s pass-through income for many of our small companies. These taxes will kill jobs. The 8 percent alone, they’re talking, will put 20 percent of our businesses out of business in Florida. I know. I’ve been in business for 30 years.

Let’s help our small businesses. Small businesses create the jobs. We cannot afford to tax them to death. It needs to be about the economy and jobs.

SAVE THE OCEANS

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

Mr. INSLEE. Madam Speaker, yesterday, the actor Sigourney Weaver showed a movie in the Capitol which was scarier than her movie The Aliens because it was fact, not fiction, and it was a movie documenting the acidification of the oceans caused by carbon dioxide that we burn that goes in the atmosphere, goes in the water, and makes the oceans acidic. This documentary short featured off the Pacific coast soon will be so acidic that they can actually melt shell life.

The reason I mention this is that yesterday the EPA rolled out proposed rules to do something about these noxious gases. Some people have said we shouldn’t do that, but those are the same people saying we shouldn’t pass a bill. They’re saying we shouldn’t regulate CO2 here, there, or anywhere. I urge all of us to move forward on a bipartisan basis to stop ocean acidification by passing the energy bill we passed in the House. We hope the Senate will pass it. That’s a route to do it. But, one way or another, we’ve got to save the Pacific and Atlantic Oceans.

NATIONAL MEDIA IGNORES MEDIA EVALUATION

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

Mr. POE. Madam Speaker, if a poll is conducted but no one hears about it, does that poll really exist? Sacred Heart University recently found out that five out of six Americans see the national media as “very or somewhat biased.” But you aren’t likely to hear about the Sacred Heart poll from the establishment media.

A search of The New York Times, The Washington Post, the Los Angeles Times, and USA Today yielded zero articles about the poll. Network news programs have also intentionally ignored it.

It seems the establishment media believes that if they ignore the poll, it does not exist. It’s no wonder that almost half of Americans have stopped watching a news outlet because of the media bias. By ignoring a poll that shows their bias, the establishment media has confirmed the poll’s results that most Americans believe the national media is biased.

And that’s just the way it is.

CORAL REEFS

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

Mr. KLEIN of Florida. Last week, the House passed critical legislation to protect one of Florida’s most treasured national wonders. The Coral Reef Conservation Act Reauthorization and Enhancement, which I strongly supported, will be a key tool in protecting this endangered ecosystem.

The bill will support grants for coral reef conservation and scientific research at our outstanding institutions like the National Coral Reef Institute in Fort Lauderdale.

Coral reefs are integral to our safety and economy in south Florida. They act as a first line of defense against hurricanes and storm surges and they drive our tourist economy by bringing divers, snorkelers, and fishermen from all over the world to our community.

Mr. Speaker, this is not a Democrat or a Republican issue. Protecting our national treasures is something we can all agree on. I’m proud that my colleagues came together to pass this important piece of legislation.

MEDIA SLOW TO REPORT ON ACORN SCANDAL

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

Mr. COBLE. Madam Speaker, in his latest column, New York Times Public Editor Clark Hoyt criticized the Times for its lack of coverage of the ACORN fraud and corruption scandal. Hoyt wrote that the Times showed “slow reflexes” and risks appearing “clueless” or “partisan” if it does not cover similar stories in the future.

The Times wasn’t alone. The Washington Post’s ombudsman admitted the Post was slow to cover the story as well and speculated that reporters’ liberal leanings might have played a part.
Most other national news outlets ignored or downplayed the ACORN scandal. Days passed before the network news programs covered the story, and only one out of five Sunday news show hosts asked the President about ACORN last week.

The national media should report the facts instead of ignoring stories that don’t fit their liberal agendas.

HUMAN RIGHTS SITUATION IN VIETNAM

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

Mr. LORETTA SANCHEZ of California. I rise today to call attention to the human rights situation in Vietnam, particularly because today Vietnam will be taking over the Presidency of the United Nations Security Council. I find this development shocking and appalling and unacceptable, especially when we look at Vietnam’s human rights record.

Just this past Sunday, the police in Vietnam assaulted over 130 monks and removed them from the Bat Maha Monastery before destroying it. Recently, eight dissidents where imprisoned by the Vietnamese Government for practicing their rights to freedom of speech and expression.

Today, Secretary of State Clinton is planning to meet with the Foreign Minister of Vietnam. I would urge Secretary Clinton to address these ongoing human rights violations in Vietnam and to strongly urge the Government of Vietnam to uphold their promises to respect the rights of their citizens.

The United States must recommit itself to making human rights a diplomatic priority.

MOTION TO INSTRUCT CONFERENCES ON H.R. 2922, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2010

Mr. PRICE of North Carolina. Madam Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker’s table the bill (H.R. 2922) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate. The Clerk read the title of the bill.

The motion was agreed to.

Mr. ROGERS of Kentucky. Madam Speaker, I have a motion at the desk. The SPEAKER pro tempore. The Clerk will read the motion.

The Clerk read as follows:

Mr. Rogers of Kentucky moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2922 be instructed as follows:

(1) Recede to subsection (a) of section 557 of the Senate amendment (the Detainee Photograph Reciprocity Repeal).

(2) Insert on subsections (b) and (c) of section 552 of the House bill (regarding the inclusion of individuals detained at Naval Station Guantanamo Bay, Cuba on the No Fly list and the prohibition on the provision of immigration benefits for such individuals).

(3) Recede to the Senate position on subsections (a) and (d) of section 552 of the House bill (regarding certain threat assessments and the transfer of individuals detained at Naval Station Guantanamo Bay, Cuba to the United States). and

(4) That they shall not record their approval of the final conference agreement (as such terms are defined in section XXII of the Rules of the House of Representatives) unless the text of such agreement has been available to the managers in an electronic, searchable, and downloadable form for at least 72 hours prior to the time described in such clause.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Kentucky (Mr. ROGERS) and the gentleman from North Carolina (Mr. PRICE) each want control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Madam Speaker, I yield myself such time as I may consume.

The motion to instruct conference is very simple. Madam Speaker. It would prohibit the transfer of Gitmo prisoners to the United States. It ensures the detainee pictures are never made public, and it specifies the conference report is made public at least 72 hours before being considered on the floor. It’s that simple. And that’s exactly what the Homeland Security appropriation bill is all about, protecting the American people from all threats, including the warped intentions of terrorists and radical extremists.

Let me state my sincere gratitude to Secretary Clinton for listening to the views of the minority during all of these proceedings, during our preconference deliberations especially over the last few weeks. I truly appreciate his bipartisanship and consideration of our concerns.

Madam Speaker, this motion strengthens the House bill’s current restrictions on Guantanamo Bay detainees by ensuring their names have been put on the No Fly List and by clearly prohibiting their transfer to the United States for whatever reason. For 9 months, the Obama administration has insisted the detention facility at Guantanamo Bay be shuttered within the year. But what have we seen during that time in preparation for that? Absolutely nothing. No idea of how to proceed, no instructions to the Congress, no instructions to the public about where these prisoners would be moved to.

The motion to instruct conference is a matter worth reading in the press that the administration is thinking of releasing up to 75 of the detainees there. Where will they go? Europe, Fiji, maybe somewhere closer. Maybe in Michigan, maybe in Kansas, maybe somewhere else. The American public wants to know. Certainly the Members in those districts in the U.S. don’t know. So this motion prohibits the granting of any immigration benefit for any reason to these detainees. Without such a benefit, there is no legal way to bring these terrorists to American soil and in our constituents’ backyards. That means these terrorists cannot be granted the same constitutional rights as American citizens. After all, these detainees are enemy combatants caught on the battlefield. They are not criminals, and they should not be granted legal standing in our criminal courts by bringing them onto U.S. soil.

From my point of view, we can’t waiver on this issue, nor can we be weak. There is no reason these terrorists, who pose a serious and documented threat to this Nation, cannot be brought to justice right where they are in Cuba at Guantanamo Bay. If we want to try them, there is the place. I certainly think that’s where the American people stand on this issue as well. They don’t want these terrorists in their hometowns, inciting fellow prisoners in our prisons, abusing our legal system and terrorizing their communities.

In addition, Madam Speaker, this motion insists upon the Senate’s language prohibiting the release of detainee pictures, language unanimously adopted in the Senate, supported by this Chamber in June and endorsed by President Obama himself by way of his letter to the Senate on July 29. In that letter, I think the President said it best himself: ‘Nothing would be gained...
by the release of the detainee photos other than allowing our enemies to paint our troops with a broad, damning, and inaccurate brush. I frankly couldn’t agree more.

And finally, Madam Speaker, this motion also requires the conference report to be made public at least 72 hours before being brought to the floor for consideration. We want to read the bill before we vote.

So Madam Speaker, the ongoing terror­ rorist interrogations ranging from New York to Dallas over the last few weeks and the persistent attacks by radical extremists upon our citi­ zens, our soldiers and our interests overseas remind us of why there is ab­ solutely no reason to bring a terrorist to American soil or to release images that endanger this great country and its Armed Forces.

I urge support of the motion.

I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Speaker, I rise in opposition to the motion to instruct offered by the gentle­ man from Kentucky and yield my­ self as much time as I may consume.

Madam Speaker, I want to begin by echoing the words of the ranking member. I enjoyed helpful cooperation in formulating this bill and bringing it to this point. Mr. Roo­ gers is a distinguished ranking member. He was the founding chairman of this subcommittee, and I think on both sides, we take pride in the process that we’ve developed that involves full con­ sultation and, of course, not always perfect agreement, but a respect for each other’s views and a product that can rightfully be called the fruit of our common labor.

Having said that, I do want to oppose this motion to instruct. I don’t oppose it in its entirety. It has some positive features, but I want to concentrate in my brief remarks this morning on what leads me to say “no” and what I think is a “yes” for an answer. Without allowing these detainees to come to the United States for prosecution, we’re basically saying that our judicial and law enforcement officials are unable to handle these criminals here in the United States, and the country’s core values and interests do not apply in these cases. That’s just wrong.

The U.S. has successfully tried dan­ gerous terrorists before—in fact, many times, executing some, putting others behind bars to fade into obscurity. The perpetrators of the 1993 World Trade Center and Murrah Federal Building bombings are perfect examples.

Treating these individuals as though they are so dangerous that we cannot possibly put them on trial or punish them or lock them up and throw away the key, the way we deal with our most savage criminals here in the United States, gives these detainees an exalted status. Why do we want to do that? An exalted status is far from what they deserve.

We can handle this, Madam Speaker. We’re up to this challenge, and the last thing we ought to be doing is elevating these Guantanamo detainees in the eyes of the world. The amendment that was accepted in committee, to permit us to bring these people into the United States for the purpose of prosecu­ tion, most certainly should remain.

Finally, Madam Speaker, let me just say a word about the process by which this bill is being brought to the floor. We, of course, want to make certain that Members have ample time to study and understand bills before we vote on them. At the same time, I have to say, this bill has been a long time in the making. There has been a long pe­ riod of discussion and debate and delib­ eration, and Members of this body should be assured that a full range of interested parties have been involved in crafting this bill in a bipartisan fashion since we received the budget in May.

Even before receiving the budget, we held 15 days of hearings on a wide vari­ ety of topics, including responses to natural disasters, technology and effi­ ciency improvements, immigration en­ forcement, and border security. We had testimony from DHS as well as GAO and other non-Department sources. So it’s a thoroughly vetted bill, and the issues in this bill have been thoroughly examined. They’ve been given their proper due diligence. There are no sur­ prises, and we are, indeed, ready to go to conference.

With that, I reserve the balance of my time.

Mr. ROGERS of Kentucky. Madam Speaker, I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Speaker, I yield such time as he may con­ sume to the distinguished chairman of our full committee, the gentleman from Wisconsin (Mr. Obey).

Mr. OBEY. I thank the gentleman for his time.

Madam Speaker, from time to time, people in this House know that I quote my old favorite philosopher, Archie the Cockroach, and Archie said, or maybe it was Will Rogers—I’ve forgotten ex­ actly which—but one of them noted that there is nothing more pitiful than the sight of a duck going full flight. They can look as panicked as a loon trying to take off from choppy lake water. And if you’ve ever watched one of those, it takes them a long time, they make a lot of ruckus, and they look like an unjoined part of the process. That’s the way the Congress has looked, in my judgment, with re­ spect to this Guantanamo Bay issue.

Now, this country has a problem. After September 11 we picked up a lot of bad and dangerous characters and shipped a lot of them to Guantanamo. We also picked up, on the basis of bad information, some who didn’t belong there. From what I can tell, it would appear like virtually every single per­ son there now deserves to be there.

But the problem is that the previous administration had no process by which to separate the merely criminal or the merely misguided from the truly evil. And as a result, thanks in part to the unrelated chaos of Abu Ghraib, the United States, which has rightly prided itself on being the principal advocate of due process and human rights in the world, has come to be seen by some these days as a pretty major apologist for torture and imprisonment without review or remedy. I don’t think that’s what America really stands for.

President Obama has tried to deal with the fact that Guantanamo has become a major liability to this country in the court of world opinion and in some cases has become a recruiting ground for the very forces that we wish to contain.

In the Presidential campaign, to their credit, both candidates called for closing Guantanamo Bay. President Obama recognized the damage being done to our influence and our security. President Obama won that election and an­ nounced his intention to close the fac­ ulty.

Admittedly, the administration did not demonstrate a high degree of skill in implementing that decision. They had a credible goal, but they clearly had not thought through how to get there. That’s why this committee in­ insisted in the 2009 supplemental that the administration present its analysis to the Congress before people who were imprisoned in Guantanamo could be shipped elsewhere and before any detainees could be brought to the U.S. or transferred to another country.

Very frankly, the administration has received very little help from Capitol Hill in thinking through this problem. A number of Members have had legiti­ mate concerns, but they could not come up with any reasonable set of cri­ teria by which transfers could be ef­ fected.

Now, this motion would have this body declare that no prisoners can be
transferred anywhere in this country even for prosecution, which they so richly deserve. That means the detainees would have to be transferred to other countries or that Guantanamo would have to remain open as a permanent stain on our reputation for due process.

I think we can do better than that.

Has this country, this country that has even tried the worst criminals in the history of the world at Nuremberg, has this country experienced such a pitiful decline of modern thoughtful political leadership that we now have no capacity except to say lock them up forever, no questions asked, and no due process provided under any circumstances? We may want to lock them up. I'm sure we do. But we can do better in the way we do it.

In America we do not provide due process for the benefit of criminals; we provide it for our own safety's sake.

I do many Members are familiar with the play "A Man for All Seasons" about Sir Thomas More, who was martyred by King Henry VIII. When More's son-in-law, Richard Roper, in that famous play, said that he would cut down every law in England to get at the devil, More replied, "And where would you hide then, the laws all being flat? Yes, I give the devil benefit of law, for my own safety's sake."

That's why it's important that we have a process that will allow us to lock up and throw away the key on everyone in Guantanamo who deserves it; but we cannot tell the world that just because this process is difficult, we are simply going to take the easy road and step over the valleys that make this Nation great.

I refuse to believe, as the gentleman from North Carolina has already indicated, I refuse to believe that our law enforcement officials, our prison officials, and our Department of Justice officials are not skilled enough and thoughtful enough to imprison these thugs in high-security facilities at minimal or no danger to our citizens and our communities. Our prisons keep us safe from the likes of Charles Manson; David Berkowitz, the "Son of Sam" killer; the World Trade Center bombers; and the Kenyan Embassy bombers, whom I detest because they killed several friends of mine. What we want to propose in conference will be built on the faith that we do have that capacity.

Now, we can either let somebody else deal with our problems, or we can let them fester because we don't want to deal with them and make hard choices ourselves. That's unacceptable, and I think it's time that we face up to that.

What will emerge from conference, I suspect, will be language that any reasonable person will be able to say is a good-faith, effective process by which we can keep Americans safe and still continue to stand for the due process principles that we have always stood for.

I know these people are enemy combatants and they don't deserve it. But we don't make our decisions on the basis of what we think of defendants. We make our decisions on the basis of what we think of ourselves. And that's what makes us the greatest country in the world. We do not want, as this motion would have us do, to depart from that high standard today.

Again, I thank the gentleman for the time.

Mr. ROGERS of Kentucky, Madam Speaker, I yield myself 2 minutes.

Madam Speaker, this motion prohibits the granting of any benefits to the detainees at Guantanamo to be brought here for criminal prosecution.

As Mr. OSEF has just said, these are enemy combatants caught, captured on a battlefield. They are not criminal defendants; they are prisoners in a war. Prisoners in a war.

They can and have been tried by the military tribunals at Guantanamo. My colleagues on the other side have five military tribunal proceedings ongoing until this administration halted those proceedings, trying to figure out what they want to do next.

But my point is these are not criminal defendants. These are enemy combatants captured on a battlefield. They are prisoners of war and should be treated as such, as they have been at Guantanamo. Do not bring them to the U.S. for any purpose. Why would you bring any prisoner of war to your country, give them the Miranda warnings, and proceed to a trial as you would an American citizen? It's beyond any question, I think.

These detainees, many of them, those who posed a minimal security threat, have been shuttled off to other foreign countries, leaving hundreds of suspected terrorists, hardened killers that are unwelcome by any place on Earth to be potentially bound for American soil.

Madam Speaker, we need to take a very serious step back and closely examine what we are thinking of doing.

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

Mr. ROGERS of Kentucky. I yield myself an additional 2 minutes.

This motion clarifies and says they would not be brought here for any, any purpose, including prosecution.

Now, if you have any doubts about the people we are talking about, read the resumes of these detainees. Read them, and you will have no doubt that these are enemy combatants sworn to kill you and every American they can find. And you want to bring them to the U.S.? It's insane, Madam Speaker. It's insane.

Madam Speaker, I yield 5 minutes to a very distinguished former trial judge in the State of Texas for 21 years, Judge Carter.

Mr. CARTER. Madam Speaker, this does not come as a surprise to me. I heard back from him that they had it all set up. It started with enemies of the United States killing American citizens on American soil. By the grace of God, they didn't kill the number they were hoping to kill because they were hoping to bring down those towers in New York completely full of people, and potentially hundreds of thousands of people could have died.

But because of the brave soldiers of the American military and the American people, others, we were able to evacuate those buildings and the casualty toll was not in the hundreds of thousands or the tens of thousands. But, still, every single American life lost there we care about.

I think most people thought we're going to war, world war. That's what I thought. That's what the people I was with in Taos, New Mexico, at the time thought. And we wanted to do something about it. The American soldiers in two fields of battle have done something about it. They continue to do something about it today. And through the work of our intelligence people and the American soldier and the American Marine, we have many of these terrorists to captivity. They are enemy combatants captured on the battlefield.

We're not talking about people who have rights to Miranda warnings. My Lord, how can you fight a war if you're going to have to have Miranda warnings every time you come in contact with an enemy soldier? It makes no sense. Neither our Founding Fathers nor the Supreme Court, I would say, ever envisioned us giving Miranda warnings on the battlefield.

But I believe and I think Americans believe that these people mean us harm and by their very presence on the sacred soil of the United States they bring harm to this country. Because I would argue, as we all know, the re-recruiting of radical Islam is going on in our prisons right now. Witness just recently some arrests that were made inside this country and how those American citizens got to be influenced by radical Islam. Much of it comes out of the prison systems. And we are going to put people that are being held properly in Guantanamo, we're going to bring them to our soil, give them the rights of an American defendant and put them in the prison system of this country where they can continue—even if they are in solitary confinement, their very presence can make them a hero of the recruiters inside the prison.
maximum security prisons that we could put them in. There is one that was featured in “60 Minutes” awhile back in Colorado where we put the worst of the worst; but did anybody listen to how much it costs us to put the worst of the worst in those maximum security prisons?

We are spending enough money around here without going out and spending that kind of money on prisoners where we already have them in a secure environment where they are being humanely treated, and where they are able to meet with their lawyers and they are able to prepare for the defense of their case. There is no reason on God’s green Earth to bring them over here and spend hundreds of thousands of dollars incarcerating each and every one of them in a Federal maximum security prison. It makes no sense in the light of the fact that we are practically bankrupting our country with spending in that last 8 1/2 years.

So I think Mr. ROGERS has a very good bill here. I think what he is asking in this motion to instruct the conferrees is common sense that the American people would support, and we would most likely support as well. Now, we are in this political world up here and common sense seems to go out the window. But I think if you stop the average American on the street, they will tell you that these people intend to kill us and as far as we are concerned, we don’t care where they stay, but we don’t want them in our neighborhood.

I certainly don’t want them in Texas, and I would argue that each Member who represents their district in this august chamber, where they are concerned, we don’t care where they stay, but we don’t want them in our neighborhood.

Madam Speaker, we spend most of our time in the courtroom giving people their constitutional rights as criminal defendants. I have spent, I will say, in a criminal case, at least 50 percent of the time spent on every criminal case, my job was to protect those people’s rights and make sure that they got every one of them. I did the very best I could. But at some point in time, in a criminal trial, upon the finding of guilt, those rights convert over to the State and to the people to make decisions on punishment.

I would argue these people don’t start with those rights, and the American people have in mind what they think should happen to these people that would kill more American citizens on American soil.

Do we have the courage of our Greater Generation forefathers to stand up to evil when it addresses our country and do something about that evil? Why would we want to coddle people who have a proven track record of being part of the network that attacked the United States of America?

Madam Speaker, I would argue this is an excellent instruction to the conferrees, and I believe Mr. ROGERS and what he has stated here has expressed the will of the American people.

To address just one of the other issues about photographs, I think that pretty well has been decided.

But, yet another thing, as we bring these people here and we put them into the American justice system, which I treasure, the American justice system, but in turn the defense lawyers will be able to use the discovery process to find out about covert operations of the United States intelligence. We have already put our intelligence folks in bad places by our bad behavior around this place many times before. But tell these people in the courtroom with everybody to see, and out those people, if you will, would be absolutely a travesty of justice.

So this is a good thing to do, and I support Mr. ROGERS in his effort, and I would hope that everybody who cares about this country will support this motion.

Mr. PRICE of North Carolina. Madam Speaker, I respectfully ask that the Members who hear your statement today, I think we should do more in this country that continuously tells the world that we are big enough, we are strong, and we are democratic enough to bring people to justice when they deserve to come to justice. Because we have nothing to fear.

Ironically, on another issue that I discussed with my friend at length over the years, we got it wrong with Cuba except to use them to hold people there for trial. Why not bring them to New York where they committed their act, the scene of their crime? Why not let the world know in the middle of our pain, in the midst of all of our anguish over September 11, we are big enough and democratic enough to bring people to trial here within our territory. We have nothing to fear.

As far as whether or not there will be Miranda rights involved and whether the people have rights, why not? What is so difficult to understand about that? There is a contradiction in a country that continuously tells the world we are better, and we are; we are more democratic, and we are; we have a better justice system, and we do, and at the same time says it’s not for these individuals.

Now, if I was making the argument on behalf of the individuals in Guantanamo, we know how many were detained and eventually released because we have, throughout the last few years, and I do charge them with. It might be that we have to release some and send them back to their countries, but this fear that somehow they are going
to be watching the streets of Washington, D.C., and eating at local restaurants and planting bombs everywhere, these folks will probably be the most guarded people in the history of the world. But we will do ourselves a great disservice if we continue to say that we are not afraid to pay for their crimes, to go before our justice system.

Why should they be near our community residents was one of the questions asked. I see it differently. Why not see our system in full bloom? Why not allow the world to see and understand that we are not afraid to bring people here to pay for their crimes, to go before our justice system.

Now, here is another question. So we bring them to justice in Guantanamo. We find them guilty in Guantanamo. Are we going to incarcerate them in Guantanamo? Are we going to keep them in a foreign country for crimes they committed against our country or are we going to bring them to a prison here? What will happen to a prison here? We have highlighted here today a feature of the Guantanamo provisions which not only is objectionable, but fundamentally runs counter to our country’s interest—our country’s interest in closing Guantanamo in a timely fashion and bringing the detainees there to trial.

It also, in a strange way, seems to question our country’s capacity, the capacity of our judicial system and our penal system to handle hardened criminals, whereas I think that our capacity to handle even the most dangerous criminals is beyond question. And I believe this motion also risks elevating these criminals in the eyes of the world, suggesting that we can not handle them through our normal processes of justice. For all these reasons, I believe this motion to instruct is unwise, and I urge a “no” vote.

I yield back the balance of my time.

Mr. ROGERS of Kentucky. Madam Speaker, I yield myself such time as I may consume to the gentleman from California (Mr. Lewis).

Mr. LEWIS of California. Madam Speaker, I would like to express my greatest appreciation to the chairman of the subcommittee and the ranking member for the job they have done on this bill for the Defense appropriations bill. I urge a “yes” vote.

Clearly, the work that involves our dealing with these detainees at Guantanamo Bay is very important work. We have been waiting for a long time now for a complete report from the administration giving us an indication as to how they would implement this campaign promise. We find ourselves in a circumstance today where it is apparent that a pretty sizable number of detainees are released somewhere, perhaps not the continental United States, but foreign countries and otherwise.

It is almost impossible to discuss, in this environment, the most serious concerns about these detainees, for much of the information involved is highly classified information. But, needless to say, this is a group of very dangerous people, and a lot of circumstances have changed since the bill has come out of committee and we finally are on the floor for consideration by the conference.

Perfecting this package as we go forward by passing this motion to instruct would bring us very close to being in mesh with what is being proposed in the other body. It would appear that the leadership of our committee in the other body feels pretty strongly that we should not be spending funds that would bring these detainees to come to the United States.

This motion to instruct, I believe, will cause our conference to be a much more comfortable conference when we go there. I would urge the Members strongly to support Mr. ROGERS’ motion to instruct.

Mr. PRICE of North Carolina. Madam Speaker, I have no further speakers.

Mr. ROGERS of Kentucky. We have no further speakers, Madam Speaker, and I would be prepared to yield to the gentleman for a close.

Mr. PRICE of North Carolina. Madam Speaker, I reiterate my request to our Members to vote against this motion to recommit. The motion is long and complex and by no means totally objectionable. But we highlighted here today a feature of the Guantanamo provisions which not only is objectionable, but fundamentally runs counter to our country’s interest—our country’s interest in closing Guantanamo in a timely fashion and bringing the detainees there to trial.

It also, in a strange way, seems to question our country’s capacity, the capacity of our judicial system and our penal system to handle hardened criminals, whereas I think that our capacity to handle even the most dangerous criminals is beyond question. And I believe this motion also risks elevating these criminals in the eyes of the world, suggesting that we can not handle them through our normal processes of justice. For all these reasons, I believe this motion to instruct is unwise, and I urge a “no” vote.

I yield back the balance of my time.

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to instruct conferences will be followed by 5-minute votes on suspending the rules and agreeing to H. Res. 517 and H. Res. 487.

The vote was taken by electronic device, and there were—yeas 258, nays 163, not voting, as follows:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nays</th>
<th>Not Voting</th>
</tr>
</thead>
<tbody>
<tr>
<td>258</td>
<td>163</td>
<td>0</td>
</tr>
</tbody>
</table>

[Roll No. 746]
ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DeGette). Without objection, 5-minute voting will continue. There was no objection.

ANNOUNCEMENT OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER. The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now suspend the rules and agree to the resolution, H. Res. 517.

Yeas—421

Nays—115

Adler (NJ)    Maloney (NY)     Shadegg (AZ)    
Aderholt (AL) McCarthy (CA)     Stark (OH)    

the gentleman from California (Ms. Chu) that the House suspend the rules and agree to the resolution, H. Res. 517. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 0, not voting 11, as follows:

[Roll No. 747]

YEAS—421

Not voting—11

Conyers (MI)    Costello (PA)     
Cuellar (TX)    Costa (CT)     

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER. The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now suspend the rules and agree to the resolution, H. Res. 517.

Yeas—421

Nays—115

Adler (NJ)    Maloney (NY)     Shadegg (AZ)    
Aderholt (AL) McCarthy (CA)     Stark (OH)    

Announcing the Speaker pro tempore.

The Speaker pro tempore (Ms. DeGette). Without objection, 5-minute voting will continue. There was no objection.

Congratulations women's college world series champion Washington Huskies

The Speaker pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 517, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The Speaker pro tempore. The question is on the motion offered by

Abercornbe (GA)    Ackerman (NY)     
Ackerman (NY)    Akin (GA)     


Messrs. Herger, Yarmuth, Bilirakis, Moore of Ohio, and Tanner changed their vote from “nay” to “yea.”

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

For the record, Mr. Shadegg, Madam Speaker, on rollcall No. 746, had I been present, I would have voted “yea.”

The Speaker. The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now suspend the rules and agree to the resolution, H. Res. 517.

Yeas—421

Nays—115

Adler (NJ)    Maloney (NY)     Shadegg (AZ)    
Aderholt (AL) McCarthy (CA)     Stark (OH)    

Announcing the Speaker pro tempore.

The Speaker pro tempore (Ms. DeGette). Without objection, 5-minute voting will continue. There was no objection.

Congratulations women's college world series champion Washington Huskies

The Speaker pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 517, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.
The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. Cuellar) that the House suspend the rules and agree to the resolution, H. Res. 487, on which the yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 413, nays 0, not voting 19, as follows:

[Roll No. 748]

The SPEAKER pro tempore. The yeas and nays were ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 0, not voting 19, as follows:

[Roll No. 748]

The SPEAKER pro tempore. The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 413, nays 0, not voting 19, as follows:

[Roll No. 748]

The SPEAKER pro tempore. The yeas and nays were ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 0, not voting 19, as follows:

[Roll No. 748]

Ms. Matsui. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 788 and ask for its immediate consideration.

The Clerk reads the resolution, as follows:

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3183) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes. All points of order against the consideration of the conference report are waived. The conference report shall be considered as read. All points of order against the conference report are waived. The previous question shall be considered as read. However, I want to point out that although the rule provides that the conference report shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

The SPEAKER pro tempore (Mr. Altmire). The gentlewoman from California is recognized for 1 hour.

Ms. Matsui. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend, the gentleman from Texas (Mr. Sessions). All time yielded during consideration of the rule is for debate only.

General Leave

Ms. Matsui. I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 788.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. Matsui. I yield myself such time as I may consume.

Mr. Speaker, House Resolution 788 provides for consideration of the conference report for H.R. 3183, the Energy and Water Development Appropriations Act, as a result of the consideration of the conference report by the Committee on Appropriations. It is a stand-alone conference report rule. It waives all points of order against the conference report and against the consideration and provides that the conference report shall be considered as read. However, I want to point out that although the rule waives all points of order, the conference report does not violate either clause 9 or 10 of rule XXI.

The resolution provides for 1 hour of general debate controlled by the Committee on Appropriations. Mr. Speaker, I first want to thank Chairman Obey as well as Mr. Pastor for their work to bring this conference report before the House today.

When we think of the long-term health of our country, the Energy and Water appropriations bill is one of the most important bills that we consider. The conference report before us today will keep communities safe from flooding, invest in clean energy and reusable technologies, reduce proliferation, and create jobs through infrastructure development.

Without this bill, millions of homes would be exposed to devastating floods, clean energy research that will power the next generation of green technologies would stop, nuclear weapons proliferation would pick up again, and the pace of job creation in the clean energy sector would slow to a crawl or even stop altogether. These are the reasons why today’s conference report is so important.

In the field of energy, the conference report fulfills Congress’s promise to chart a new path for a national energy policy. The conference agreement provides $10 billion for the Department of Energy to help fund clean energy development and perform basic scientific research. It devotes millions of dollars to solar energy development, advanced vehicle technologies, energy-efficient buildings, and biofuels that can be grown right here at home.

When we make our own fuel, Mr. Speaker, we create domestic jobs and also take steps toward becoming energy independent. We recognized this fact in the Energy and Commerce Committee when we wrote the American Clean Energy and Security Act, which is why I’m pleased to see these provisions part of today’s conference report.

This appropriations bill also funds a number of applied research grants at the Department of Energy for potentially high-reward activities like fusion energy, high-energy physics, and biological research. Future generations will look back at these investments and thank us for having the foresight to recognize generation’s long-term research is future generations’ short-term gain.

Many of my colleagues would be satisfied to know that the conference report also devotes resources to fossil fuel-based energy that can provide a boost to our energy independence efforts in relatively short order. In it, $672 million is provided for research and development into things like carbon capture and sequestration, natural gas recovery, and unconventional petroleum research activities. This research will benefit independent petroleum producers to also help make our country more energy independent for the short term.

Also to that end, the conference report takes a responsible approach toward nuclear energy by investing in fuel cycle research and development. By providing more than $70 million for nuclear energy, the conferees made the pragmatic calculation that nuclear will be part of our energy mix in the short term. But no matter how electricity is generated, one challenge we face is delivering it effectively to its destination. For this reason, the conference report provides more than $100 million to modernize and secure our electric grid infrastructure.

The energy portion of this conference report is only half the story though, Mr. Speaker. For my district and for people living in floodplains across the country, this energy and water conference report is a major victory. Funding for the Army Corps of Engineers is increased over both 2009 levels and over the President’s request for a total of $5.4 billion. For my constituents, this funding can be a matter of life and death. My district is where the Sacramento and American Rivers converge. As a result, it is the most at-risk city for major flooding in the United States. More than 440,000 people, 110,000 structures, the capitol of the State of California and up to $58 billion are at risk from flooding in my alone. Neglect of vital funding in this conference report will reinforce levees along the American and Sacramento Rivers to keep these national assets safe and dry.

For all of Sacramento, this means safer homes, more diverse landscapes, better protected community centers and a higher quality of life. According to the American Society of Civil Engineers, Federal levees currently provide a 6-to-1 return on flood damages prevented when compared to initial building costs. But the flood protection funding in this conference agreement is more than just dollars and cents, Mr. Speaker. When I go home and walk along the Sacramento River, and when I look at the houses and schools and parks that sit behind the levees, I’m reminded how vital the Energy and Water bill is. In many parts of the country, it can mean the difference between a thriving city and a disaster area. Flood protection is a regional undertaking though. Floodwaters do not stop and start based on congressional district boundaries. That is why I am pleased that the conference report contains more than $60 million to improve the ability of Folsom Dam to protect our constituents who live below it. This money will also help the Joint Federal Project to provide greater efficiency in managing flood storage in Folsom Reservoir.

Around the whole country, from Sacramento to the Mississippi River Delta, from rural Ohio to the Bronx River Basin, this conference agreement protects our communities by investing in our aging infrastructure. And when we rebuild our infrastructure, we rebuild our economy. The infrastructure funding in this conference report before us today will continue this pattern of creating jobs while investing in public...
Mr. Speaker, again, I want to thank Mr. Obey and the Appropriations Committee for their hard work on this conference agreement.

I reserve the balance of my time.

Mr. Sessions. Mr. Speaker, I want to thank the gentlewoman from California, my friend, for yielding me the time. I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to this closed rule—once again, a closed rule—coming out of the Rules Committee and the process that brought this bill to the floor. My friends on the other side of the aisle for the first time in history shut down the appropriation process by placing extremely restrictive rules on every single appropriation bill that left the floor of the House this year. Chairman Obey set an arbitrary timeline to finish the fiscal year 2010 spending bills, which has forced the Democrat Rules Committee to limit every Republican and Democrat's chance to offer an amendment on the floor.

Why? For what reason? There are hundreds of good amendments which were rejected by all of my colleagues which were rejected in this unprecedented fashion. Now that this House has finished all the appropriation bills, you would think that my friends on the other side of the aisle would allow for an appropriate time and an appropriate process and the process that brought this bill to the floor, but for Members to be heard from and for us to go back to a process which this House was used to in its precedents for so many years.

But as I understand, the conference report was filed after 6 p.m. I believe 6:17, and the Rules Committee met at 7:15 to report out a rule for floor consideration. Our Democrat colleagues in the conference committee waived the House rule that required first reading of the conference reports and scheduled a bill on the floor first thing this morning. Additionally, just last week this House voted to adopt a motion to instruct that stated that the conference report, a bill that we are discussing on the floor here today, should be available online in a searchable format for at least 48 hours before it's voted on.

Well, Mr. Speaker, forget the 3-day rule. Let's take the hour motion to instruct; this House was given just less than 24 hours to review the conference report and its changes. I don't know when my Democrat colleagues will allow for the open, honest and ethical process that I just for our Democrat Members but good for this House to follow?

Mr. Speaker, today we are discussing the Energy and Water appropriation conference report for fiscal year 2010. Today it is my intention to focus on the increase in spending over last year's level and destructive initiatives that the Democrat majority continues to pursue that have only killed jobs and led to record deficits, record spending, record unemployment numbers all across America.

The fiscal year 2010 Energy and Water appropriation conference report provides $33.5 billion in total funding, which is hundreds of millions more than the Obama administration's original request and this is in addition to the $58.7 billion provided in fiscal year 2009 emergency funding just from a few months ago, mostly from the stimulus bill.

We have closed government spending. Now this bill does not represent any commitment to fiscal sustainability. More promises, more spending, more deficit, more record unemployment. Mr. Speaker, the Obama administration promised America, if Congress passed the stimulus bill, that unemployment would not go beyond 8 percent, that it would create and save millions of jobs. Here we are 8 months later with a record 9.7 unemployment rate, the deficit has increased, more than 2 million Americans have lost their jobs since the passage of the $1.2 trillion “stimulus employment plan.”

This summer when discussing the stimulus, Vice President Biden said, “The Obama administration promised America, if Congress passed the stimulus bill, that unemployment would not go beyond 8 percent, that it would create and save millions of jobs.” Even though as a candidate for President and Vice President both of them had been all over the country. They had seen firsthand exactly the circumstances that we have today.

So the Obama administration got it wrong. They got it wrong when it came to the stimulus, and the American people know they got it wrong also. The American people can no longer afford the Democrat-controlled House, Senate and White House. We've got to start getting it right, not guessing and getting it wrong. Spending hundreds of millions of dollars more in addition to the $58.7 billion spending this year is not a way to fix the problem.

In June of this year, my friends on the other side of the aisle passed a cap-and-trade bill that will raise prices on energy, goods, and services, and every single family, every single individual across the country will pay that price.

In my home State of Texas, the average household can expect to pay more than $1,100 a year extra as a result of that legislation. Additionally, this legislation could ultimately kill over 1.38 million jobs that are in the manufacturing sector of this economy. That's 1.38 million more jobs.

Mr. Speaker, some time this month the Democrat-controlled House wants to pass sweeping health care reform. Effectively, it will diminish the employer-based insurance market and forces 114 million Americans into a government-run program. This $1.2 trillion package taken once again, raises taxes once again, raises taxes once again, which is what this Democrat-controlled Congress is about. Raise $1.2 trillion in taxes on individuals and small businesses that do not participate in the government plan and $800 billion, which the President talks about will be necessary to fund this massive government takeover and will result in 4.7 to 5.5 million more private-sector jobs being lost in America.

In July, the Congressional Budget Office director stated that the Democratic health care proposal “significantly expands the Federal responsibility for health care costs.” Mr. Speaker, I thought that the goal of health care reform was to bring costs down for Americans, not to increase the cost, further America toward bankruptcy and to cost 4.7 to 5.5 million more enterprise system jobs. By the way, those are jobs that are not in Washington, D.C.

The American people know that you cannot spend what you don't have, and that's exactly what we are doing here today with the Democratic majority. Earlier this month, the Treasury Department released a statement reporting that the Federal budget deficit reached a record $1.378 trillion and that the national debt reached $11.8 trillion by the end of August. This means that since 2007, this Democratic Congress has increased the Federal deficit by $1.217 billion and increased the national debt by over $3 trillion. What a record.

In closing, Mr. Speaker, I will continue to point out that our friends on the other side of the aisle not only tax and spend not only this country but also hardworking families into a further economic recession.

Mr. Speaker, today we are discussing the Energy and Water appropriation conference report for fiscal year 2010. Today it is my intention to focus on the increase in spending over last year's level and destructive initiatives that the Democrat majority continues to pursue that have only killed jobs and led to record deficits, record spending, record unemployment numbers all across America. The fiscal year 2010 Energy and Water appropriation conference report provides $33.5 billion in total funding, which is hundreds of millions more than the Obama administration's original request and this is in addition to the $58.7 billion provided in fiscal year 2009 emergency funding just from a few months ago, mostly from the stimulus bill. We have closed government spending. Now this bill does not represent any commitment to fiscal sustainability. More promises, more spending, more deficit, more record unemployment. Mr. Speaker, the Obama administration promised America, if Congress passed the stimulus bill, that unemployment would not go beyond 8 percent, that it would create and save millions of jobs. Here we are 8 months later with a record 9.7 unemployment rate, the deficit has increased, more than 2 million Americans have lost their jobs since the passage of the $1.2 trillion “stimulus employment plan.”

This summer when discussing the stimulus, Vice President Biden said, “The Obama administration promised America, if Congress passed the stimulus bill, that unemployment would not go beyond 8 percent, that it would create and save millions of jobs.” Even though as a candidate for President and Vice President both of them had been all over the country. They had seen firsthand exactly the circumstances that we have today.

So the Obama administration got it wrong. They got it wrong when it came to the stimulus, and the American people know they got it wrong also. The American people can no longer afford the Democrat-controlled House, Senate and White House. We've got to start getting it right, not guessing and getting it wrong. Spending hundreds of millions of dollars more in addition to the $58.7 billion spending this year is not a way to fix the problem.

In June of this year, my friends on the other side of the aisle passed a cap-and-trade bill that will raise prices on energy, goods, and services, and every single family, every single individual across the country will pay that price.

In my home State of Texas, the average household can expect to pay more than $1,100 a year extra as a result of that legislation. Additionally, this legislation could ultimately kill over 1.38 million jobs that are in the manufacturing sector of this economy. That's 1.38 million more jobs.

Mr. Speaker, some time this month the Democrat-controlled House wants to pass sweeping health care reform. Effectively, it will diminish the employer-based insurance market and forces 114 million Americans into a government-run program. This $1.2 trillion package taken once again, raises taxes once again, raises taxes once again, which is what this Democrat-controlled Congress is about. Raise $1.2 trillion in taxes on individuals and small businesses that do not participate in the government plan and $800 billion, which the President talks about will be necessary to fund this massive government takeover and will result in 4.7 to 5.5 million more private-sector jobs being lost in America.

In July, the Congressional Budget Office director stated that the Democratic health care proposal “significantly expands the Federal responsibility for health care costs.” Mr. Speaker, I thought that the goal of health care reform was to bring costs down for Americans, not to increase the cost, further America toward bankruptcy and to cost 4.7 to 5.5 million more enterprise system jobs. By the way, those are jobs that are not in Washington, D.C.

The American people know that you cannot spend what you don't have, and that's exactly what we are doing here today with the Democratic majority. Earlier this month, the Treasury Department released a statement reporting that the Federal budget deficit reached a record $1.378 trillion and that the national debt reached $11.8 trillion by the end of August. This means that since 2007, this Democratic Congress has increased the Federal deficit by $1.217 billion and increased the national debt by over $3 trillion. What a record.

In closing, Mr. Speaker, I will continue to point out that our friends on the other side of the aisle not only tax and spend not only this country but also hardworking families into a further economic recession.
Democratic majority that is about taxing, it is about spending, it is about record unemployment, rather than working on the things that the American people, the people back home who sent us here to do our job, are working on.

I encourage a “no” vote on this rule.

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

Ms. MATSUJI. Mr. Speaker, I want to remind my colleague on the other side of the aisle that we’re not debating the American Clean Energy and Security Act or the health care reform bill. We are dealing today with the conference report for Energy and Water Development.

And I must say that this is a bill, a conference report, that has strong bipartisan support. As far as job creation, this is about infrastructure, spending on public safety projects that will save jobs across America. As I said before, it’s a smart investment, the type of investment the American people want this Congress to be making at this difficult point in our history.

Our Nation’s levees are crumbling, and we’re putting public health at risk because of this. This is the time to invest in infrastructure like this.

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

Mr. SESSIONS. Mr. Speaker, the thought process here in Washington is that we can solve all the problems that our country has, just trust Washington. I think now more than ever we are seeing at the end of this year that the leadership in Washington, D.C., the bills that are on this floor, the votes which we take virtually every single time, every single vote is about more taxes, more spending, more rules and regulations that are thrown to the American people with this package about how great this is for the American people.

Yet what happens is that Members of Congress, lots of them in our body on both sides, go back home and they listen to the American people. And they listen to the American people talk about what I think is a lot of common sense: common sense about how to fix our health care, how to fix our spending, how to fix the unemployment, how to encourage manufacturing rather than declassify it. Then they look up and see the political agenda of the Democratic Party, that in the three biggest political bills that represent the Democratic Party we will lose almost 10 million jobs in this country; and the political agenda of the Democratic Party, one which this body is barreling down that pathway to meet and match, has resulted in disaster for people back home.

So the Republican Party will continue to come to Washington and be faithful after listening, and we will go to our committees and we will throw our ideas on the floor and ask the committees to vote on them. We will continue to have Members come to the Rules Committee that seek time, permission to speak about ideas that will better the bills.

Yet we find that in these instances before the Rules Committee, it really doesn’t matter. It doesn’t matter not for Republicans, but it really doesn’t matter to a Democrat either. They will block the best ideas that come from the heartland.

Mr. Speaker, this is not a way to continue. We need to get back to the floor, as I have done all year, and my colleagues DAVID DREIER, LINCOLN DIAZ-BALART, and VIRGINIA FOXX, as we explain the rules and explain the Rules Committee, explain what is happening: receiving a bill at 3 o’clock in the morning; getting a bill, as we did last night, 1 hour before the meeting; not even following the rules from a resolution we had just the week before about online availability of bills.

Mr. Speaker, no wonder the American people are up in arms and insisting that Members of Congress read the bill first; that every single Member of this body is given a chance every single time to say, I disagree with the direction that the Democratic leadership is taking us.

We need to read the bills. We need to take the ideas from people in the heartland, through their Representatives in committees and up in the Rules Committee, and make these in order and make sure that the American people, if they were sitting in, would say, Why not take more time? Why not understand the bill? Why not cut spending? Why not make some commonsense directional issues happen in this Congress? This leadership, these bills continue to follow a process that the American people are questioning.

We will continue coming to the floor and we will dutifully keep speaking up, and we will make sure that we are properly representing those people who are talking about better process, better direction, and doing the things that will work.

Mr. Speaker, I thank the gentlewoman for yielding the time, and I yield back the balance of my time.

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

The rule before us today is a fair rule that is aligned with the customary practice of the House for rules governing debate on conference reports.

After numerous hearings and constructive negotiations with the Senate, the Appropriations Committee has crafted an important and balanced bill. It provides in new technologies, scientific research, and conservation efforts that are critical to the long-term health of our economy and our planet.

Most importantly for my district, this legislation increases funding for the Army Corps of Engineers and the Bureau of Reclamation. Every dollar is crucial for my constituents in Sacramento as we work to improve our water infrastructure, as I know it is to all my colleagues in the House with similar bills.

I want to thank Chairman O’Brien and Chairman Pastor for recognizing how critical this funding is to all of us. We rely upon it to fortify our levees, raise our homes, and keep our communities safe and dry.

This bill also looks to the future by investing in the development of a new smart grid to ensure electricity delivery and energy reliability. And it makes a strong commitment to renewable energy and scientific research.

I urge a “yes” vote on the previous question and on the rule.

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

The previous question was ordered.

The Speaker pro tempore announced: The question is on the resolution.

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

Ms. MATSUJI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of House Resolution 788 will be followed by 5-minute votes on motions to suspend the rules on H. Res. 692 and H. Con. Res. 151.

The vote was taken by electronic device, and there were—yeas 234, nays 181, not voting 17, as follows:

[Roll No. 749]

YEAS—234

Abercrombie
Ackerman
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Berry
Berkley
Berman
Bereuter
Becker
Berkin
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Bowser
Boswell
Boucher
Boyce
Bradley (PA)
Brower (AZ)
Brown, Corrine
Bulger
Butterfield
Cardona
Carnahan
Carson (IN)
Castor (FL)
Chandler
Chaffetz
Chu
Clarke
Clay
Cleaver
Cleland
Cohen
Conolly (VA)

Conyers
Cooper
Costello
Courtenay
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Dodd
Donnelly (IN)
Doyle
Dreier
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eskridge
Estrada
Evans
Farr
Fattah
Feinstein
Fletcher
Forbes
Foster
Frank (MA)
Friedman
Giffords
Gonzalez
Gordon (TN)

Grayson
Gruemmer
Gutierrez
Hale
Hall (NY)
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holmes
Honda
Hooyer
Israel
Jackson (IL)
Jackson-Lee
Johnson (TX)
Johnson (GA)
Johnson, E. B.
Johnson, H. E.
Jones
Kaptur
Kennedy
Kilpatrick
Kilpatrick (MI)
Kim
Kirkpatrick (AZ)
Kirkwall
Klein (FL)
Kosmas

H10422
CONGRESSIONAL RECORD — HOUSE
October 1, 2009
ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The Speaker pro tempore (during the vote). There is one remaining in this vote.

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SUPPORTING TAY-SACHS

AWARENESS MONTH

The SPEAKER pro tempore. The unfinished business is the vote to suspend the rules and agree to the resolution, H. Res. 692, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and agree to the resolution, H. Res. 692, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and yeas and nays were ordered.

VERDICT—17

Alder (NJ) Not voting 17, as follows:

Amendment No. 222 (Mr. BLACKWELL) to the resolution, H. Res. 692, as amended.

The Yeas and Nays were ordered, as above recorded.
CALLING FOR RELEASE OF LIU XIAOBO

The SPEAKER pro tempore. The SPEAKER pro tempore (Mr. TIERNEY). Pursuant to House Resolution 788, I call up the conference report on the bill (H.R. 3183) making appropriations for energy and water development and related agencies appropriations Act, 2010. Mr. PASTOR of Arizona. Mr. Speaker, pursuant to House Resolution 788, I call up the conference report on the bill (H.R. 3183) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill. A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 3183, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Mr. PASTOR of Arizona, Mr. Speaker, pursuant to House Resolution 788, I call up the conference report on the bill (H.R. 3183) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill. The SPEAKER pro tempore (Mr. TIERNEY). Pursuant to House Resolution 788, the conference report is considered read.

(For conference report and statements of the proceedings of the House of September 29, 2009, at page H10150.)

The SPEAKER pro tempore. The gentleman from Arizona (Mr. PASTOR) and the gentleman from New Jersey (Mr. FRELINGHUYSEN) each will control minutes of the House. The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. PASTOR of Arizona, Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend and revise their remarks and include extraneous material on the conference report to accompany H.R. 3183.

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

There was no objection.

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

Mr. Speaker, I am pleased to present to the House today the conference report on H.R. 3183, the Energy and Water Development Appropriations Act for fiscal year 2010.

The conference agreement before us is a good one, and it merits the support of all of the Members of the House.
The agencies and the programs under the jurisdiction of energy and water development contribute to solving many of the most pressing challenges facing our country, including strengthening and maintaining our water infrastructure, combating global climate change with renewable and cleaner energy technologies, and providing security against nuclear threats. I believe the conference agreement provides strong support for these agencies and programs.

The total amount of funding included in the energy and water conference agreement is $33.5 billion. This constitutes an increase of $204 million from the enacted level for fiscal year 2009, and is approximately $929 million below the budget request. While the conference agreement is below the budget request, the primary reason for this difference is the Congressional Budget Office score of $1.5 billion for the Department of Energy’s budget request for the Innovative Technology Loan Guarantee Program. The conference agreement provides $571 million above the budget request in program scope. Title I of this conference report provides funding for the Civil Works program of the U.S. Army Corps of Engineers, including the Formerly Utilized Sites Remedial Action Program. The conference agreement provides the Corps with $5.4 billion in fiscal year 2010, slightly above fiscal year 2009, and $320 million over the budget request. These investments will provide increased transportation efficiency on our nation’s waterways, job creation, clean water, and, most importantly, will ensure the safety of our citizens. The conference agreement also recognizes the increasing pressure on our water resources, and significantly increased funding for the operation and maintenance of existing projects.

The conference agreement continues to limit new contract obligations that require funding from the Inland Waterways Trust Fund due to the uncertainty of global climate change. A broader range of activities at the Department of Energy to advance technologies that will reduce the need for imported petroleum fuels. The agreement provides $311 million in activities at the Department of Energy to permanently reduce our dependence on petroleum fuels. The agreement provides $311 million for vehicle technologies, $38 million above the fiscal year 2009, to increase vehicle efficiency and reduce emissions. The conference agreement provides $174 million for hydrogen and fuel cell technologies, to continue the work at the Department of Energy, in conjunction with private industry and research institutions, furthering one of a small handful of pathways that may reduce the need for imported petroleum fuels.

The conference agreement invests $570 million in programs that cost-effectively cut energy consumption now and in the future by developing and deploying efficient energy technologies. Americans will save money and energy in the near-term through $210 million in funding for weatherization assistance grants, a
5 percent increase over the fiscal year 2009. Further, the conference agreement increases funding for Industrial Technologies and Building Technologies to develop innovative technologies that will help our homes, businesses, and industries save energy and money while reducing harmful emissions.

The conference agreement is a measured commitment to positioning nuclear energy to play a role in the nation’s energy future. The conference agreement provides $787 million for nuclear energy, $5 million below fiscal year 2009 and $10 million above the request. This funding supports the licensing, research, and development of nuclear reactor technologies.

In addition, the conference agreement supports fossil energy funding to emphasize carbon capture and sequestration—the key to enabling the use of our extensive reserves of coal while reducing greenhouse gas emissions. Fossil Energy research and development programs are funded at $672 million, $55 million above the request, of which $404 million is for fuels and power systems and $37.6 million focuses on natural gas and unconventional resources.

There is a legacy of contamination from the past 60 years of nuclear weapons manufacturing and research. This conference agreement is a major investment in mitigating the environmental effects of the nation’s nuclear legacy. Moreover, it meets virtually all of the cleanup regulatory compliance milestones at sites around the country. The conference agreement provides $6.4 billion for environmental cleanup, which includes national defense and non-defense sites, as well as Uranium Disposition, Decommissioning and De-commissioning (UD&D). Defense sites are funded at $5.6 billion, $147 million above the request. The conference agreement provides non-defense sites with $245 million, $7 million above the request, and $574 million for UD&D, $14 million above the request. The clean-up projects and activities take place around the country, in places like Hanford, Washington; Savannah River, South Carolina; Los Alamos, New Mexico; Oak Ridge, Tennessee; Portsmouth, Ohio; Idaho; and Paducah, Kentucky, among others.

The conference agreement increases funding for the Office of Science 3 percent from fiscal year 2009, progress in these constrained times. The conference agreement provides $394 million for advanced scientific computing research, $25 million above fiscal year 2009. The Office of Science conducts world-leading scientific research and development, both in exploring the fundamental nature of matter and energy, and in laying the technological foundations upon which are found our best prospects of building energy independence and combating climate change.

While the administration is determining national policy regarding how to dispose of high-level radioactive waste and nuclear spent fuel, it is prudent to continue to learn from the investment that has been made to the Yucca Mountain waste repository. For nuclear waste disposal activities, the conference agreement provides a total of $197 million to continue the licensing process at Yucca Mountain. Within these funds, the conference agreement provides $5 million to create a Blue Ribbon Commission to evaluate all alternatives for nuclear waste disposal.

The programs of the National Nuclear Security Administration, NNSA, reduce the threat of nuclear proliferation overseas, maintain the U.S. nuclear weapons stockpile, and provide reliable nuclear propulsion for the U.S. Navy. The conference agreement provides a total of $9.9 billion for the NNSA, which includes $666 million of construction activities for the Mixed-Oxide Fuel Fabrication Facility. The conference agreement for the new activities, the conference agreement for the NNSA is $9.2 billion, the same as fiscal year 2009.

Nuclear weapons or material with nuclear weapons potential are a priority national security threat to the United States and our allies. The NNSA programs address the full spectrum of the proliferation threat by supporting multilateral agreements, securing nuclear materials overseas, detecting illicit trafficking, and research and developing the leading-edge technology to support nonproliferation. Defense Nuclear Nonproliferation activities are funded at $2.1 billion. The International Nuclear Material Protection and Cooperation program that works in Russia and elsewhere to secure nuclear material and enhance border and port security receives $572 million, $20 million above the request and $172 million above fiscal year 2009. The conference agreement includes funds for the Mixed-Oxide Fuel Fabrication Facility, Waste Solidification Building, and supporting activities at Savannah River, South Carolina.

Given the serious international and domestic consequences of the U.S. initiating a new nuclear weapons production activity, it is critical that the administration lay out a comprehensive plan and ensure that appropriate major transformation of the weapons complex can only be produced with significant bipartisan support, lasting over multiple sessions of Congress and multiple Administrations.

The Nuclear Posture Review should inform an enduring strategy and provide the basis of the underlying complex necessary to ensure the nation’s nuclear weapons continue to keep our nuclear weapons safe and reliable. The conference agreement provides $32.5 million for a limited effort to study the non-nuclear components of the B61 bomb. The agreement also includes direction for the NNSA to commission two independent studies to ensure that the B61–12 is both necessary and technically sound. In particular, the second study will examine whether the B61–12 has sufficient technical advantages to constitute a long-term 21st century weapon, or whether it is likely to need near-term replacement or retirement. Should the Nuclear Posture Review confirm the B61–12 as a nuclear security requirement, the agreement includes a provision allowing the NNSA to reprogram funds from other, limited, activities to address technical issues associated with the non-nuclear portion of this program. In the interim, this agreement maintains B61-related technical expertise while evaluating whether the program is essential for national security.

For Naval Reactors, the conference agreement provides $945 million, $117 million above fiscal year 2009, in order to support the next-generation nuclear reactor for the U.S. Navy.

Funding for title IV, Independent Agencies, is $292 million, a decrease of $16 million from the previous fiscal year and $27 million below the budget request. The conference agreement funded the Appalachian Regional Commission at $76 million and the Delta Regional Authority at $13 million, the same as in the request. The conference agreement also provides $12 million for the Denali Commission, the same as the request. Two new commissions have been funded by conference agreement, the Northern Development Infrastructure Commis-sion at $1.5 million and the Southeast Crescent Regional Commission at $250,000.

The Nuclear Waste Technical Review Board is funded at $3.9 million, the same as the request, and the Defense Nuclear Facilities Safety Board is funded at $1 million, the same as the request. The Federal Coordinator for the Alaska Natural Gas Transportation Projects is also funded at the budget request level of $4.5 million. Finally, the conference agreement provides $154.7 million for the Nuclear Regulatory Commission, NRC, $29 million below the budget request.

We have a responsibility to do everything possible to address our current energy crisis and the state of our infrastructure. This conference agreement invests in the energy areas where we are dependent on the long-term path to increased energy independence, reduce the emissions of greenhouse gases, and lead global efforts to confront global climate change. Further, it provides funding to build and maintain our nation’s navigation, flood damage reduction projects and water supply facilities to strengthen our economy, protect our citizens and provide those who do not have it, clean water.

I want to thank my Senate counterpart, Chairman BYRON DORGAN, and his Ranking Member, Senator ROBERT BENNETT, for their hard work during this difficult time. I especially want to extend my appreciation to my Ranking Member, the Honorable RODNEY FRELINGHUYSEN of New Jersey, for his extraordinary cooperation and insight. I truly value his support and advice, and that of all the members of our Energy and Water Subcommittee. I believe we are all proud of this bipartisan product.

Mr. Speaker, before I conclude I would also like to thank the staff for their help in shepherding this bill through the House and through conference with the Senate. The Subcommittee staff includes Taunja Berquam, Robert Sherman, Joseph Levin, James Windle, Casey Pearce, and our detailee from the Corps of Engineers, Lauren Minto. I also want to thank Richard Patrick of my staff, and Bob Blair and Kevin Jones of the minority staff, and Nancy Fox and Kathleen Hazlett of Mr. FREELINGHUYSEN’s staff.

I urge the unanimous support of the House for adoption of this conference report.

I reserve the balance of my time.
Mr. Speaker, the conference agreement totals $33.465 billion, which is $9.5 billion below the President's request, which was $42.9 billion, or 22.5 percent, above the fiscal year 2009 enacted level.

However, the conference agreement was preceded by the American Recovery and Reinvestment Act and other emergency stimulus appropriations for the fiscal year 2009, which gave more than $58 billion in new money to the agencies under our jurisdiction. In fact, nearly 39 billion new dollars alone went to the Department of Energy.

So while the growth from the fiscal year 2009 appropriation to this conference report is minimal, the Department of Energy is going to have a difficult time spending and accounting for all of the new money it has received.

However, Mr. Speaker, in general, this conference agreement is reasonable and balanced.

I do want to highlight one area in which I have significant concerns: the future of nuclear power in this country and the need to overcome the political science trumps sound science.

During the Republican motion to recommit the House Energy and Water bill, my colleague from Idaho (Mr. SIMPSON) spoke eloquently about the perils of following the President's plan. Overall, this is a great conference agreement. The one bright side of the conference agreement is that we were able to overcome Senator Reid's influence, and we have a disposal plan bare, or life support.

The amount of funding in this bill for continuing with the Yucca Mountain license application is now half of what is requested, further delaying the progress on the establishment of a national nuclear waste disposal site.

And what will the results be of this decision? Spent nuclear fuel and radioactive waste is being stored on site at 121 locations across 39 States. These are our children and grandchildren's waste material. I am sure this fuel is safe where it is today, but I know many of our constituents want it stored somewhere where the environment will not be affected and what the material will be kept safely.

The President's and the majority leader in the Senate's decision will ensure that the fuel stays where it is for at least 15 or 20 years with each site bearing all of the major costs and responsibilities for management and security.

Second, their plan will rob our country of potential jobs and tax revenue. These jobs range from Ph.D.'s in physics to pipe fitters, from welders to plumbers. Operating nuclear power plants can sustain 700 permanent jobs while new plants generate as many as 2,400 construction jobs.

Currently, the Nuclear Regulatory Commission has applications for 26 new plants. There are at least 60,000 jobs at stake. I don't understand how the President can push for an economic re-vitalization and reduce carbon emissions while gutting the single technology which will help accomplish both of those goals.

Our constituents need these jobs and the clean power source that they create.

Third, killing Yucca Mountain would bring billions of dollars of liability against the Federal Government, anywhere from $11 to $22 billion. This is money which the Federal Government owes industry because we have failed to live up to our responsibilities. We've signed contracts with these companies to take the waste off their hands. And because of the political arrangement between the White House and the Senate leader, taxpayers and ratepayers must now carry that burden for the foreseeable future.

These are not empty threats or dire predictions. They are facts. Last week, the Nuclear Regulatory Commission had a vote to eliminate the go-ahead for the construction of new nuclear power plants because of the administration's plans to terminate Yucca Mountain.

Those 54,000 jobs I mentioned earlier are on hold. The nuclear waste in our districts is still there and not going anywhere. The billions of liability that our children will have to repay? Well, that's another few billion on top of our current $1.6 trillion deficit.

The one bright side of the conference agreement is that we were able to keep the license application alive, but just barely. Until the American public wakes up to the pitfalls of this political arrangement between the White House and the Senate leader, we will all have to bear the costs.

With that said, Mr. Chairman. I would like to thank Vice Chairman PASTOR for his leadership and friendship. Overall, this is a great conference agreement, and I intend to support it, and I support the President and the White House.

Mr. PASTOR of Arizona. I wish to yield 2 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker. I rise today in support of the conference report for the Energy and Water appropriations bill.

This bill commits $180 million in Federal funding for critical Everglades restoration projects. While it is less than the administration request and the House-fundance level, it represents a firm commitment from this Congress.

To be clear, we must move boldly forward in saving this unique national treasure. Time is our enemy, and we have delayed too long.

In 2000, Congress authorized the Comprehensive Everglades Restoration Plan as a State-Federal partnership to restore the alluring River of Grass. However, to date, the State has spent the Federal Government by more than 2 to 1.

Finally, after 8 years of inaction, we are beginning to meet our commit- and I cannot thank Chairman PASTOR and Chairman OBEY enough for their steadfast support of funding to restore the Florida Everglades to its once pristine state—with significant funding in the FY09 bill, the American Recovery and Reinvestment Act, as well, and now in the FY10 legislation.

Chairman OBEY, Chairman VISCORSKY and Chairman PASTOR, your leadership on this effort will not be forgotten. It will preserve a national treasure for our children and my children's children can enjoy the Florida Everglades. Today's bill is a positive step forward for the Everglades, and I hope it will spur further action in the next fiscal year.

Chairman OBEY, Chairman OBEY, Chairman PASTOR, the House again today passed the comprehensive Everglades Restoration Act.

To be clear, we must move boldly forward in saving this unique national treasure. Time is our enemy, and we have delayed too long.

Yesterday at the conference committee closing this out, and I signed the conference report, I offered an amendment to put language and up to $14 million in the bill to make sure we can move the project forward. It failed on a 10-9 vote. I appreciate LINCOLN ever, the Speaker of the House for the majority for voting "yes." Everyone in the minority voted "yes." This is a critical problem.
I say to the administration, you only made a $1 million funding request. It’s not sufficient to move it along. The current lock will close. The Corps just briefed us again today. They cannot keep it open. It will be the largest inland waterway system in the history of our country.

The current lock was set to close at 2014. We are not building the lock yet. The cofferdam is complete. The Kentucky lock only got $1 million, but their stimulus money allows them to start construction. We could not. I made this case at the subcommittee, at the full committee, and on the House floor Mr. Pastor helped us. We put $14 million in, and just like happens in this place, somehow by the time we got to the conference meeting, it was taken back out. We tried to restore it yesterday. Change of support, went down virtually party lines.

I’m telling you, we got a problem. We need help. And it’s not me. It’s the entire eastern system. It’s the largest inland waterway system in the country. It is going to close. We’ve got to do something.

Please, to the committee, to the Senate, to the House, both parties, administration there is an emergency supplemental, let’s get together ahead of time and fix the Inland Waterway Trust Fund problem. This is a crisis for all the inland waterway system, and the first big failure will be Chick Lock unless we exert the leadership that we are elected to do. It’s a can that has been kicked down the road too long.

I plead with you on behalf of the constituents, not just in my district, not just in my State, but in the entire eastern part of our country. From Georgia to South Carolina, you will have truckloads of cargo and goods, 150,000 18-wheelers a year added to carry the cargo that currently goes through this lock, and it is about to close because we’ve let the tooth fairy have our kids. That’s the truth. And I hate it. And I have done my best, but I am only one. I need help. Our people need help. Our country needs help. We need leadership.

Let’s keep the Chickamauga Lock open. If there’s an emergency supplemental that moves, we need to step up and fix this problem before the 2011 cycle. I’m going to do everything I can. I’ve been here long enough to know how to cooperate, how to get it done and sometimes how to keep the trains from the other until the right things are done. That’s not a warning. I need your help. That’s a plea.

Mr. Pastor of Arizona. Mr. Chairman, this is the first time I’ve done this bill, and I have to tell you that one of the lessons I learned is that the inland waterway is of great value to our country, and we have not paid enough attention to it. So I would agree with my colleague that it’s a problem that we need to solve.

The Inland Waterway Trust Fund is the vehicle which would construct and maintain these locks. But at this point, we haven’t been able to solve that problem. And the gentleman is right. We did help him here in the House when we passed this bill, but I have to tell him with great regret that in the conference we found very little support from the Senate in this particular lock, and in working out the conference report, we had to go back to the $1 million.

At this moment, I would like to yield 3 minutes to my colleague from Texas (Mr. Edwards).

Mr. Edwards. Mr. Speaker, this bipartisan bill will greatly improve our Nation’s water infrastructure, robustly fund vital energy research and help protect our Nation from the threat of nuclear terrorism. The bottom line is that it will create jobs, strengthen our economy and protect our Nation.

The bill provides $5.4 billion for the U.S. Army Corps of Engineers to address our Nation’s vitally important water infrastructure needs. It moves us forward in construction, operation and maintenance of our Nation’s ports and navigational waterways, which are crucial to our economy and international trade.

H.R. 3183 also makes great strides in protecting our communities from natural disasters by providing $2 billion for flood protection efforts. Also included is $27.1 billion to fund the Department of Energy’s efforts to decrease our reliance on foreign sources of oil and increase our investment in technologies that use energy more efficiently and to expand energy sources right here at home.

While providing $2.2 billion for research into energy efficiency and renewable energy efforts such as solar, wind, biofuels and hydrogen, this bill also invests in conventional energy sources by providing $787 million for nuclear energy research and $672 million for fossil energy research.

Mr. Chairman, there is no more important mission for our country, for this Congress, than preventing nuclear weapons from falling into the hands of terrorists, and this bill provides $2.1 billion for our Nation’s nuclear non-proliferation efforts at home and abroad. Why? To keep the American family safe.

Our Nation’s communities, national economy and security are strengthened by this bill, which is why I urge all of my colleagues, Republicans and Democrats, to support it.

Mr. Frelinghuysen. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from California (Mr. Calvert), a member of our committee. Mr. Calvert. I thank the gentleman.

Mr. Speaker, the conference report that we are considering today addresses a number of issues affecting the energy and water infrastructure of our country. However, when it comes to the ongoing water crisis in California, the conference report comes up short.

The ongoing water crisis in California has exacerbated the economic downturn up and down my State. Statewide, the unemployment rate has risen to more than 12 percent. In the Central Valley, regional unemployment has now reached 20 percent, with some communities’ unemployment now over 40 percent. California’s water crisis is the result of a combination of drought conditions on top of the federally imposed pumping restrictions that have been placed on our State’s critical water infrastructure.

While the conference report does provide some funding for a number of California’s mid- and long-term water resource management projects, many of the projects are years away from completion and will not provide any assistance to Californians that are suffering today. Many of the most affected communities have made it clear they are not looking for a handout. They want their water and their jobs back.

During the markup of this bill in the Appropriations Committee, I offered an amendment to ensure that we are dealing with the federally imposed pumping restrictions. Sadly, most of my colleagues on the other side of the aisle rejected my amendment and voted to protect a 3-inch fish instead of providing jobs and economic aid to California. Similar efforts by my colleague, Mr. Nunes, have been rebuffed by the Democratic majority.

The fact remains that the flaws and shortcomings of the Endangered Species Act have tied the hands of judges and water resource planners, creating a manmade drought that is killing jobs, destroying livelihoods and hurting families in California.

I realize this issue should be addressed by the authorizing committee, but if the Democratic leadership will not force the committee of jurisdiction to act, the members of the minority have no other option. If this Congress and this administration fail to take the necessary actions to address this crisis in the near future, the people of California will know exactly who is responsible for their mounting job losses and economic suffering.

Mr. Pastor of Arizona. Mr. Speaker, when we were doing this bill, and in fact, when this bill was on the floor, we assisted, to the best of our ability, in terms of providing authorization and also money, and in some cases we waived matching restrictions so that we would have both the authority and the financial resources to deal with the problem.

What the previous speaker had asked us to do was to waive the environmental impact statements that were required, and we did not have the ability to do it, and the authorizing committee would not allow us to do it. So we did not have that ability to do it. But we did try, and it was kept in the conference to provide the authorization and the financial resources to continue to, in the short term, deal with the water shortages in central California.

At this point, I would like to yield 3 minutes to my friend and a member of...
Mr. SALAZAR. I want to thank the chairman and ranking member for their wonderful leadership on this sub-committee.

I rise today to support what I consider to be my best legislative accomplishment since I came to Congress in 2004, but let me first say how important the investments that we are making in this bill are.

The nearly $2.5 billion for renewable energies will play a vital role in reducing our emissions, creating jobs, and producing clean energy. I especially want to point out the $225 million included for solar energy. The Third Congressional District of Colorado already has some of the largest solar farms in the world, and my constituents are already recognizing the very benefits of the solar industry.

The $1.13 billion included for the Department of the Interior and the Bureau of Reclamation are so vitally important to the Western United States. As other speakers have mentioned, water continues to be a damper to the livelihood of many Westerners, and this investment in our Nation's water infrastructure from dams, canals, treatment plants, and rural water projects is extremely important to our rural citizens as they face crisis after crisis, from Colorado all the way to California.

This bill included several desperately needed dollars for rural water projects in Colorado. The $1.75 million for the Jackson Gulch Rehabilitation Project in Mancos, Colorado, and the $600,000 for the Platoro Reservoir in the San Luis Valley will help provide major assistance to improving these rural water districts.

Lastly, and most importantly, I want to thank the chairman and ranking member and all the staff of the subcommittee for taking a step that has not been taken for 50 years.

The roots of the Arkansas Valley Conduit stretch back to 1962, when President Kennedy signed the authorization by Congress, which was part of the Fryingpan-Arkansas Project, which included the construction of Lake Pueblo. The Federal project was the end result of years of work by Pueblo and southern Colorado leaders who wanted to make better use of the region's water.

"This is the best news I've heard in a long time," said Bob Rawlings, publisher of the Pueblo Chieftain and an avid fighter for water rights in Colorado.

I am happy to say to the people of southeastern Colorado you will no longer have to wait for clean drinking water. Clean drinking water is on the way.

Mr. FRELINGHUYSSEN. I yield 3 minutes to the gentleman from Florida (Mr. ROONEY).

Mr. ROONEY. I rise today in support of the Energy and Water appropriations bill. This bill contains support for various projects within my district that will help with the continued restoration and preservation of the south Florida ecosystem.

I'm pleased with the funding for the continued operation of the Hoover Dike. This earthen dike is currently undergoing a massive rehabilitation project that will continue to ensure the health and human safety of Pahokee, South Bay, Okeechobee, Belle Glade, Clewiston, Moore Haven, and the surrounding communities.

However, while I'm grateful to the committee for its support of these projects, I must express my great disappointment with the Senate for stripping out most of the vital construction funding for the Indian River Lagoon. This project was originally authorized in the 2007 Water Resources Development Act as a component of the Comprehensive Everglades Restoration Plan.

While some in the upper body argued that the Indian River Lagoon was a new project and a "new start" and therefore not deserving of funding, I argue it's not a new start, as it is a component of the overall ongoing Everglades Restoration. By putting aside the majority of its vital funding, we are only kicking the can further down the road for not getting this vital project started.

It's time for the Federal Government to live up to its financial commitment to this project. My only hope now is that the lagoon will receive funds, however minimal, and our colleagues in the Senate will now agree that this is not a new start and therefore deserves to be fully funded next year.

Every year that goes by, however, without adequate funding, further damage is done to our fragile ecosystem there in the Indian River Lagoon, making recovery that much harder.

I'd like to thank my fellow Floridian colleagues, especially Congresswoman WASSERMAN SCHULTZ, for their tireless work and support for these projects, and the House committee for including funding in the original House bill. I look forward to continuing the good work that we have started.

Mr. PASTOR of Arizona. In response to the comment from my friend from Florida, all new starts in this bill—and there were 1330—got two. We have the number of 100,000, but that was to signify that a new start is available for this project. By designating the new start for the Everglades Act, that means that recovery money can be used now for the purpose that you spoke about.

Secondly, the Corps will now be able to reprogram moneys that now you designated as a new start, can reprogram moneys to continue the efforts on this lagoon.

And so thought that the new start was not a cutback in money but was a vehicle that would make more money available so that the Everglades program could go forward. That's how we attempted to solve this problem. Hopefully, that will be the result.

Mr. Speaker, at this time I'd like to yield 3 minutes to the distinguished chairman of the Transportation Committee, the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Speaker, I'm proud to stand today in support of the fiscal year 2010 Energy and Water appropriations conference report. I'd like to thank the chairman and Ranking Member FRELINGHUYSSEN for their great work on this legislation, and I praise them for their cooperation and bipartisanship.

Because of their work and the excellent work of our subcommittee staff, we have before us a comprehensive, fair, and targeted bill that makes significant investments in our country's future and in the goal of achieving energy independence. They have been able to do this with only a slight increase of $200 million over last year's funding level; yet, the investments will build on the success of the American Recovery and Investment and Recovery Act in developing a clean-energy economy and creating more American jobs.

I'm particularly grateful that this bill increases by more than 10 percent the funding for the Department of Energy's Energy Efficiency and Renewable Energy Program. This program, funded at $2.2 billion, invests in providing cleaner and more efficient energy technologies to produce inexpensive energy from domestic sources.

Included are $325 million for research to harness the vast amount of solar energy reaching the Earth every day, $311 million to improve vehicle and battery technology, and $200 million for research into improving energy efficiency in commercial and residential buildings, which currently consume about 40 percent of our Nation's total energy usage.

As a scientist, I'm pleased to see $4.9 billion for the Office of Science's basic and applied science research program. Such investments are critical to maintaining America's place as a leader in the world economy.

Additionally, this legislation supports President Obama's historic commitment to nuclear nonproliferation by providing $2.1 billion for securing vulnerable nuclear material. This will protect Americans from the risk of nuclear material falling into terrorist hands by securing stockpiles in the former Soviet Union. The money will also improve our ability to stop nuclear and radiological materials from being smuggled into the U.S.

Again, I strongly support this bipartisan legislation, and I urge my colleagues to vote "yes" on final passage.

Mr. FRELINGHUYSSEN. Mr. Speaker, I'm pleased to yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. I want to thank the gentleman from New Jersey for yielding.
Mr. Speaker, I rise in opposition to this conference report. There was language in this bill that was stripped in the conference report that would have directed the Corps of Engineers to pursue a much safer level of flood protection for the New Orleans region.

Our entire delegation, Republicans and Democrats, were unanimous in support of the language that was in the bill, and the conference report stripped that language, which would have directed the Corps to pursue a much safer level of flood protection for the one they're currently pursuing.

If we have learned anything from the lessons of Katrina, it's that the Federal levees that failed us before cannot be rebuilt the same way they were the last time that they failed. There's too much taxpayer money that's been put at stake for us to get this wrong. And so we much more support the option that would have actually made sure that the Corps gets it right for all the money that's being spent as opposed to the route they're choosing right now.

Option 2a, which was the language that we would have directed the Corps to pursue, is known as Pump to the River or the Corps' proposal. Pump to the River, this option 2a that's being thrown out by this report, is more technically advantageous than the one they're pursuing. It's more operationally effective than the one the Corps is pursuing. It provides greater reliability, and, most importantly, it further reduces the risk of flooding.

That's the option that our entire State delegation, that our Governor's office, that all the people back home—the city of New Orleans, the parish of Jefferson—fully support; an option that reduces the risk of flooding. That's what we should all support after what we saw happen during Hurricane Katrina; yet that language that we had unanimous support from our delegation that was in the bill is now being stripped out by this conference report.

We need to learn from the lessons of Katrina. And it's time this administration stopped paying lip service to our flood protection needs and actually put its money where its mouth is and do the right thing as opposed to making the same mistakes that were made in the past.

We cannot afford to let them go forward with building an option that, by their own admission, is much less reliable in protecting the people of New Orleans for future flooding, so I rise in opposition.

Mr. PASTOR of Arizona. Mr. Speaker, in response, I have to tell you that the conferees on the House side, the House managers, were united on this front, as well as the chairman of the other body's committee. We felt that the alternative that was desired did not provide additional protection and it would have delayed the permanent protection of New Orleans by anywhere from 18 to 36 months, which we thought was too long a period of time to keep New Orleans unprotected. The cost, we believe, would have been $3 to $4 billion more.

And so for that reason, we felt that, in fairness, that we should continue with the program that the Corps has for New Orleans.

At this time, I'd like to yield 3 minutes to the distinguished member of the subcommittee, the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. I thank the gentleman from Arizona. I certainly thank him for his leadership in getting this bill to this point. I appreciate the ranking member and the good work that they have both done in a very fair and nonpartisan way to serve this country, and also the staff of the Energy and Water Subcommittee and what a magnificent job they have done.

This is a very special bill to the First Congressional District of Arkansas. It makes continued investment in our flood protection ability in the operations and maintenance of our flood protection system. It adds money for construction where construction is needed, for investigations where investigations are needed and more study needs to be done.

The Department of Energy has moved forward with the appropriations in this bill. We tried to do what we can to improve the solar energy research, the biofuels research, vehicle technology research, hydrogen technology, energy-efficient buildings, industrial technologies, and weatherization grants. All of these things are an investment in the future of this country and our ability to reduce our dependence on foreign oil. And that's what the committee had in mind. I think our leadership has done a great job with all these things.

We also make a serious investment in electricity delivery and reliability. In the area of the science and the basic sciences, we have made another serious investment.

I think that this is the kind of thing that the Appropriations Committee was created for—to make these decisions, make the necessary investments in the future of this country, and continue to build our infrastructure, protect our people, and provide the opportunity for us to be successful.

I urge passage of this bill.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Georgia (Mr. DEAL).

Mr. DEAL of Georgia. I thank the gentleman from Arizona. Mr. Speaker, in response to Mr. Frelinghuysen, unfortunately in opposition to this conference report, I want to point out to this body that something has been added in the original version from the other body that injects itself into something that I don't think the House committee and the Senate committee was thinking of. That is the Georgia-Florida water wars between Alabama, Florida and Georgia. Unfortunately, there is language here that directs the Corps of Engineers to calculate critical yields on the two major basins that flow through my State of Georgia and, in particular, involve the basins themselves and the reservoirs, the largest of which is Lake Lanier.

Now I do not think that the gentleman who is handling this bill or the Republican gentleman who is handling this bill has any intention of having this inject itself into a controversy that has been going on for decades in Federal courts and is still currently under appeal as a result of the latest decision. Now the effect of this is one of two things: since it directs the Corps of Engineers to within 120 days to calculate critical yields of the two major river basins, it will either be used for purposes of the ongoing litigation or it will be used as an argument for why human consumption should not be considered in the resolution of this issue between the three States, or among the three States.

Now I would hope that this body would not see fit to get involved in a fight that is going to be resolved, hopefully, by agreement of the Governors of the three States. My Governor has initiated an effort to resolve these negotiations, and we have had a response from at least the State of Alabama. We are hopeful that the State of Florida will respond accordingly. Ultimately, I think this issue will be resolved by the Governors reaching a conclusion and then bringing that conclusion to this body and to the other body and asking for us to incorporate it into the laws of this country.

Now I would hope that this body would not see fit to get involved in a fight that is going to be resolved, hopefully, by agreement of the Governors of the three States. My Governor has initiated an effort to resolve these negotiations, and we have had a response from at least the State of Alabama. We are hopeful that the State of Florida will respond accordingly. Ultimately, I think this issue will be resolved by the Governors reaching a conclusion and then bringing that conclusion to this body and to the other body and asking for us to incorporate it into the laws of this country.
Mr. SCOTT of Georgia. Mr. Speaker, I come down to concur with my colleague Mr. DEAL from Georgia. The water situation in our State of Georgia is dire. It’s a very delicate situation. We are working towards a very, very good response for the people of Georgia and for our region. We have had the court ruling. It’s very sensitive there. Our major concern—and again, this is with great respect to the chairman. He just spoke and we concur with that as well. But we need to be very careful that there is no language in the reporting language or in any of the studies that removes the words “for human consumption” for water. Because if the manuals are not constructed with the measurements by using water that is used for human consumption, that shoots right into our bull’s-eye because that’s why in metro Atlanta, in the Lake Lanier area where the point of the discussion is, we use that water for human consumption. So we would not want to make anything that would disqualify that. We are working with the Governors of both Florida and Alabama, jointly with our Governor of Georgia, to come to a conclusion. As you all may or may not know, the joint rule in the conference report, declared that it would be here in Congress that we would have to at some point reauthorize the water use of Lake Lanier and that region for human consumption. So this language would make it very difficult for us. So we certainly want to concur with that. I concur with Mr. DEAL and the folks in Georgia, and I would respectfully hope that our words would be taken within the spirit of understanding that we are to deliver those words. I thank the chairman for yielding.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I thank the gentleman for yielding. I want to stand with my colleagues about this language that was put in the conference committee report, and I am looking at the press release now: “Conference Committee Adopts Shelby Water Wars Amendment.” I just want to give a little warning to some other Members of this because, not only would the judges’ ruling about the Tallapoosa Basin and the Chattahoochee Basin—it also would make drinking water nonauthorized, and who would ever have thought we would have to authorize the ability for humans to have drinking water out of their water source, it also is going to affect 17 other States with approximately 42 Corps impoundments in their States.

If they do not believe that this will be used as a test case and a model for others to file suit with the Endangered Species Act or whatever for people taking unauthorized drinking water out of those water sources, they are very much confused. This bill needs to be defeated. This conference report needs to be defeated. We need to go back to conference. We need to get this language out. I hope that other Members in this body who have these impoundments located in their States understand the consequences this language could have for them if this conference report is not defeated. This is in your body, and it goes to the President’s desk for signing. Because if you don’t believe this isn’t going to be brought up in some of these court cases, you’re just fooling yourself. So I would like to ask the other Members to join me and my colleagues in voting against the conference report.

Mr. PASTOR of Arizona. Mr. Speaker, I just want to clarify that the Corps was wanting to do these studies, and defeating this conference report is not going to stop the Corps from doing these studies. I have committed to the gentleman from Georgia that we will work with him because we don’t believe that the consumption of water by the metro Atlanta or Georgia should play a role, and it should be a factor in these studies.

I now yield 3 minutes to my colleague from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. I thank the gentleman from Georgia, Mr. DEAL, and I want to thank the ranking member. This is a good conference report. This is a good piece of legislation. I think there are some sound investments in here. I wish some were more, but I think the stimulus and everything, we are moving in the right direction. We send about $750 billion a year to oil-producing countries. A couple of years ago the Department of Defense spent about $115 billion escorting big oil ships in and out of the Persian Gulf. We have got to get away from our dependency on foreign oil. We have got to get away from our dependency on these foreign countries that get us into all of these political entanglements.

I think that investments that are made are on solar energy ($225 million), biofuels, vehicle technology, hydrogen technology, energy-efficient buildings—for those of us who represent manufacturing States in the Midwest, this green economy is opportunity for us. We have manufacturing. We have great research and development institutions. This is an opportunity for us to revive the middle class in the United States of America through these green jobs. There was a time that the Midwest Governors meeting that is coming up, and it says, “Regional Report Endorses Clean-Energy Economy for the Midwest.”

Midwestern States should use their abundant natural resources and manufacturing base to build an economy based on clean energy.” And we have the opportunity to do that if we continue investing in research and development, especially coal.

There is one last point that I would like to mention. I hope that next year we can continue to push these energy hubs. Secretary Chu has made this a top priority. They’re modeled after the old Bell Laboratories. A variety of different universities are going to be involved in the research. They’re going to be able to collaborate and focus on the technologies that are working, not focusing on just getting money so you can go ahead and do that. This is a good piece of legislation. I want to thank the chairman. I would also like to thank the staff. I know a lot of work went into it.

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

Mr. PASTOR of Arizona. Mr. Speaker, at this time I yield 2 minutes to the distinguished gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. First of all, I would like to thank the ranking member and the professional staff of the committee. A wonderful job has been done, I think, dealing with and grappling with the whole set of issues. But in this $33.5 billion conference report, there are some very significant investments in energy efficiency and renewable energy, everything from solar to biofuels and hydrogen, weatherization grants. We are very, very pleased that they were able to produce that as part of this conference report.

But I also want to say that on the nuclear side, a continuing investment by the committee, some $787 million on a whole range of very important efforts related to nuclear energy so they can be safe and environmentally useful to us to continue to expand, both through the loan guarantee program but also through a number of other investments that are being made in the conference report. And to deal with the President’s commitment on nuclear non-proliferation, on the weapons side, a $2.1 billion investment.

I think that Congressman PASTOR, who has led this effort, and the staff have done a great job. We had a good process in negotiations with the Senate in our conference committee, which wrapped up yesterday. I encourage the House to favorably report this. I thank my good friend from New Jersey, who has served as the ranking Member and who has done an extraordinary job. This has been a bipartisan effort and is a bipartisan work product that I think moves the country’s priorities forward in terms of energy and energy efficiency. I recommend it to the House.

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

Mr. PASTOR of Arizona. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Speaker, I rise today in support of the Energy and Water conference report. By now I suspect all of the Members of the House understand the drought crisis affecting California, particularly in the heart of the
San Joaquin Valley, a large part of my district. If this drought continues for a fourth, fifth year, it could impact the entire State of California.

Among many of the items in this conference report are two amendments that my colleagues, Tom Bevill and I, have been fighting hard for on behalf of our farmers, farmworkers and farm communities who are at ground zero as it relates to this drought crisis. Communities are having 30 and 40 percent unemployment, the most difficult situation they've ever faced. In July, we offered an amendment to bring drought relief to the San Joaquin Valley by providing funding for two projects. The 2-Gates project and the Intertie project, both of these projects were on the back burner for years. They should have been already implemented. This administration is moving forward to put these into construction next year.

The second amendment addresses impediments to transfers. Transfers are critical during drought conditions, both regulatory and that by Mother Nature. This gives the Bureau of Reclamation the flexibility needed to facilitate, and much more needs to be done.

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

Mr. PASTOR of Arizona. Mr. Speaker, I yield an additional 30 seconds to the gentleman.

Mr. COSTA. I thank the gentleman from Arizona. This gives the flexibility for the Bureau of Reclamation to facilitate these water transfers. This year, we transferred over 6,000-acre-feet of water that was a critical lifeline. Much more needs to be done. I urge my colleagues to support these two amendments in this conference report. I thank the gentleman from Arizona for his efforts.

Mr. FRELINGHUYSEN. I am prepared to yield back the balance of my time, Mr. Speaker.

Mr. PASTOR of Arizona. Mr. Speaker, Tom Bevill used to describe this bill as the “all-American bill” because it meets the needs of America. I urge my colleagues to support it.

Mr. VAN HOLLEN. Mr. Speaker, I rise in support of the FY 10 Energy and Water Appropriations Conference Report, and I commend Chairman PASTOR and Ranking Member FRELINGHUYSEN for bringing this bipartisan legislation to the floor today.

The FY 10 Energy and Water Appropriations bill makes key investments that will drive America innovative, enhance our energy security, clean up our environment, reduce the threat of nuclear weapons and support our water infrastructure.

The conference report provides $4.9 billion to the Department of Energy’s Office of Science, $1.6 billion for basic energy sciences and $2.4 billion for applied research. These funding levels, when added to last year’s appropriations and this year’s stimulus bill, exceeded the goals of the America COMPETES Act and meaningfully advance our Nation’s innovation agenda.

The $2.2 billion allocated to energy efficiency and renewable energy represents a 16 percent year over year increase and, in conjunction with continued Title 17 Innovative Technology Loan Guarantee authority, will strengthen our energy security by accelerating our research, development and deployment of America's smart grid, and advanced vehicle technologies.

This legislation continues the Nation’s half century commitment to mitigating the environmental impacts of contaminated military and civilian nuclear sites by spending $6.419 billion for the Department of Energy’s Environmental Management programs to clean up billions of cubic feet of high level waste at various national defense sites. This legislation provides $9.072 billion to confront the global nuclear threat, including $2.1 billion in support of President Obama’s nuclear nonproliferation initiative.

Finally, the FY 10 Energy and Water bill designates $6.7 billion for the Army Corps of Engineers and the Bureau of Reclamation for priority water infrastructure, flood protection, and conservation projects. In that regard, I am particularly pleased with the inclusion of over $3 million for specific Chesapeake Bay restoration initiatives of particular importance to my congressional district and the rest of the Chesapeake Bay watershed.

Mr. CARDOZA. Mr. Speaker, I rise in support of the FY 2010 Energy and Water Development and Related Agencies Appropriations Act. I would like to point out two provisions of the conference report that address the water supply crisis in California’s San Joaquin Valley.

California is experiencing its third consecutive year of dry conditions. Our State’s water supply outlook is further exacerbated by the “regulatory drought” that has resulted from agency regulatory actions. The Endangered Species Act in particular has proven to be a significant constraint on pumping water out of the Delta. These cuts have resulted in significant restrictions on pumping water out of the Delta. These cuts were in addition to the many previous cuts that had already been imposed, including the Bay Delta Conservation and the Central Valley Project Improvement Act and other actions.

The combination of the drought and the regulatory drought has resulted in dangerously low reservoirs and a 10 percent water allocation to farmers in California’s westside. Over 400,000 acres of some of the world’s most productive farmland have been fallowed, resulting in devastating job losses and high unemployment—such as 40 percent in some cities on the westside.

It is crucial that the State of California and the Federal Government build new storage facilities and that we develop a better conveyance and water management system. In the meantime, it is important that the Departments to development programs that allow for flexibility as a means of achieving greater water supplies. There are two provisions that Mr. COSTA and I added to the House Energy and Water Appropriations bill that do just that.

First, the $40 million in CALFED funding provides the Bureau of Reclamation with the flexibility to use these funds to help fund crucial projects, such as the Two Gates Project and the Intertie Project. These provisions will help relieve some of the pressure on the water supply in the San Joaquin Valley of California. More funding is needed for these two projects as well as others, and this report provides a good start on a downpayment toward these projects and others that will help the Bureau, the State Department of Water Resources and our water district to move and transfer water in California to the people and farms that need it the most.

I urge my colleagues to support the clarification of the Central Valley Project Improvement Act of 1992, which clarifies that additional restrictions under the CVPIA on water transfers within certain areas of the Central Valley Project South of Delta are not required. Several years ago, the Bureau of Reclamation changed its interpretation of this statute, and began applying additional and cumbersome requirements to water transfers within the CVP unless they were within the same county. These restrictions on water transfers have prevented the transfer of water from one area to another and have created an impediment to efficient and practical water use. This amendment would clarify that water transfers between Friant and South of Delta agricultural service contractors can occur beyond county boundaries so that water districts within one county can transfer to districts outside the county.

Unfortunately, the House version of the Energy and Water Bill which provided for permanent clarification in the law was not included in this report. Instead, this language clarifying the water transfer provision is limited to a 2-year period. Senator FEINSTEIN, Mr. COSTA and I will be introducing a bill to make this transfer amendment permanent, and we look forward to bringing something to the floor in a short period of time.

Mr. PASTOR of Arizona. Mr. Speaker, I yield back the balance of my time, Mr. Speaker.
Mr. HOYER. I thank the gentleman for yielding.

On Monday the House will not be in session. On Tuesday the House will meet at 12:30 p.m. for morning-hour debate and 2 p.m. for legislative business, with votes postponed. On Wednesday and Thursday the House will meet at 10 a.m. for legislative business. On Friday there are no votes expected.

We will consider several bills under suspension of the rules. The complete list of suspension bills, as in the custom, will be announced by the close of business tomorrow. In addition to the suspension bills, we will consider H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009, the conference report on H.R. 2997, the Agricultural, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act of 2010, and the conference report on H.R. 2892, the Department of Homeland Security Appropriations Act of 2010.

Mr. CANTOR. I thank the gentleman. Mr. Speaker, I’d ask the gentleman if we could turn to the discussion of health care, and as the gentleman knows, he and I have been working this week, perhaps, I think, a discussion that could yield the ability for us to work together on the things that we agree on in health care. Obviously, the divide is great when talking about any type of government takeover of health care. But he and I have spoken about maybe there are some areas of agreement. And he and I have also talked about the fact that we could meet together and discuss that, and I look forward to hearing from him or his office to schedule that. And along those lines, I’d like to ask the gentleman what he expects the schedule to be towards bringing a health care bill to the floor of this House.

Mr. HOYER. First of all, let me say that, as far as I know, there is no premise that we want to pursue of a government takeover of health care, so notwithstanding the characterization, we don’t believe that what’s being proposed does that, any more than Medicare, from our perspective, was a take-over of the health care system. Having said that, we are working, as you know, as the press is reporting, on seeing what alternatives are available. There are three committee bills that have been reported this week, and Commerce Committee, had full markups, Ways and Means Committee, and the Education and Labor Committee. As you know, they differ in part, and so there are now discussions as to how you meld those bills together with the theory and intention of offering a bill from those three bills.

We would expect the Rules Committee, at some point in time, to effect that objective, as has been done in the past. Our expectation is that we will do that within the time frame that we’re able to do it; that is to say, there’s not yet a resolution of how that is accomplished, so we don’t have a time frame.
And we haven’t set a time frame, but we will do it when it’s possible to put forward.

Lastly, I would say to the gentleman, he and I talked earlier this week, as he pointed out, and I look forward to sitting down with him next week to see if there are some areas we can agree. If there are, we’d like to do that. And I think the gentleman has expressed his desire to do so as well. On the other hand, as we know, there are areas of substantial disagreement. It’s certainly not our view that we can start over again. It is our view that this matter has had over 90 hearings over the last couple of years; that we’ve had over 2,000 town meetings on this, and we’ve been real this at for over a year now, with very substantial discussions during the Presidential campaign from all candidates on both sides of the aisle, as to the fact that health care reform was necessary, and we believe the overwhelming majority of the American people will support that. Obviously, the details are the critical issue, and I look forward to pursuing discussions next week with the gentleman.

Mr. CANTOR. I thank the gentleman. And Mr. Speaker, I’d ask the gentleman, with the time I have, to the time I have, I will do, I understand that he’s indicated that there is no resolution as to exactly when a bill would come to the floor.

Mr. HOYER. If the gentleman will yield.

Mr. CANTOR. I yield.

Mr. HOYER. I do not expect a bill to be on the floor within the next 2 weeks, if that’s what the gentleman’s asking. I think we’ll have time to have discussions.

Mr. CANTOR. I thank the gentleman because I was going to ask about the Speaker’s commitment prior. So I thank the gentleman for that.

Mr. HOYER. If the gentleman would yield, I think what the gentleman has said is that he would expect a bill to be on the floor within the next 2 weeks, if that’s what the gentleman’s asking. I think we’ll have time to have discussions.

Mr. CANTOR. I thank the gentleman. Mr. Speaker, as to the scheduling of a bill dealing with sanctions on Iran, we’ve had discussions together on the floor and elsewhere regarding the Iran Refined Petroleum Sanctions Act. And Mr. Speaker, I’d say to the gentleman, that the gentleman now, in particular, I think time is of the essence that we act because, as we have seen over the last 10 days, Iran revealing its secret enrichment program, indicating, yet again, that the regime in that country refuses to comply with international law or the will of the world community.

So it is my sense that we should, and we can work together on this issue.

The gentleman had indicated last time we were engaged in a colloquy that he was going to meet with Chairman BERMAN of the Foreign Affairs Committee about moving that bill and bringing it to the floor. So I would ask the gentleman if he could tell us when he could expect that bill to come to the floor.

Mr. HOYER. Since I made that representation, I have, in fact, met with both not only Mr. BERMAN, the chairman of the Foreign Affairs Committee, but also Mr. FRANK, the chairman of the Financial Services Committee. As the gentleman knows, there are two sanctions bills. One is Chairman FRANK’s bill, which passed the House overwhelmingly last year, and provides authority to State and local governments to divest their assets from any company that invests $20 million or more in Iran’s energy sector. That is not as consequential, obviously, as Mr. BERMAN’s bill. Mr. BERMAN’s bill, as the gentleman knows, would not only impose sanctions on entities that sell refined petroleum to Iran or otherwise assist such sales to be banned from doing business in the United States. Obviously, that has real teeth to it.

As the gentleman also knows, Oct. 1, discussions are underway with Iran for the first time in a long time. Furthermore, significantly, the administration is working with our allies, certainly with, as the gentleman knows, the United States, but also engaged with Germany as well, and with Russia and with China, members of the P-5 plus 1, essentially, members of the Security Council plus Germany, on how we might respond to what the world has viewed as a violation of the U.N. resolutions and what Iran has been doing. The gentleman and I share a view that Iran’s process is unacceptable, that Iran’s pursuing of nuclear armed capability, weapons capability, is unacceptable and dangerous to the region and to the international community.

The administration shares that view, and therefore, with respect to Mr. BERMAN’s resolution, we are in contact with the administration, and Mr. BERMAN is prepared to bring that forward at a time when, based upon whatever may occur in the next week—I don’t want to put a time frame on it—a week or two, that might indicate that we can reach a bipartisan agreement on the toughening of sanctions that now exist, with the agreement, particularly of Russia. As you know, President Medvedev has made some pretty strong statements about Qom and the findings there, and what he believes to be Iran’s failure to keep the world informed and concerned about what Iran is doing, which was a positive sign.

But with those considerations in mind, I know that Mr. BERMAN is very focused on this and ready to bring a resolution to the floor at a time he believes is consistent with the administration’s trying to attain, with the international community, the strongest possible sanctions internationally, as well as our own sanctions.

Mr. CANTOR. I thank the gentleman. And I would only add that I believe I’m speaking for our conference here in indicating that it’s not necessarily what we want to do in terms of the delay, but it’s important to have the opportunity to sit with China and Russia to move the bill. I’m not saying the gentleman said that, but it sounded as if we’ve got to wait until there is some collective agreement on the world stage in order for Congress to act. The gentleman and I have agreed for a long time now, we, in this country, believe very strongly of standing up against the regime in Iran. It has an impact on our allies across that region in the world and particularly for us here at home. So I would encourage the gentleman by telling him that our side stands ready to want to help with moving that bill.

Mr. HOYER. If the gentleman would yield, I appreciate that, and I am confident that, as the gentleman points out, once we’ve got the bipartisan and overwhelming fashion on this bill. But I want to make it very clear: We don’t have to wait for anybody. Having said that, the judgment of the chairman, in concert with the administration, and I think he made a point to see what developments occur in the very near term. And I think that’s what I meant. Hopefully that’s what I said. The gentleman’s accurate; we don’t have to wait, certainly for Russia or for China or for anybody else, to take the action we deem to be appropriate.

Mr. CANTOR. I thank the gentleman. Mr. Speaker, as the gentleman knows, there is a very important debate occurring in our country right now regarding our position towards the commitment we’ve made in Afghanistan. And it’s clear that the Republicans believe, as I’m sure the gentleman does, that this Congress must be devoting attention to this important national security of the United States and our interests in that arena, as well as abroad. And I’d like to ask the gentleman, Mr. Speaker, whether he, in his leadership, will call on General McChrystal to testify before Congress as soon as possible. And I’d note, as the gentleman well knows, that Chairman SKEWTON has been reported to have made such requests of his leadership.

Mr. HOYER. As the gentleman probably knows, I have asked General McChrystal ought to come to the Congress and testify, not only before the committees, but perhaps brief a bipartisan session. I don’t mean an address to it, but a bipartisan briefing, either in the Armed Services Committee or on the floor here or in the auditorium. I think that’s appropriate. As the gentleman knows, the President has been involved in very extensive consultation with the Cabinet members that deal with the national security issues. General Mullen of the Joint Chiefs, Admiral Mike Mullen; General Jones, the National Security Advisor; Secretary Clinton; the Vice
President and others who are dealing with this issue. I yield.

Mr. HOYER. I thank the gentleman for yielding.

And he’s correct: we do have a different perspective on this. Of course, the gentleman supported economic policies in 2001 and 2003 that produced the worst job performance of any administration since Herbert Hoover. We lost 3.1 million jobs in the last 14 months of the Bush administration, lost an average of 680,000 jobs during the last 3 months of the administration that President Obama was faced with.

We acted decisively and boldly, in my opinion, under the President’s leadership. In point of fact, we reduced the average of some 680,000 in the last 3 months of the Bush administration to, over the last 3 months, 350,000 and only 216,000 jobs lost. I say “only.” That relates to 741,000 jobs lost the last month of the Bush administration. That is a half a million fewer jobs. It’s not where we want to be, but it is certainly a lot better.

Many economists in our party and, frankly, in your party, Mr. Zandi we refer to, estimate that we have over a million jobs more than we would have had we not passed the Recovery and Reinvestment Act. There has been a 1.3 percent rise in consumer spending in August. It was the biggest increase since the 2.8 surge in October of 2001. The Labor Department released a report last week showing that during the previous week, the number of newly laid-off workers seeking unemployment benefits fell for the third straight week, evidence that layoffs are continuing to ease at the earliest stages of the economic recovery.

Without going into a lot more statistics, we do have a substantive difference as to whether or not our economy is getting better. The good news, from my perspective, is most economists agree with us that we’re bottoming out, that we’re starting to come up. We’re going to have unemployment figures tomorrow that will be announced. Hopefully, they’re down even further.

The stock market, I tell my friend, in the Recovery and Reinvestment Act, he thinks hasn’t worked is up from about 7,200–7,300 up to about 9,700. I will tell you that every American that opens their 401(k) or retirement plan thinks that progress has been made. I know I do when I open mine. I am very pleased to see that.

So we do differ. We differ not only on the success of the economic plan that was pursued for 8 years that led to the now 75 years. And he’s correct: we do have a difference in what we believe.

I will tell you that every American that has had their 401(k) or retirement plan think that progress has been made. I know I do when I open mine. I am very pleased to see that.

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

There was no objection.

THE STIMULUS PACKAGE HAS BEEN PRODUCTIVE

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)
Mr. YARMUTH. Mr. Speaker, we just had a question raised as to the effectiveness of the stimulus package in creating jobs. Well, I know that Mr. CANTOR from Virginia tries to criticize the package for not being productive, but you won’t convince the members of my district of that.

In my district alone, according to the school district, 150 teaching jobs were saved; we are beginning construction on a new facility for our transit system, putting 80 new jobs on the street. Most importantly, we had an announcement from GE, General Electric appliance park, that they are moving a unit back from China building revolutionary environmentally advanced water heaters creating more than 400 new jobs in my district. That’s the result of stimulus money being used for an incentive.

And, finally, we’ve seen housing gains for the first time in a year of 10 percent in both July and August due to the first-time homebuyers’ credit that was part of that stimulus package.

So when the American people wonder whether that stimulus package, which is still in its infant stages—20 percent, at most, of the money’s gone out—you can look at Louisville, Kentucky, and I’ll give you evidence that the stimulus package is working and creating jobs.

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

Mr. DUNCAN. Mr. Speaker, Bjorn Lomborg, one of the world’s leading environmentalists, wrote in Monday’s Washington Post these words: “Today, coal accounts for almost half of the planet’s electricity supply, including half the power consumed in the United States. It keeps hospitals and core infrastructure running, provides warmth and light in winter, and makes lifesaving air-conditioning available in summer. In China and India, where coal accounts for more than 80 percent of power generation, it has helped to lift hundreds of millions of people out of poverty.”

“‘There is no doubt that coal is causing environmental damage that we need to stop. But a clumsy, radical halt to our coal use—which is what promises of drastic carbon cuts require—would mean depriving billions of people of a path to prosperity.”

“To put it bluntly: despite their good intentions, the activists, lobbyists and politicians making a last-ditch push for hugely expensive carbon-cut promises could easily end up doing hundreds of times more damage to the planet than coal ever could.”

I wish Mr. Lomborg had heeded those words of this environmentalist because if we drastically cut back on coal, we’re going to hurt millions of poor people in the process.

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

Mr. COHEN. Mr. Speaker, this week in Congress will be ending, and I have some interesting experiences to relate.

In Transportation Committee today, we had a hearing and one of our former Members is now the Secretary of Transportation, Ray LaHood, a Republican member from Illinois. Secretary LaHood reported to the committee that the ARRA is working, that much of the money has been spent or utilized in plans by State governments and that lots of employment has been made on building of roads and bridges and airport improvements and on rail programs around the country, that people are going back to work.

I also have an opportunity on Tuesday to address the National Institutes of Health, which I plan to do with other colleagues. President Obama announced that $5 billion has been spent on cancer research through NIH. I offered an amendment to the ARRA in the House for a $10 billion improvement. That didn’t make it through the House, but a similar proposal made it through the Senate. It will be interesting to see where those monies are creating jobs and finding cures for cancer and other catastrophic illnesses like Parkinson’s, diabetes, and Alzheimer’s.

The ARRA is working.
laws is critical for the survival of our cultural diversity.

HEALTH CARE REFORM

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

Ms. DE LAURO. Mr. Speaker, everyone here knows that we have spent the past several months working to craft legislation that will bring much-needed health insurance reform to the American people. Costs and premiums are spiraling out of control, and more and more families, working families, are being priced out of health insurance.

While Democrats have debated the best way to produce a reform package that will cut costs and ensure quality and affordability, our colleagues across the aisle have been playing hookey with their responsibilities to the American public.

It has been over 100 days now since Congressman Blunt told us his party would be offering an alternative health reform bill. We've heard nothing yet. Representative Cantor recently suggested to a constituent that she find "charity care" for an unemployed family member in need of surgery. Find a charity? Is that the full extent of Republican health care reform?

I ask again, where is the GOP plan for health insurance reform? Or is it just to maintain the status quo?

IN PRAISE OF THE "BUDDY WALK"

(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. Mr. Speaker, I rise today to praise the "Buddy Walk" held this Saturday in State College, Pennsylvania. It is sponsored by the Centre County Down Syndrome Society. The society exists to be a resource for families with a child with Down syndrome and for those who are expecting a child with Down syndrome. Their goal is to educate friends, relatives and even communities that individuals with Down syndrome are energetic, capable and loving people who play, work and go to school just like the rest of us.

The statistics on their Web site change some of the preconceived stereotypes many people have. For example, half of all Down syndrome children go to mainstream school classes, one out of every five plays a musical instrument, and three out of five know how to operate a computer.

I am a member of the Congressional Down Syndrome Caucus who supports legislative activities that would improve Down syndrome research, education, treatment and promote public policies that would enhance the quality of life for those with Down syndrome. The Centre County Down Syndrome Society does a great deal to educate people that those with Down syndrome do lead productive lives, and they deserve to be commended.

POLANSKI EXTRADITION

(Mr. Daniel E. Lungren of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LUNGREN. Mr. Speaker, the laws of the United States should stand for all. No one is above the law, whether it is the criminal laws or the extradition laws. That's why I wonder why some of the Republicans in this House tell us that Roman Polanski should not be subject to the laws of the United States, the State of California or the international law that recognizes extradition.

What is it that suggests that fame excuses criminal conduct? What is it that allows some people in our society to say that a rape is not really a rape, or to suggest that because someone is a great film director that therefore they ought not to be brought to the bar of justice?

Thirty some years ago in the State of California, a crime was committed. Thirty years ago, someone admitted to that crime, and 30 some years ago, that person did not show up when his sentence was to be given to him. And now it is time for the laws of the State of California and the United States and international law to be followed.

Mr. Polanski should come home, and he should meet his justice.

AMERICAN TROOPS IN AFGHANISTAN: COMMIT 100 PERCENT OR GET THEM OUT

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

Mr. GOHMERT. Mr. Speaker, we know that in the 1960s and 1970s we committed our troops to Vietnam. But after we found out at the end of the war, after 2 weeks of constant carpet bombing of Hanoi, it was leaving the Hanoi Hilton, he was told, You silly Americans, if you'd kept bombing us for 1 more week like that, we would have had to surrender unconditionally.

The message of Vietnam should be either commit 100 percent or get out. Don't leave people out there to die without full commitment.

Now we have people on the left saying, get out of Afghanistan now. We have people on the right saying, do whatever it takes to win. And I'm here to say, Mr. Speaker, the President should not keep going on talk shows and going around the world while he has a report that he can do. He needs to commit 100 percent to the war in Afghanistan, give them everything they need, or get out now.

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.

IT'S TIME FOR MORAL LEADERSHIP IN AFGHANISTAN

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

Ms. WOOLSEY. Mr. Speaker, President Obama has often said that America must restore its moral leadership in the world. He took a very important step toward doing that last week when he spoke at the United Nations. In his speech, the President called for a new era of engagement and diplomacy. He called for international cooperation to address such critically important issues as nuclear nonproliferation, climate change and economic recovery. He took a step away from the abuse of torture and his decision to close Guantánamo as examples of America's new desire to abide by the rule of law.

I welcome the President's words. They show that Obama is committed to peace and human rights. Those are the foundations of moral leadership. But now the President is facing the greatest test of his moral leadership as he reviews his strategy in Afghanistan.

The generals are urging him to pour in more troops. I'm sure there are others who are telling him to escalate the fighting just so he can look "tough on terrorism." But as the President makes his next decisions about Afghanistan, I would urge him to make the tough choices. I would urge him to base his decision-making on the following facts: the American people do not believe the war in Afghanistan is worth fighting and want to see the numbers of troops there. Sending in more troops will cause the Afghan people to see us as occupiers. And history has told us that the Afghan people always resist foreign occupations and always succeed.

America cannot afford to pour billions of dollars more into a futile occupation when we are going through the worst economic crisis of the past 70 years. We cannot, in good conscience, ask our brave troops to take more casualties without a clear mission, and we don't have one. We cannot ask our military families to continue to sacrifice when they have already suffered so very much.

And finally, we have no exit strategy. After the disaster of Iraq, the American people will not stand for another endless foreign occupation, one that will cost many lives and not make our country any safer.

Afghanistan is a difficult problem, but the President still has good options. He can order the Pentagon to develop a troop redeployment plan and a timetable for withdrawal. At the same time, he can be bold and shift to a new mission that will be far more likely to succeed because it will actually have the support of the Afghan people.
This new mission in Afghanistan would include economic development, education, infrastructure, humanitarian assistance, better governance and improved local policing and intelligence to hunt down extremists. This is what the Afghan people want from America so that they can have hope for a better future and reject violent extremism.

Mr. Speaker, President Obama deserves credit for reviewing his decision earlier than expected to send more troops to Afghanistan. He is showing political courage, and he is showing an open mind by considering other alternatives. I urge him to choose a new course, one that will make our country proud and the world a much safer place.

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

Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.

HEALTH CARE REFORM

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

Mrs. CAPPs. Mr. Speaker, for 60 years our country has been trying to come up with a better way to deliver health care. Despite the lingering differences of opinion over how to achieve this goal, we really have come along further than we ever have before.

We all agree we need to put an end to insurance companies’ most egregious practices. We need to lower the costs of health care for everyone. We need to better incentivize preventive and primary care.

These are all accomplished by the bill which has now passed out of our three House committees. Of course, it’s much more interesting for the media to talk about the few areas where disagreements still exist rather than the accomplishments we have made so far. But the legislation before us means so much more security for America’s hardworking families.

Right now, when you lose your job, it can mean your entire family loses access to health insurance. And if you are unfortunate enough to have a pre-existing condition, which in some States can be defined as having been the victim of domestic violence, then you may not qualify for any affordable health insurance coverage. Worse yet, when you buy health insurance on the individual market, there is a team of people ready to comb through your records to find a reason to drop you if you are ever diagnosed with a condition that is costly to treat. Now a few States have protections against these practices. But don’t we agree that all Americans deserve access to these protections?

Ironically, my colleagues on the other side of the aisle have often touted a supposed “solution” to our health care troubles by allowing insurers to sell across State lines. If anything, their proposal would essentially allow insurance companies to continue their very worst practices because insurers would simply begin a race to the bottom. They would move their operations to whichever State affords the least consumer protections and sell those policies across State lines.

I am opposed because I come from California, a State with some of the strongest consumer protections from health insurance company abuses. Here are some examples: California law requires that insurers cover a minimum stay in the hospital after a mastectomy. Our neighboring States of Nevada and Arizona do not. California law requires that patients have the right to appeal decisions by insurance companies and receive an external review. Idaho does not. And California has stricter laws defining what may and may not qualify as a preexisting condition. In Florida and Georgia, there are no definable conditions that insurers may classify as “preexisting,” which means that a pre-existing condition could mean pretty much anything.

So to my friends on the other side of the aisle who believe that selling insurance across State lines will solve all of our problems, I remind you that your suggestions with the opposite. It would strip away vital consumer protections that exist for many patients now at the very time our focus needs to be on increasing consumer protections for American families.

We also agree that we need to lower costs. I’m very heartened by provisions in this bill that will achieve this shared goal.

For seniors, we’re taking immediate steps to reduce their prescription drug costs by closing the doughnut hole. Since the rollout of Medicare part D, my constituents and seniors across the country have begged for relief from the doughnut hole. The doughnut hole is the period of time during which you pay an insurance company to not cover the cost of your medications. I have objected to this policy from day one. Under our plan, seniors will see relief immediately. As we begin to close the doughnut hole, prescription drugs will be available at deep discounts. Eventually, the doughnut hole will disappear completely. This is the relief that America’s seniors need, and we all can agree that they deserve it.

We will bring down costs by introducing a public option to compete with private insurers. Currently, private insurance companies have every reason to increase costs for patients and to reduce reimbursements to physicians in order to line their pockets.

Why? Because there’s no competition. There’s no one else in the market offering consumers a choice. But the public option will finally bring greater choices to consumers in the individual insurance market. Once that happens, premiums will become more affordable as insurers compete for customers. Insurance companies will be enticed to reimburse physicians better in order to retain them in their networks. The necessity for more affordable choices is something we can all agree on.

We can also agree that we need to do a better job of improving preventive care and giving the people the tools they need to be more personally responsible for their health and well-being. As a public health nurse, I spent decades educating people about the importance of adopting healthy habits. But too many people in this country don’t have access to primary care and never see a health professional until an otherwise preventable disease has worsened. How tragic is this?

H.R. 3200 encourages better primary and preventive care. It does away with the worry for preventable increases in primary care service reimbursements under Medicare and Medicaid. It makes smart investments in community-based prevention and wellness programs. These are the things we can all agree upon.

I urge my colleagues to join me in enthusiastically supporting H.R. 3200, supporting these principles on which we all agree.

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.

YEMEN

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

Mr. WOLF. I want to talk about an issue dealing with our national security. CNN reported this morning that the security situation in Yemen is rapidly deteriorating, making a dangerous new haven for al Qaeda and terrorists.

This report is just the latest in a series of warnings about the security situation in Yemen. Earlier this week, Time magazine reported that “two-thirds of the country is out of government control,” and that “al Qaeda is turning the lawless mountain areas of Yemen into a new staging area.”

According to press reports today, U.S. counterterrorism officials believe that al Qaeda’s “presence in Yemen threatens to turn the country into a dangerous base for training and plotting attacks.”

In September 2008, al Qaeda terrorists in Yemen attacked the U.S. Embassy with vehicle bombs, killing 10 guards and civilians. Since that time, al Qaeda’s posture in Yemen has grown...
stronger with the merger of the Saudi and Yemeni arms of al Qaeda into one group—al Qaeda in the Arabian Peninsula—with Yemen as its base for training and operations. We have seen the consequences of these developments. Last August, a Yemeni al Qaeda loyalist detonated a suicide bomb in an attempt to kill Saudi Prince Mohammed bin Nayef. He was able to gain access to the prince by pretending to be an al Qaeda defector before the explosion took place. Despite this deteriorating situation, it was reported—and it’s hard to believe—in Reuters on Monday in an article I’m submitting for the Record that at least some detainees from Guantanamo Bay have been released to Yemen—released to Yemen, where you can’t control the country—and at least 26 others have been cleared to return, according to a list at the detention facility posted in Arabic and Pashto.

What kind of policy is this that the detainees—some who have killed American citizens—at Guantanamo Bay have a list of those that are being released, but not one Member of Congress or the American people know anything about it and are kept in the dark?

Most of these detainees were captured in Afghanistan and Pakistan in 2001 and 2002. They have spent 8 years living among the most dangerous terrorists in the world, including Khalid Sheikh Mohammed, the mastermind of the 9/11 attacks and who beheaded Daniel Pearl. In an attempt to meet this self-imposed deadline to close Guantanamo Bay next January, Eric Holder and the administration are prepared to release perhaps a third of its cleared detainees to Yemen, a dangerously unstable country that is clearly unprepared to accept and monitor and rehabilitate these detainees.

Given that more than 15 percent of released detainees have returned to terrorism, this release will have a dangerous consequence for the American people. It’s not enough to see that there will be an article in the paper several months from now that somebody who was at Guantanamo, from Yemen, released by Eric Holder, goes back to Yemen and kills an American citizen or is involved in an act of terrorism.

Combined with al Qaeda’s growing strength and presence in Yemen, this release is concerning. As our State Department noted in its 2008 Country Reports on Terrorism, “The security situation in Yemen deteriorated significantly over the past year as al Qaeda and Yemen increased its attacks against Western and Yemeni Government installations and institutions.”

What is Eric Holder and the Justice Department—what are they thinking about? Surely, there must be a better solution, one that won’t release detainees from Guantanamo who are involved in activities against American military personnel, who have served time with Khalid Sheikh Mohammed, to send them back to Yemen.

Earlier today, I wrote Attorney General Eric Holder to urge that no additional detainees be released to Yemen or other unstable countries. The deadline to close Guantanamo Bay is no excuse to expedite the release of Yemeni detainees, especially if the country, as it is, is unable to take responsibility for them. The decision to release the detainees requires due diligence. It cannot be undone.

While we may have a difference of opinion on how best to deal with the situation in Yemen, I think, in my opinion, I hope, I believe that we can all agree that a rush release of terrorist detainees, people who have served with Khalid Sheikh Mohammed, should not be released back into Yemen when it is so destabilized.

What is this Obama administration thinking? What is Eric Holder thinking? I urge Members of Congress to have hearings and for Eric Holder to cease and desist any returnees back to Yemen.

[From Reuters, Sept. 28, 2009]

OBAMA TEAM CLEARS 75 AT GUANTANAMO FOR RELEASE

(MIAMI) — An Obama administration task force has so far cleared 75 of the remaining 223 Guantanamo prisoners for release as part of its effort to close the detention camp, a military spokesman said on Monday.

The review team is examining each prisoner’s case to decide who will be held for trial and who can be sent home or resettled in other nations.

President Barack Obama had set a January 22 deadline to shut the detention camp although Defense Secretary Robert Gates told ABC News in an interview broadcast on Sunday that “it’s going to be tough” to meet the deadline.

As the review team makes its decisions, military officials at Guantanamo post an updated list in the camps to let the prisoners know how many from each nation have been judged free to go.

It was an opportunity to just provide better communication,” said Navy Lieutenant Commander Brown of the Guantanamo detention operation. “There’s a lot of information out there and you get a lot of things from a lot of different angles. It helps limit it in a more succinct context for them.”

The prisoners are well aware of Obama’s announcement that the camp would be closed and have heard piecemeal information from their lawyers and relatives during phone calls arranged by the International Committee of the Red Cross, he said.

The list that includes Afghani and English. The latest list of 78 prisoners includes two Uzbekis sent to Ireland and a Yemeni returned to his homeland on Saturday, an indication that some progress is being made in thinning the camp population of those who are not considered a threat.

“We are not focused on whether the deadline will or won’t be met on a particular day,” White House spokesman Robert Gibbs said. “We are focused on making the most progress that is possible.”

Some on that list are one of the 30 ordered freed by U.S. courts but still awaiting transfer, including 13 Chinese Uighurs. The Pacific island nation of Palau has agreed to accept most of them.

Also on the list are 26 other captives from Yemen, nine from Tunisia, seven from Algeria, four from Syria, three each from Libya and Saudi Arabia, two each from Uzbekistan, Egypt, the West Bank and Kuwait, and one each from Azerbaijan and Tajikistan.

Most were captured in Afghanistan and Pakistan after U.S. troops invaded Afghanistan in 2001 to oust al Qaeda in response to the September 11 hijacked plane attacks on the United States.

OBAMA TEAM CLEARS 75 AT GUANTANAMO FOR RELEASE

Dear Mr. Chairman,

I urge you to reconsider any pending or future releases of detainees, particularly in light of the country’s deteriorating security and growing al-Qaeda presence. Earlier this week, Time magazine reported that ”a number of two-thirds of the country is out of government control,” and that “al-Qaeda is turning the lawless mountain areas of Yemen into a new staging area.” According to an AFP report today, counter-terrorism officials believe that al-Qaeda’s presence in Yemen threatens to turn that country into a dangerous base for training al-Qaeda terrorist cells and planning attacks.

You will recall the September 2008 al-Qaeda attack on the U.S. Embassy in Yemen using vehicle bombs, rocket-propelled grenades and automatic weapons to mount a coordinated assault, killing 10 guards and civilians. Since that time, al-Qaeda’s posture in Yemen has grown stronger with merger of the Saudi and Yemeni arms of al-Qaeda into one group—al-Qaeda in the Arabian Peninsula—with Yemen as its base for training and operations.

We have seen the consequences of these developments. Last August, a Yemeni al-Qaeda loyalist detonated a suicide bomb in an attempt to kill Saudi Prince Mohammed bin Nayef. He was able to gain access to the prince by pretending to be an al Qaeda defector before the explosion took place.

While I continue to be troubled that, according to the Reuters report, the detainees at Guantanamo Bay currently have more information about their release than do members of Congress or the American people, it is of particular concern that detainees who have spent the last eight years living among the most dangerous terrorists in the world, including Khalid Sheikh Mohammed, the mastermind of the 9/11 attacks and who beheaded journalist Daniel Pearl, would be released back into countries with a strong al-Qaeda presence.

Such a disposition is only adding kerosene to a fire.

Although we have clear differences of opinion on how best to deal with the situation in Guantanamo Bay, I think we can both agree that a rushed release of terrorist detainees to countries with a strong al-Qaeda presence is an America’s best interest. I urge you to halt all transfers of detainees to unstable countries, including Yemen, Afghanistan, and Algeria, until evidence is provided that the detainees can be properly received and monitored in the receiving country.
I look forward to your response, as well as your responses to my letters to you dated March 13, April 23, May 13, June 8, July 7, July 10, July 17, July 22, and July 31. Please do not hesitate to contact me or my staff member, Thomas Culligan.

This is very important for the safety of our country.

Sincerely,

FRANK R. WOLF,
Member of Congress.

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

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

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

(Mr. SCHIFF 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 Virginia (Mr. FORBES) is recognized for 5 minutes.

(Mr. FORBES 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 Illinois (Mr. PENCE) is recognized for 5 minutes.

(Mr. PENCE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

H.R. 3611, the LIMITS ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 60 minutes as the designee of the minority leader.

Mr. GINGREY of Georgia. Mr. Speaker, I thank you, and I thank my leadership for allowing me to take this Special Order hour to discuss what has certainly become the most important issue that has been going on in this Congress over these last couple of months, and that is the issue of health care reform or, as the Democratic leadership and the President himself have rephrased that now, reform of our health insurance industry, rather than reform of our health care system. But we're going to spend a little time, Mr. Speaker, talking about where we are with regard to this and what are some of the alternatives. Particularly from our side of the aisle, we are often criticized, I think unjustly, about being the party of opposition without having any sufficient alternative ideas to present. In other words, the accusation of being "the party of no."

My colleague from Georgia, Mr. Speaker, is here with me on the floor today, this afternoon, and he and I laugh about that a little bit. We both agree, yeah, we are the party of "know"—it's spelled K-N-O-W. So I would like to take this opportunity to share with our colleagues on both sides of the aisle just who we know and what are some of those suggestions with regard to health care reform or, indeed, health insurance reform, that
the minority, loyal minority wants to present.

We want to make sure that our President, who said his door is wide open as he spoke to the Nation from right here, from your seat, Mr. Speaker, a couple of weeks ago, saying, Look anybody—whether it be from the Republican Party or doctors out across the Nation or some of the many men and women who have attended these town hall meetings throughout the month of August—if you’ve got ideas, bring them to me. My door is always open.

Certainly we have tried to do that, Mr. Speaker, in the way of writing letters, making calls to his staff and to say to the President, We do have some good ideas. Mr. President. In fact, just today within the last hour and a half, a group of physicians from across this country—they call themselves the Million Med March group, were here out on the Mall, talking about this be very issue and bringing ideas. Yes, there were some physicians. Members of the House with them to speak to the group that had a symbol. It is a grassroots effort, and there are lots of ideas, Mr. Speaker, Mr. President, Mr. Majority Leader, I say to Ms. Pelosi, the Speaker of the House, today. And there are lots of good ideas, and we want an opportunity to be heard.

So we are going to take this next 45 minutes or so to talk about some of these ideas that are coming from Georgia is not only a colleague here and a fellow Georgian but also a fellow physician. And while I specialize, Mr. Speaker, in OB/GYN, Dr. PAUL BROUN from Athens, Georgia, his specialty is family medicine, primary care. You talk about somebody whose voice needs to be heard, and I hope the President will also acknowledge the fact that Dr. BROUN has some great ideas. I will yield to him right now and hear some of those ideas as we colloquy and so forth.

Dr. BROUN, thank you for being here, and I would like to yield to you.

Mr. BROUN of Georgia, Dr. GINGREY, thank you so much for yielding to me. I, indeed, went down to the park where all these physicians were. I know Dr. GINGREY and our colleague Dr. Tom PRICE, also from Georgia, was at that same meeting with the physicians. This was a group of physicians from all over the country that are concerned about ObamaCare, about the direction that they perceive that the Congress is going. They see H.R. 3200, the ObamaCare bill here in the U.S. House, as well as the bill that MAX BAUCUS has over in the U.S. Senate, as being a tremendous attack on their ability to practice medicine, to be able to make the decisions along with their patients of how health care is delivered within their offices and how they can deliver surgery, prescriptions, and the tests and procedures that they need.

I think they’re exactly right. Dr. GINGREY, I know you spoke with them before I did. But Mr. Speaker, when I was down there, I spoke to these physicians, and I told them that they and their patients around this country are what’s going to stop this steamroller of socialized medicine that’s going on in here in the House of Representatives. I told them that if we generate a group of doctors all over this country to ask particularly the leadership here in the House and the Senate, as well as the President to open up this process, to listen to all of the second opinions that Dr. GINGREY and others are putting forward.

I know you are going to talk a little while tonight about your health care bill of rights and the 10 Prescriptions for a Healthy America. I applaud you, Dr. GINGREY, for bringing this forward, but the only thing’s that’s going to slow down this process of the Federal Government taking over the health care system is the “We the People.” The Constitution of the United States starts off with three very powerful words and in many cases we’re supposed to be representatives, not rulers, and we, the people, need to stand up and say, Whoa, this is an issue that is too important to rush through. We should not have any deadlines. The Speaker of the House talked about getting them about trying to get a bill on his desk before Thanksgiving. This is too complex of an issue to rush it.

What we, as physicians here in Congress, are trying to do is to offer a second opinion. There are many, many opinions that Republicans have introduced. Dr. GINGREY, you have been very instrumental in fostering the idea of health information technology, digitizing electronic medical records and that sort of thing, which would help save money. We have to find a way to lower the cost. In my private practice of general medicine, I couldn’t afford to buy health information technology for my patients. We’ve got to lower the cost of that, but we have got to lower the cost of everything in health care.

The Republicans have many ideas. I, as well as you and the other people on our side, want to see us open the process so that all the ideas are put on the table, and unfortunately, neither the President nor Speaker PELOSI are allowing that to happen. The American people just need to stand up and say “no” to ObamaCare. Let’s put these ideas that are very well-thought-out, find ways to lower the cost of health care without creating a big Federal debt, which ObamaCare, H.R. 3200, will do. The President said it wouldn’t, but that was not true. He also said that it would not give free health care to illegal aliens, and that is not true. A lot of things that he said that night were not true. In fact, the only person who said the truth that night in that speech was JOE WILSON, our dear colleague from South Carolina.

But the truth is, the American people are in charge. That’s what I told the doctors, Mr. Speaker, when I was down there is that the physicians in this country and everybody who is concerned about where we’re going in health care—and particularly the elderly—need to say no to this H.R. 3200, which is going to be disastrous for everybody. And let’s open up the process, and in a bipartisan way, in a bicameral way, let’s get it all together. Let’s find some commonsense market-based solutions that lower the costs for health care.

And in doing so, let the doctor-patient relationship dictate how health care decisions are made, not through some government bureaucrat, as in the House bill right now. The ObamaCare bill here in the House will put a government bureaucrat between a doctor and a patient. Let’s find ways of lowering the cost of medicine in the drugstore. Let’s find ways of doing the things that make sense economically without stealing our grandchildren’s future. We can do that, and we can do that in a bipartisan way if the leader of the minority, loyal minority wants to bring ideas. Yes, there were some physician Members of the House, as well as the bill that MAX BAUCUS introduced. I applaud everything that you’re doing.

Mr. GINGREY, I applaud your effort, because you’ve been a leader, right on the forefront in this process of trying to offer second opinions. You’ve been a leader, and you a leader of the Republican Doctors Caucus, and we are offering many second opinions. Republicans are the party of K-N-O-W. We know how to solve the health care financing crisis here in America. We know how to stimulate the economy without creating a bigger government and without bailing out Wall Street. We need to bail out Main Street. Republicans are the party of K-N-O-W. We know how to stimulate the economy without creating a bigger government and without bailing out Wall Street. We need to bail out Wall Street. We need to bail out Main Street.

So we are the party of know. We have got about 10 physicians and medical personnel who are a part of the Republican Doctors Caucus, and we are offering many second opinions, really. So Dr. GINGREY, I applaud your effort. I applaud everything that you’re doing. You’re chairman of the House of Representatives.

Mr. GINGREY of Georgia. I thank you for what you’re doing.

Mr. Speaker, Dr. BROUN brings up a couple of points that I think we need to elaborate on. He mentioned two things.
He mentioned the need for electronic medical records, and he also mentioned the need for medical liability reform. Mr. Speaker, these are two things that the President has said. In fact, in his speech to the Nation a couple of weeks ago from this Chamber, he mentioned both things. Of course there is money set aside in the stimulus package, the American Recovery Act 2009, toward electronic medical records. But what physicians know which maybe a lot of Members of Congress don’t know, don’t have the kind of way of knowing, is what are the impediments to practicing medicine and to getting fully integrated in an electronic medical records system.

Even though doctors realize that it would save time, it would save money—most importantly though, it would save lives with regard to electronic medical records—it’s something that’s very expensive. It’s like trying to—you know, your old jalopy car is falling apart, and you need a new car. Let’s make that analogous to this old medical records, keeping paper records, charts where records are falling out all over the place, and you can’t find things in a timely manner when the patient maybe comes in with an emergency condition.

That’s the old car. The new car, of course, would be a laptop or a notebook computer that you go into the exam room or go over to the emergency room, and you’ve got it, and all of a sudden you just with a punch of a key, you have that entire record of the patient. Maybe the patient happens to be a patient of an associate or a partner that you’re covering for. But that information is there, and it’s accurate. Well, that’s the new car. Unfortunately the cost of the new car, the sticker shock, a lot of times is going to keep people driving the old jalopy that’s polluting the Nation and putting people at risk—in this case, patients at risk.

I heard the President of the United States say we are in a crisis; we’re losing 14,000 people every day; 14,000 people are losing their health insurance. Well, Mr. Speaker, the reason for that is because they’re losing their jobs. And I think, yes, they have a concern about health insurance, but they also have a great concern about feeding their children and clothing them and providing shelter and housing for them. And then, of course, let’s make sure that they get affordable health insurance.

Again, it’s all about priorities. I think that we can do this, and I think we can do it without spending $1.5 trillion over the next 10 years or $2.5 trillion over the next 15 and running up an additional at least $250 billion worth of red ink and long-term debt. We can do it by adopting electronic medical records.

We also can save, Mr. Speaker, a tremendous amount of money by medical malpractice reform, medical liability reform. The President has acknowledged it. He said it to the AMA at their convention back in June. He said it again right from this dais 2 weeks ago when he spoke to the Nation. He has acknowledged the need. He has said, if you’ve got an idea on either one of these things, medical records, medical liability reform, my door is open, I want you to call me. I want you to come see me.
Well, we are trying, Mr. Speaker and my colleagues, and we will continue to try because I believe the President. I take him at his word. I’m going to be patient on this. Hope springs eternal because we do. It’s not just me, but Members on both sides of the aisle, not just physicians, Mr. Speaker, but all Members have ideas, and they need to be listened to just as in the amendment process that we went through when we marked up H.R. 3200.

We were even a Republican amendment rejected, and why was it done almost completely along party lines? That’s something the American people, Mr. Speaker, want us to get away from. They want us to cooperate. It’s fine for the President to say that if you don’t agree with him that you’re just bickering and complaining and griping and being untruthful. There’s no corner on truth by the President of the United States or the majority party. Let’s all be truthful. And if we disagree, that doesn’t mean we are being untruthful. We say, a serial disingenuous person, rather than using more inflammatory language. No, it’s a fair and honest difference of opinion. And if we come together and share those differences of opinion in the best of hope that we come up with, I think, a bill that the American people can accept.

Mr. Speaker, these town hall meetings, people all across this country, whether they be of the Democratic or Republican persuasion or independent voters, whether they are young or old or African American, Asian, it doesn’t matter. They’re United States folks. They are hard working and they want and deserve us, their Representatives, to do it in a way that helps them, that we are not constantly in gridlock up here.

So, Mr. Speaker, my opportunity today to talk about some of these things is heartfelt and it’s a commitment that my colleagues and I made to the voters, whether they are young or old or African American, Asian, it doesn’t matter. They’re United States folks. They are hard working and they want and deserve us, their Representatives, to do it in a way that helps them, that we are not constantly in gridlock up here.

Now, I particularly wanted to talk about a second opinion that I have. We talk about that in a lot in medicine about getting a second opinion and how important it is. Maybe the first opinion is not the best opinion. Maybe it is, but oftentimes a second or third opinion, you need that. You need that. So the second opinion that I want to talk to my colleagues about today, Mr. Speaker, is what I call a Health Care Bill of Rights, or, to put it another way, 10 Prescriptions for a Healthy America. And this is a bill that I introduced just today, and it’s H.R. 3700.

Now, H.R. 3200, here it is. It’s about 1,200 pages. The chairman of the House Judiciary Committee has been a Member of this body for a long time. He still looks young and healthy to me, thank God, but he’s been here a long time and he’s an attorney. That’s his profession. He’s not a doctor; he’s a lawyer. Somebody questioned him about whether or not he’d read the whole bill, and he said, I don’t know. I mean, I need two lawyers to help me read it. And he is a Member of the majority party and an attorney himself and I think has been a Member of this body for at least 35 years. That’s the problem with the previous bill.

Now, my colleagues, I want to hold up for you H.R. 3400. H.R. 3400 is a bill that Dr. Tom Price is the original author of. Dr. Price on our side of the aisle, an orthopedic surgeon, chairman of the Republican Study Committee. And many of us, including myself, co-sponsored H.R. 3400. It’s a little bill. It looks like maybe about 260 pages instead of 1,200 pages. And it does many things in a way that is economically sound, that brings down the cost of health care, that makes health care affordable and accessible so that individuals can own their policy and the marketplace works, and we don’t have any government takeover in this bill.

I want to commend my colleagues to go online, get a copy of this bill, read the summary, read the Cliff Notes, whatever, and understand that this is just one of three or four Republican bills, alternatives to H.R. 3200 or the health bill that’s come out of the Senate, the Health, Education, Labor, and Pensions Committee that was chaired by Senator Dodd, Chris Dodd, in the absence of Senator Kennedy while he was struggling with his illness. But this is a good bill, and I think the President needs to look at it and needs to consider it and keep that door wide open.

But what I am going to talk about in regard to H.R. 3700 is it’s really a statement of principles. But it’s a bill, and as I say, we just introduced it today. Mr. Speaker, I have it on a little card almost like a contract. Well, we call it 10 Prescriptions for a Healthy America or the Health Care Bill of Rights, similar to the Contract with America of maybe 15 years ago, that people can look at. But what we can do is pull it out and you can look at it. But I’m going to take a little time to go through some of the principles in this bill because I think this is important. I think this is a guideline for whatever we ultimately adopt. And let’s go through some of these posters, Mr. Speaker.

The number one principle of this health care bill of rights is to say this, and it does in the bill:

- 1000

There will be no government-run health care plan.

That is what the American people are saying. They do not want a Canadian-style system or a U.K. system, or any system where the Federal Government interferes and makes decisions and tells the doctor what the patient that you are going to have to do it this way, my way or the highway. We don’t want that. The American people don’t want that, and they said that loud and clear during the August recess.

So number one in this Health Care Bill of Rights is no government-run health care system.

The second item in the Bill of Rights is no cuts to Medicare. Mr. Speaker, I have already talked about that in the $500 billion, those Medicare cuts. It is something like a $10 billion cut to the hospice program. I think we all know what the hospice program is. In the last days of people’s lives, we are going to cut that program to provide access to health care for 5 percent of the population, many of whom prefer not to have health insurance and we are going to end up forcing them! No cuts to Medicare needs to be shored up. It needs to be improved.

Today, unless you are in a Medicare Advantage program, you cannot go and get an annual physical examination. You can when you first turn 65 and get on Medicare, that is called an entry-level physical exam. But how about when you are 68 or 72? You absolutely on an annual basis need a physical examination as you age to make sure that you are being cared for. A lot of seniors don’t go and get a physical because it is not paid for, and they are on a fixed income. For goodness sake, this year there is no increase in COLA for Social Security. How are you going to get away from that? Yet. And by the way, instead of solving that problem and putting more into Medicare, we are going to take $500 billion out of it. It makes no sense.

So under this Health Care Bill of Rights, my bill, H.R. 3700, no cuts to Medicare. And no new deficit spending. You know, the President said, Mr. Speaker, and he said it very clearly, I will not sign any bill that adds one dime to the deficit. I think I am quoting him word for word. Well, Mr. President, you will like my bill because it says no new deficit spending. We can do this without any additional deficit spending. My colleagues, look at H.R. 3400 and you will see, it can be done without adding to the debt and spending into red ink.

Colleagues, number four is a good one and it is important to people across this country. Number four on the Health Care Bill of Rights, no new taxes. No new taxes. These bills, whether we are talking about H.R. 3200, the House bill, or the bill that is coming through the Senate, there are new taxes all over the place. The Joint Commission on Taxation has attested to that. That is a bipartisan group. The Congressional Budget Office has attested to that. Again, a creation of the Congress, they work for us, and their director is chosen by the majority party, indeed, by the Speaker of the House.

And you ask the question: Are there new taxes in here? Absolutely. There is going to be a tax on every insurance policy. The Senate bill is coming along that is being marked up this week and maybe next week as well, taxes some health insurance policies 40 percent. You put a 40 percent excise tax, Mr. Speaker, on these insurance policies, who pays that? I guarantee you the
premiums go up, and John Q. Citizen, who is not making $250,000 a year—the President promised when he was campaigning when he became President, if he became President, and of course he did, that nobody making less than $250,000 would see any increase in their taxes, not one dime, just like he said there would be not one dime of deficit spending for this health care, oh, excuse me, health insurance reform.

So no new taxes. H.R. 3400, no new taxes.

The fifth thing on the group of ten, no rationing of health care. This may be one of the biggest concerns that our citizens have. As a former physician, OB/GYN doctor for 26 years, I can assure you that people worry about this. If we had this public plan, this public option, the government competing with the private marketplace, as H.R. 3200 calls for—and the Speaker and all three of the chairmen of the committees of jurisdiction, Mr. RANGEL, Mr. WAXMAN, Mr. MURRILL, they all strongly support this plan—given a strong government hand to really ultimately squeeze out the private marketplace. What happens is, and this is not just PHI GINGREY predicting this, Mr. Speaker, this is the Lewin Group, a well-known group which states that within 3 to 4 years, probably 100 million people who today get their health insurance through their employer and they are happy with it, they will end up losing that because the employer will be in a position that it will be cheaper for them to just pay a fine and let them go into the government plan.

Well, so much for the President's promise that if you like what you have, you can keep it. Until you can't. You know, this is something that I think we need to hold the President's feet to the fire and say, look, let's promise the American people that they truly can keep what they have if they like it.

So you get the situation where everybody is on the government plan, well, that's when you get to the business of rationing when maybe the party in power has made a pledge of no new taxes, they are not going to raise taxes, and yet you have all these additional people, millions, maybe 100 million that have morphed off of their employer plan into the government plan, and we can't pay for all of them. So what are you going to do? You are going to have to raise taxes and cut reimbursements to the rural hospitals who have a disproportionate share of the poor that they are trying to treat and people who can't pay, so you are going to lower reimbursement to them.

And finally, you are going to say to the patient, you know what, we would love to be able to fix your hip, but you are 85 years old and we just can't afford it. You are just going to have to take a little Advil or aspirin. And by the way, we will pay for a walker and an alarm system that you wear on your belt if you happen to fall. But we will not fix your hip or replace your knee. That happens in other countries that have single payer, government-run systems. That will happen here unless my bill passes which says no rationing of health care.

Number six on the Health Care Bill of Rights, no employer or individual mandate to provide or have health insurance.

Now look, colleagues, Mr. Speaker, of course I want employers to continue to provide that health insurance benefit for their employees. I think that is something that people have come over the last 75 years in this country to expect. A decent job includes health care coverage for you and hopefully your family, and that your employer pays the bigger percentage of that, and the amount you have to pay is a smaller amount. And I want employers to continue to do that and provide that benefit and not whittle away at how much they pay versus how much the employee has to pay.

I would encourage every person in this country, every adult who is working, whether they are 21 years old or 72 years old, to have health insurance. I think it is important especially to have catastrophic coverage, even if you think you are 10 feet tall and bulletproof—and you know, John Q. Citizen, you don't smoke or drink alcohol and exercise on a regular basis, nobody in your family has ever suffered from cancer or heart disease, and your grandparents and great-grandparents lived to be 100 years old, and you think, I don't need this. I can't afford it, for one thing. I am paying for a car and rent on an apartment. I have $125,000 in student loans with interest that I am trying to pay off. I can't afford this.

And then you convince them, yes, but what if you get hit by a truck? What if you are the person who comes down with insulin-dependent diabetes or high blood pressure or heart disease and you are not covered? So at least purchase a health insurance policy that gives you catastrophic coverage in the event of a catastrophe.

In the halls of the hospitals I worked in, we used to refer to those as "horrendaplasties," when something horrible happens to a person, and it could, any motor vehicle accident. Have that catastrophic coverage. Get an insurance policy where you have a high deductible and maybe you have to pay $3,000 or $4,000 out of your own pocket, and if you don't have insurance kicks in, but we want to encourage people to at least do that.

But this bill, the big fat one, H.R. 3200, actually allows the government to say, no, that's not good enough. You have a mandate. You have to have health insurance, but this high deductible, low premium that you can afford, that gives you that catastrophic coverage, that doesn't count. We are not going to count that as health insurance. And so we are going to mandate that if we are going to mandate that you have high first dollar and very high premium that you can't afford, and you are probably not eligible for Medicaid or some safety net program or a government subsidy. And yet we are going to hold a gun to these people's head, Mr. Speaker, and say you have to have health insurance, and if you don't, the IRS is going to fine you $25,000 and you could be charged with a misdemeanor and spend a year in jail.

My colleagues, is that America? I mean, you know, I try to always keep a copy of the Constitution in my pocket, and sure enough, here it is, the Constitution of the United States. You go to the glossary, you are not going to find anything in here about mandatory health care. No. You talk about the Bill of Rights and freedom of speech and press and religion, but there is nothing in here about forcing people in this country against their will, even though it is good public policy for them to have health insurance, and we would encourage and try to provide, as we do in H.R. 3400, the 250-page bill, to help them be able to get an affordable policy, but to force them to buy something they can't afford, no.

So number 6 in the Health Care Bill of Rights, no individual or employer mandate. Just encourage them and help them pay for it.

Number 7, and this is what created all of the controversy, Mr. Speaker, when the President was right here at the dais giving yet again a fantastic speech, as he always does, and talked about, made the comment that in his health care reform bill, illegal immigrant would be eligible for any government subsidy, and then the comment was made, and you know the rest of the story.

But truth in fact is, and that's the reason for number 7, no taxpayer funded coverage for illegal immigrants in my bill, H.R. 3700. No taxpayer funded coverage for illegal immigrants. I think the President realized though, after he made that speech here a couple of weeks ago, and maybe his crackjack staff told him, said, Mr. President, you know, there is this problem in the bill where it doesn't make people verify who they are. You know, they don't have to show a photo ID or a secure Social Security number to attest that truly they are here in this country legally. And if you don't require that, as we do, by the way, Mr. Speaker, in other safety-net programs like Medicaid and like the SCHIP program, the Children's Health Insurance Program, if we don't require that in this new reform bill, you are going to have—let me tell you—that's just—you might as well point a strong electromagnet to the southern border and say, you know, Come on, hey, we have a deal for you. We've got a great education system. We've got a great health care system, the best in the hemisphere and you know, you too can enjoy that.

No, the American people don't want it. I don't want it, nobody in this
October 1, 2009

CONGRESSIONAL RECORD—HOUSE

H10445

Chamber should want it. So no taxpayer-funded coverage for illegal immigrants. Number 7. Now, the last three items in this Health Care Bill of Rights, we’ve spent a little time here, Mr. Speaker, talking about what my bill would prohibit in any health care or health insurance reform, or health insurance reform. I want to talk about the next three items, 8, 9, and 10, which would assure what we have in any health care reform bill or health insurance reform.

And the President has very firmly on this, and I agree with him completely. The Democratic majority has been very firm on this, and I agree with them completely. Pre-existing condition coverage. Insurance companies would not be allowed to deny coverage to people because of pre-existing conditions. And that denial can take two shapes, Mr. Speaker. It can be an outright denial of saying, No, I’m sorry, you know, you’ve got high blood pressure or you’ve got diabetes or you’ve got high cholesterol and we’re not going to offer you insurance. You’re just not insurable. You’re too big a risk for us.

Or they could do it another way and say, oh, yeah, heck yeah, we’ll cover you. We’ll offer you good coverage, and want you to get some good PR out of this. But oh, by the way, your premium’s going to be four times standard rates.

Well, that’s pretty much a denial too. People can’t afford that, so Number 8 is very important. Number 8,Pre-existing condition reform. You know, you think about somebody that—I talked about young people and wanting to encourage them to have health insurance. Let’s say you are 19 years old, straight out of high school and have your first job, or 25 years old, right out of college or graduate school, have your first job, and you’re one of those people I described that’s in good health and you think, gee, you know, I’d rather just kind of go back on my own way and has put money aside each month in an escrow account. I’ll have a special savings account, and I’ll save this money, and when I need it—hopefully I won’t. Maybe I’ll have an annual physical and spend $175. But I’m not going to get sick because I’m taking care of myself. I’m not like a lot of people who show no personal responsibility in regard to their own health.

And so you know, they really don’t want to do that. The big companies are paying a premium when they’re not using it. But they do it anyway. They do it anyway. And they work for a company for 20 years, and for the first 15 they’re paying that same premium that everybody else pays. They have to because of the Federal law, called HIPAA, and they’re paying those premiums but yet the insurance company is not having to pay out any claims for them.

But during that time, you know, all of a sudden they get a little skin cancer that has to be removed. Or maybe they have a little chest pain and it turns out they’ve got some coronary blockage or their blood pressure goes up. And you know, here they’ve been paying, and then all of a sudden we get an economy we have today and they lose their job, and then they try to get insurance after COBRA runs out, if they’re even eligible, they have to work for three years they have to be employed that more than 20 employees to be eligible for COBRA. And let’s say that runs out. And then they’re out of luck. Mr. Speaker, they can’t get coverage.

Well, that’s not fair. That’s absolutely unfair. And I would say, under Number 8, to the insurance companies, you need to cover that person for the rest of their life, or at least until they go on Medicare, and you need to cover them at standard rates because you have made a really good profit off of them and now, when they need you, you should not be allowed to abandon them. These are the kind of things that we can agree on. And I think we do. And quite honestly, Mr. Speaker, I think the majority of the health insurance industry, they’re ready to do that. They have already made commitments and they’re ready to do that. And these are some of the things that we can do. And that’s Number 8 in my Health Care Bill of Rights.

The ninth thing, we’ve already talked about a little bit, medical liability reform. You know, there are a lot of different ideas out there, not just mine, although I’ve introduced a bill that has been passed through the House and the Senate for the last 7 years, calling on certain specific things. I won’t get into the details today, Mr. Speaker, but it’s called the Health Act. And it’s a fair bill that guarantees that patients that get injured by a health care provider or hospital where they’re practicing below the standard of care for that community, they’ve just messed up, that patients do not lose their right to a redress of their grievances to be compensated for their injuries and for any health care that they need for the rest of their lives, quite honestly. In some cases you’re talking about a compensation or a judgment in the millions of dollars.

So we don’t deny that in wanting liability reform. What we try to do is cut down on frivolous lawsuits so that doctors are not spending so much time worrying about this and running up the cost of health care for everybody else paying for it. From Georgia, Mr. Speaker, I think the House has passed a bill that, in some cases, could be downright detrimental to the health of the patient. And of course, so many doctors in high-risk specialties, at a fairly young age, before they turn 50, they give it up. They stop delivering babies. They won’t go to the emergency room. So surely the President means what he says when at least he promises pilot projects on medical liability reform.

Please, Mr. President, please, it could save $120 billion a year. You would not have to tax people, the small business men and women $800 billion and cause us to lose more jobs, and you would not have to gut Medicare if you’ll do these things. And Number 10. And this is the last in the list of the 10 prescriptions for a healthy America, called the Health Care Bill of Rights, H.R. 3700, the promise to reduce health care cost. Why should we do anything if it doesn’t bring down the cost.

And so far, Mr. Speaker, the Congressional Budget Office is just saying repeatedly, it doesn’t.

What this bill, H.R. 3200, no matter how you slice it and dice it and combine it with the one out of the Ways and Means Committee and the one that came through the Education and Labor Committee and you shake it all around and let it come through the Rules Committee; it doesn’t bring down the cost. In fact, it bends the curve in the wrong direction. So my bill would assure that we reduce health care cost. H.R. 3400 does that. Senator Dr. Tom Coburn’s bill that he cosponsored with Representative Paul Ryan from Wisconsin, our ranking member on the Budget Committee here in the House— that bill brings down the cost of health care.

So that’s my pledge. That’s the bill that I wanted to talk about today to the Chamber should want it. Mr. Speaker, I hope that they will look at it. You know, I’ve got a—I carry this around in my pocket. And colleagues, you can go to gingrey.house.gov and look for the Health Care Bill of Rights or 10 Prescriptions for a Healthy America. And I commend it to my colleagues, and I welcome their ideas. My door’s open, just as the President said his door’s open and he welcomes our ideas. It’s a sharing. It’s a bipartisan thing. Yes, let’s stop bickering and let’s get the job done. I thank you for the time, Mr. Speaker, and I will now yield back.

HEALTH CARE REFORM

The SPEAKER pro tem. Under the Speaker’s announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 5 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege and honor of addressing you here on the floor of the House of Representatives. And I also appreciate the opportunity to listen to my good friend and colleague, Dr. Gingrey from Georgia. And as Dr. Gingrey has so ably testified that, in some cases, could be downright detrimental to the health of the patient. And of course, so many doctors in high-risk specialties, at a fairly young age, before they turn 50, they give it up. They stop delivering babies. They won’t go to the emergency room. So surely the President means what he says when at least he promises pilot projects on medical liability reform.

Please, Mr. President, please, it could save $120 billion a year. You would not have to tax people, the small business men and women $800 billion and cause us to lose more jobs, and you would not have to gut Medicare if you’ll do these things. And Number 10. And this is the last in the list of the 10 prescriptions for a healthy America, called the Health Care Bill of Rights, H.R. 3700, the promise to reduce health care cost. Why should we do anything if it doesn’t bring down the cost.

And so far, Mr. Speaker, the Congressional Budget Office is just saying repeatedly, it doesn’t.

What this bill, H.R. 3200, no matter how you slice it and dice it and combine it with the one out of the Ways and Means Committee and the one that came through the Education and Labor Committee and you shake it all around and let it come through the Rules Committee; it doesn’t bring down the cost. In fact, it bends the curve in the wrong direction. So my bill would assure that we reduce health care cost. H.R. 3400 does that. Senator Dr. Tom Coburn’s bill that he cosponsored with Representative Paul Ryan from Wisconsin, our ranking member on the Budget Committee here in the House—that bill brings down the cost of health care.

So that’s my pledge. That’s the bill that I wanted to talk about today to the Chamber should want it. Mr. Speaker, I hope that they will look at it. You know, I’ve got a—I carry this around in my pocket. And colleagues, you can go to gingrey.house.gov and look for the Health Care Bill of Rights or 10 Prescriptions for a Healthy America. And I commend it to my colleagues, and I welcome their ideas. My door’s open, just as the President said his door’s open and he welcomes our ideas. It’s a sharing. It’s a bipartisan thing. Yes, let’s stop bickering and let’s get the job done. I thank you for the time, Mr. Speaker, and I will now yield back.
the marketplace, consistent with the foundation of what has made this a great country. And on the other side of the aisle they seem to be consistent with managed economies and managed societies, the kind of societies that have always failed, the kind of societies that I always said and I said this from Ronald Reagan's point of view that there is a huge reach, and it was something that mobilized the American people in whatever ways as HillaryCare. And so I have an observation that I will post, Mr. Speaker, is the flow chart of HillaryCare. This is out of the archives of the New York Times. And it also is very close, if not identical to the flow chart that was on the wall of my office back in the early and mid-nineties, actually all the way through the nineties.

This is the flow chart that was laid out when the previous attempt to take over health care, for the government to take over the American health care system, was made. Here, on this floor, a few feet behind where I stand now, at the time President Bill Clinton came to the floor, September 22, 1993, and I have here, first, Mr. Speaker, a diagram of the previous bill that came out in 1993 and ’94 that was known in many ways as HillaryCare. And so I have an observation that I will post, Mr. Speaker, is the flow chart of HillaryCare. This is out of the archives of the New York Times. And it also is very close, if not identical to the flow chart that was on the wall of my office back in the early and mid-nineties, actually all the way through the nineties.

We know how that came out, Mr. Speaker. We look back on that 15 years ago, we know how it came out. And that there was a push-back across the land. I don’t know that we actually used that expression in those days. But I recall Hillary Louis and I recall Senator Phil Gramm standing at the other end of the doors that you and I are facing, Mr. Speaker, at the other end of this Capitol Building, stood on the floor of the United States Senate, and this National Health Care Act will pass over my cold, dead, political body. That was Senator Phil Gramm. And a lot of people thought that his political body was going to be cold and dead and that we would have HillaryCare in America. It didn’t take 15 years to find the results of that, Mr. Speaker, because the American people rejected the idea that the freedom that they had to purchase their own health insurance and the freedom that they had to make many of their own decisions with their doctor in the marketplace would be taken away, and it would be government run and government owned.

This is the flow chart that described it better than anything else. I would submit as we look at these stacks of bills, an 1,100-page bill in H.R. 3200, the health care bill that has passed out of committee and is here waiting to come to the floor of the House, you can’t understand, you can’t understand, you can’t understand how good a lawyer you are if you have some diagrams. And you have to be able to look at the flowchart and track through the diagrams to find out what the language does, draw some pictures, so to speak. And even then I believe it is impossible for a single individual to analyze this legislation and be able to predict the pitfalls that are created by the vagaries in the language. There are many.

But this was enough to scare the living daylights out of the American people and me. And in fact, Mr. Speaker, this flowchart was one of the significant components that drove me to take time away from my private business, the construction business that I started in 1975.

And, Mr. Speaker, I seldom tell the story about that background, but I think for the sake of those who are listening—and we all want to evaluate, from the background on how many recommendations for all 306 million Americans. For me, Mr. Speaker, I grew up in a lower-middle class family. My father was a law enforcement worker, a manager of the State police radio station, middle-level management. So he had pressure from the Government on down and then he had some people who worked underneath him. Great reverence for the rule of law, a profound work ethic that something had to be going on all the time and you had to constantly be making progress.

That was my background. No business background.

But by 1975, Mr. Speaker, I had concluded that if I were going to control my destiny, it didn’t pay for me to sit back and wait for the government to send me a check. The eagle wasn’t going to fly for STEVE KING unless I did something to make the nest and get the eggs back out. I had to take care of my own destiny.

So one day in June of 1975, I decided that I didn’t have a lot of alternatives, but one of those was to take a risk and change and start a business. And I decided it was the best alternative. And so by August of that year, I had borrowed a hundred percent and gone out and bought a bulldozer, and that was the business, it was the foundation of the business. I don’t know how many hundreds of pounds of welding rods I burned on that machine and how much repair work I had to do just to put it out on the job for the first hour. By the way, it broke down again in the first half a day and back to the shop it went, and I had to tear it completely down, rebuild it again and try again.

Many of us who have started businesses got knocked down over and over again, picked ourselves up again, and in the process of doing that were forced to learn the components of running a business. And anybody that started out with—I’ll say for me it was a negative net worth in a highly capital-intensive business and had to meet payroll and meet the government regulations. And even worse, there was a way back. And I thought that I had 43 government agencies that regulated my business. I had to answer to 43 government agencies, and if any one of them stepped in at any time and declared me to be out of compliance, they could either levy a fine or shut me down.

Government was then the biggest fear that I had when I started the business. I wasn’t worried so much about whether I could do the work or I could arasındaki machine, I could drive the truck. I wasn’t even so worried about whether I could market the service that I had decided to provide. All of those things were going to take time and effort, and all of those skills had to be improved upon. But the one I was most concerned about was how do I possibly meet all of the government regulations that I don’t even know.

And there isn’t any one single contact go-to point that any person who is starting a business, how many regulations are making recommendations for all 306 million Americans. For me, Mr. Speaker, I grew up in a lower-middle class family. My father was a law enforcement worker, a manager of the State police radio station, middle-level management. So he had pressure from the Governor on down and then he had some people who worked underneath him. Great reverence for the rule of law, a profound work ethic that something had to be going on all the time and you had to constantly be making progress.

That was my background. No business background.
years, and we had our ups and downs. And I would never categorize it as a
magnificent success except that being
a business owner, a founder and a
manager had laid the groundwork for me to
understand the components of the other
businesses in the country and gave me
tools that I had the flexi-
ability to raise my family in a fashion
that I thought was far more construc-
tive than it might have been if some-
one else were telling me when and
where I was going to show up to work.
And this was a blueprint. This was a
blueprint that I had the flexi-
ability to clear some of the path for others
that might want to do the same thing.
So regulation has always been, I’ll
say in the last couple of generations
anyway, the number one concern of
business. What will government not do
for us, but what will government do to
us.

So this was 1975 when I began. We
had our ups and downs, Mr. Speaker. I
barely had gotten a position that I was
even the target of the oil crisis in the 1980s.
But I went through all of that, and many of us got
hammered flat over and over again and got
back up. And some of my neighbors
didn’t make it. And some of them, their
businesses disappeared. And when they made it. Those were tough years.
And the floods in 1993 and the other
experiences along the way that I could
chart on my financial statements, the
ups and downs, all are triggered with some
spirit. I had to also deal with lawyers and
insurance men and also, of course, our
bankers. All of that laid a background and I think a knowledge base that’s
been so very useful here in public life.

But of all of the things that I men-
tioned, the one that’s concerned me the
most from the beginning, and the
greatest impediment to people who
might be entrepreneurs that want to
establish and found a business, are gov-
ernment regulations. And this spider
web of government regulations that
were created by HillaryCare was
enough to—didn’t scare me out of busi-
ness because it didn’t pass over Sen-
ator Phil Gramm’s cold, dead, political
body, but it was enough to scare me to-
wards politics, if not completely into
politics. And I think it was enough to
scare the living daylight out of the
American people, and they killed
HillaryCare.

Now we have the modern era. Fast
forward 15 years, Mr. Speaker. The
previous chart, Mr. Speaker, was black
and white. This is in full living techni-
color. This is a 2009 version, the most
recent version of a government take-
over of the health care industry; and I
mean, Mr. Speaker, the health insur-
ance industry and the health care de-
ivery industry in America. This 17% per-
cent of our Nation’s economy and
this flowchart with this full color is
scarer yet.
Now, I don’t mean that it’s actually
scarier by functionality, because mar-
ginally it at least leaves the oppor-
tunity for health insurers companies
to survive for while. But, Mr. Speak-
er, it certainly sets the scene for the
destruction of every private health ins-
surance company in the United States
and the elimination, potentially, of
every health insurance policy in the
United States. In fact, H.R. 3200 com-
pells that every health insurance policy
within 5 years be approved by the
health choices administration commis-
sioner.
This bill sets up a new health choices
czar. It calls him a commissioner be-
cause Americans are full up to here
with czars, but this is a health choice
administration commissioner. I don’t
know that he’s a czar; I don’t know
that he’s a commissioner; I don’t know
if he is a commissar, and if he is called
him the Health choice administration’s
commi-czar-issner. And he would be
the person who heads up this commis-
ion through which every health insur-
ance company here, the private insur-
ance companies, every company on this
are exist-
ing. Those in color are newly created
centers, departments, and function-
alities.

Thirteen hundred private health in-
surance companies. That sounds like
a big number. Some of those companies
have names for the different States
that they operate in. But, Mr. Speaker,
1,300 health insurance companies here
and the 100,000 potential, I’ll say exist-
-ing, policy variations here, the tradi-
tional way they would all have to be qu-
alified by this new commi-czar-issner’s board in order to
provide through this period of 5 years
to qualify, in order to provide the
qualified health benefits plans.
So every health insurance policy in
America would have 5 years to be ap-
proved by the new health choices
commi-czar-issner. And the regula-
tions would be written by them. So we
have a piece of legislation that sets up
a commission that would write new reg-
ulations, the commission to be
named later, to write regulations that
would be named later that would con-
trol the destiny of 1,300 health insur-
ance companies and 100,000 health in-
surance policy varieties, options that
the American people in white on this are ex-
isting.
All of that would have to jump
through the hoops to be created later
after the legislation has passed by peo-
ple to be appointed later, including the
health choice administration commi-
czar-issner.
So for the President to make the
promise to the American people that if
you like your health insurance policy
and your doctor, don’t worry, you get
to keep it—if you noticed, he had to
take the change when he stood
here and gave his address to the joint
session of Congress—I believe that was
September 8. That’s within a day, Mr.
Speaker, and his language changed to
force you to give up your doctor or
your health insurance policy.”
Well, I don’t know that that’s true
because something in this bill may
force those companies out of business
and may disqualify your health insur-
ance policy, and it may discourage your
doctor to the point where he de-
cides that he wants to go drive a taxi
like they do in Cuba. If you want to
meet a doctor in Cuba, take a taxi.
You’ll get in the back seat of a 1954
Chevy with a five cylinder Russian die-
sel in it, and the guy behind the wheel
might be a doctor. They have a lot of
doctors in Cuba. It pays better to drive
a taxi cab.
I hope the President, Mr. Speaker,
turns on C-SPAN and understands
what I’m saying. He can’t say it any
more, Mr. President. If anything more
like this passes, people will lose their
doctors, and they’re likely to lose their
doctor.
And you haven’t told the Speaker of
the House that she can’t support some-
thing like this if she’s going to be con-
sistent with the intent of the language
that she used herself.
So, Mr. Speaker, I’ll submit that
this, the recharacterization, needs to
revert back to the language of the bill.
And we need to understand what hap-
ens when bureaucrats make decisions.
And we need to understand that just
need to listen to the people on the
other side of the aisle. They’re for sin-
gle-payer government takeover. A hun-
dred or more of them have signed a let-
ter saying they would vote against a
health care bill if it didn’t have a “gov-
ernment option.” Excuse me, that’s
not the right quote. The quote is a
“public option.”
Mr. Speaker, a public option is a gov-
ernment option. It is a government
agency that will eventually be the
private sector that actually
meets the regulations after 5 years.
Fewer companies, fewer policies.
We don’t know how many, but we do
know this the government then
would produce a public health plan. That’s
the second “Death Care” plan here. They
would be under this health insurance
exchange. So envision that as maybe
an Internet site you would go to that
had a series of bureaucrats behind there that would make recommendations, evaluate policies, and let you look at the government option versus the private sector option.

But this public health plan, this government option, has to be set up with Federal taxpayer dollars. You can’t start an insurance company without capital. Where is it going to come from? The American taxpayers. And where does our money come from now after we have long past burned through the tax revenue for the 2009 fiscal year? It comes from the Chinese and the Saudis. And we are borrowing money from foreign countries. We are borrowing money to buy things from them, and now we would be borrowing money to start up a health insurance company. In any case, it would be national debt money, billions that would be the capital foundation to set up an insurance company so that there would be conceivably 1,301 health insurance companies. One more company.

The President’s view was, we need more competition in the health insurance market. 1,300 companies is not enough, set up a Federal company. That will be the difference. And we will borrow money and put billions into it. And now this enterprise, this Federal enterprise that is in direct competition with the private companies has to succeed.

Well, if it can’t sell policies, it can’t succeed. So how does the government go about doing this? Well, they set the premiums low enough and the benefits competitive enough that they can get people to buy the policies, otherwise they are an irrelevant entity.

So I guess you would say that’s fine, except we need to understand this. The regulations that would be written for the government plan would be regulations that are written so the government plan can compete with all of these private plans, which means that the regulations would be written to favor the government plan. And the premiums the government would charge would be premiums that are designed to be competitive, and I’m going to say likely cheaper than can be offered in the private sector. And so the result of that will be that either we are going to have to subsidize the government insurance companies, or we are going to have to regulate these private sector businesses out of business.

It’s how government operates. We have several models that we can look at.

The simplest and most stark of them all is the National Flood Insurance Program. We had property and casualty insurance companies in the private sector that sold flood insurance. But when the government got involved, they set new premiums and new regulations, and they still couldn’t crack into the market well enough. And so then, what they required was a regulation that a real estate loan through a national bank had to include flood insurance. And when they put that mandate on the national banks, they required the flood insurance to be purchased from where? The Federal Government. With premiums set by? The Federal Government.

Today, it is impossible to buy flood insurance in America from anyone other than the National Flood Insurance Program because the Federal Government has squeezed out all of the competition, and the Federal Government owns the entire territory.

We have today—I say “we,” the Federal Government has a monopoly on flood insurance. And there is pretty wobbly because they are $19.2 billion in the red. That’s billion with a B. Mr. Speaker. The National Flood Insurance premiums don’t reflect the risk. They’ve pushed out all the competition. They’ve lowered the premiums. And now what are we doing as a result? We are building more and more and developing more and more real estate in floodplains because the premiums for the flood insurance are cheaper than the risk. And so people can do that, and we create more risk accordingly.

The markets, Mr. Speaker, can restrain and bring about rational decisions. Bureaucrats make mistakes over and over again. That’s the Federal flood insurance. That’s what will happen to this Federal health insurance if it should get passed.

In addition, we have the school loan program. Twenty-five years ago, that program was a private school loan program, the school loan program, where I will predict that within 5 years from today, if there isn’t a dramatic difference in the elections that are taking place in this country, there will be nothing but government student loans. There will no longer be any private student loans.

This is a country that was built on free enterprise. We are a proud and independent people. We are slowly setting up government programs that are failing in the private sector. And I’m going to say likely cheaper than can be offered in the private sector. And so the result of that will be that either we are going to have to subsidize the government insurance companies, or we are going to have to regulate these private sector businesses out of business.

It’s how government operates. We have several models that we can look at.

The simplest and most stark of them all is the National Flood Insurance Program. If you want to know, Mr. Speaker, how health insurance will go if we have the government option, look at the National Flood Insurance Program. We had a government option on Federal flood insurance. In 1968, this Congress passed legislation that established the National Flood Insurance Program. We had property and casualty insurance companies in the private sector that sold flood insurance. But when the government got involved, they set new premiums and new regulations, and they still couldn’t crack into the market well enough. And so then, what they required was a regulation that a real estate loan through a national bank had to include flood insurance. And when they put that mandate on the national banks, they required the flood insurance to be purchased from where? The Federal Government. With premiums set by? The Federal Government.

Today, it is impossible to buy flood insurance in America from anyone other than the National Flood Insurance Program because the Federal Government has squeezed out all of the competition, and the Federal Government owns the entire territory.

We have today—I say “we,” the Federal Government has a monopoly on flood insurance. And there is pretty wobbly because they are $19.2 billion in the red. That’s billion with a B. Mr. Speaker. The National Flood Insurance premiums don’t reflect the risk. They’ve pushed out all the competition. They’ve lowered the premiums. And now what are we doing as a result? We are building more and more and developing more and more real estate in floodplains because the premiums for the flood insurance are cheaper than the risk. And so people can do that, and we create more risk accordingly.

The markets, Mr. Speaker, can restrain and bring about rational decisions. Bureaucrats make mistakes over and over again. That’s the Federal flood insurance. That’s what will happen to this Federal health insurance if it should get passed.

In addition, we have the school loan program. Twenty-five years ago, that program was a private school loan program, the school loan program, where I will predict that within 5 years from today, if there isn’t a dramatic difference in the elections that are taking place in this country, there will be nothing but government student loans. There will no longer be any private student loans.

This is a country that was built on free enterprise. We are a proud and independent people. We are slowly setting up government programs that are failing in the private sector. And I’m going to say likely cheaper than can be offered in the private sector. And so the result of that will be that either we are going to have to subsidize the government insurance companies, or we are going to have to regulate these private sector businesses out of business.

It’s how government operates. We have several models that we can look at.

The simplest and most stark of them all is the National Flood Insurance Program. If you want to know, Mr. Speaker, how health insurance will go if we have the government option, look at the National Flood Insurance Program. We had a government option on Federal flood insurance. In 1968, this Congress passed legislation that established the National Flood Insurance Program. We had property and casualty insurance companies in the private sector that sold flood insurance. But when the government got involved, they set new premiums and new regulations, and they still couldn’t crack into the market well enough. And so then, what they required was a regulation that a real estate loan through a national bank had to include flood insurance. And when they put that mandate on the national banks, they required the flood insurance to be purchased from where? The Federal Government. With premiums set by? The Federal Government.

Today, it is impossible to buy flood insurance in America from anyone other than the National Flood Insurance Program because the Federal Government has squeezed out all of the competition, and the Federal Government owns the entire territory.

We have today—I say “we,” the Federal Government has a monopoly on flood insurance. And there is pretty wobbly because they are $19.2 billion in the red. That’s billion with a B. Mr. Speaker. The National Flood Insurance premiums don’t reflect the risk. They’ve pushed out all the competition. They’ve lowered the premiums. And now what are we doing as a result? We are building more and more and developing more and more real estate in floodplains because the premiums for the flood insurance are cheaper than the risk. And so people can do that, and we create more risk accordingly.

The markets, Mr. Speaker, can restrain and bring about rational decisions. Bureaucrats make mistakes over and over again. That’s the Federal flood insurance. That’s what will happen to this Federal health insurance if it should get passed.

In addition, we have the school loan program. Twenty-five years ago, that program was a private school loan program, the school loan program, where I will predict that within 5 years from today, if there isn’t a dramatic difference in the elections that are taking place in this country, there will be nothing but government student loans. There will no longer be any private student loans.

This is a country that was built on free enterprise. We are a proud and independent people. We are slowly setting up government programs that are failing in the private sector. And I’m going to say likely cheaper than can be offered in the private sector. And so the result of that will be that either we are going to have to subsidize the government insurance companies, or we are going to have to regulate these private sector businesses out of business.

It’s how government operates. We have several models that we can look at.

The simplest and most stark of them all is the National Flood Insurance Program. If you want to know, Mr. Speaker, how health insurance will go if we have the government option, look at the National Flood Insurance Program. We had a government option on Federal flood insurance. In 1968, this Congress passed legislation that established the National Flood Insurance Program. We had property and casualty insurance companies in the private sector that sold flood insurance. But when the government got involved, they set new premiums and new regulations, and they still couldn’t crack into the market well enough. And so then, what they required was a regulation that a real estate loan through a national bank had to include flood insurance. And when they put that mandate on the national banks, they required the flood insurance to be purchased from where? The Federal Government. With premiums set by? The Federal Government.

Today, it is impossible to buy flood insurance in America from anyone other than the National Flood Insurance Program because the Federal Government has squeezed out all of the competition, and the Federal Government owns the entire territory.

We have today—I say “we,” the Federal Government has a monopoly on flood insurance. And there is pretty wobbly because they are $19.2 billion in the red. That’s billion with a B. Mr. Speaker. The National Flood Insurance premiums don’t reflect the risk. They’ve pushed out all the competition. They’ve lowered the premiums. And now what are we doing as a result? We are building more and more and developing more and more real estate in floodplains because the premiums for the flood insurance are cheaper than the risk. And so people can do that, and we create more risk accordingly.

The markets, Mr. Speaker, can restrain and bring about rational decisions. Bureaucrats make mistakes over and over again. That’s the Federal flood insurance. That’s what will happen to this Federal health insurance if it should get passed.

In addition, we have the school loan program. Twenty-five years ago, that program was a private school loan program, the school loan program, where I will predict that within 5 years from today, if there isn’t a dramatic difference in the elections that are taking place in this country, there will be nothing but government student loans. There will no longer be any private student loans.

This is a country that was built on free enterprise. We are a proud and independent people. We are slowly setting up government programs that are failing in the private sector. And I’m going to say likely cheaper than can be offered in the private sector. And so the result of that will be that either we are going to have to subsidize the government insurance companies, or we are going to have to regulate these private sector businesses out of business.

It’s how government operates. We have several models that we can look at.

The simplest and most stark of them all is the National Flood Insurance Program. If you want to know, Mr. Speaker, how health insurance will go if we have the government option, look at the National Flood Insurance Program. We had a government option on Federal flood insurance. In 1968, this Congress passed legislation that established the National Flood Insurance Program.
Many came here for religious freedom. Many came here for economic freedom. And many more came here for religious and economic freedom. That beacon of the Statue of Liberty was in the minds of the American people and an inspiration for the world long before the United States was born. One other thing. We are a unique people that have relied upon this freedom. Our vitality has been an inspiration for the world.

We sit in the Congress and we begin to enumerate our freedoms one over another and trade them off for a dependency. If we take this false clarion call that somehow we can push the expenses for this, the debt for this, off on to the succeeding generations, what moral standard would anyone have to make a declaration to the little kids growing up in America and those children not born, that we, our generation, in our time, have somehow a right to put them in debt in the first place? And secondly, what right do we have to put them in debt because we want to give everybody in America not health care—not health care—because we want to give everybody in America a health care. The argument is we want to give everybody in America health care. So he sets up a national company and illegal, but in addition, all health care, a right to this in 1981. It is pretty astonishing to read that. Mr. KING of Iowa. Reclaiming my time. Now, the President has said there are two things that are very compelling to give the American people and the goal of the leadership of the United States, the goal of the Speaker of the House and the goal of the President of the United States, the goal of the leadership.

Mr. KING of Iowa. Reclaiming my time. Now, the President has said there are two things that are very compelling to give the American people and the goal of the leadership of the United States, the goal of the Speaker of the House and the goal of the President of the United States, the goal of the leadership. The level of innovation that has occurred in medicine in a free society such as ours is just incredible. And it is America that drives all of these new developments of various drugs. It is America that is driving all of these things, from a new heart bypass. That was something that wasn’t available 30, 40 years ago. And he is surviving and doing well at 88 years old. There are so many different kinds of innovations, use of radiation which is now focused in a very, very narrow area to be able to destroy cancer, and different types of drugs and things. All of this innovation is the product of freedom, because as people take risks and try new ideas, new and better ways to do things are born. It is the concept of the gentleman from Missouri.

Mr. KING of Iowa. Reclaiming my time. Now, the President has said there are two things that are very compelling to give the American people and the goal of the leadership of the United States, the goal of the Speaker of the House and the goal of the President of the United States, the goal of the leadership. The level of innovation that has occurred in medicine in a free society such as ours is just incredible. And it is America that drives all of these new developments of various drugs. It is America that is driving all of these things, from a new heart bypass. That was something that wasn’t available 30, 40 years ago. And he is surviving and doing well at 88 years old. There are so many different kinds of innovations, use of radiation which is now focused in a very, very narrow area to be able to destroy cancer, and different types of drugs and things. All of this innovation is the product of freedom, because as people take risks and try new ideas, new and better ways to do things are born. It is the concept of the gentleman from Missouri, (Mr. AKIN) to whom I will be very happy to yield whatever time he may consume.

Mr. AKIN. It’s my pleasure to join my good friend. And as you talk a little bit about freedom, you have spoken in somewhat general terms about the effects of the government taking over everything that we do. But I would like to get a little bit more into the details, because I think we have to remember the results of what that freedom has done in the area of medicine. The level of innovation that has occurred in medicine in a free society such as ours is just incredible. And it is America that drives all of these new developments of various drugs. It is America that is driving all of these things, from a new heart bypass. That was something that wasn’t available 30, 40 years ago. And he is surviving and doing well at 88 years old. There are so many different kinds of innovations, use of radiation which is now focused in a very, very narrow area to be able to destroy cancer, and different types of drugs and things. All of this innovation is the product of freedom, because as people take risks and try new ideas, new and better ways to do things are born. It is the concept of the gentleman from Missouri, (Mr. AKIN) to whom I will be very happy to yield whatever time he may consume.

Mr. AKIN. It’s my pleasure to join my good friend. And as you talk a little bit about freedom, you have spoken in somewhat general terms about the effects of the government taking over everything that we do. But I would like to get a little bit more into the details, because I think we have to remember the results of what that freedom has done in the area of medicine. The level of innovation that has occurred in medicine in a free society such as ours is just incredible. And it is America that drives all of these new developments of various drugs. It is America that is driving all of these things, from a new heart bypass. That was something that wasn’t available 30, 40 years ago. And he is surviving and doing well at 88 years old. There are so many different kinds of innovations, use of radiation which is now focused in a very, very narrow area to be able to destroy cancer, and different types of drugs and things. All of this innovation is the product of freedom, because as people take risks and try new ideas, new and better ways to do things are born. It is the concept of the gentleman from Missouri, (Mr. AKIN) to whom I will be very happy to yield whatever time he may consume.

Mr. AKIN. It’s my pleasure to join my good friend. And as you talk a little bit about freedom, you have spoken in somewhat general terms about the effects of the government taking over everything that we do. But I would like to get a little bit more into the details, because I think we have to remember the results of what that freedom has done in the area of medicine. The level of innovation that has occurred in medicine in a free society such as ours is just incredible. And it is America that drives all of these new developments of various drugs. It is America that is driving all of these things, from a new heart bypass. That was something that wasn’t available 30, 40 years ago. And he is surviving and doing well at 88 years old. There are so many different kinds of innovations, use of radiation which is now focused in a very, very narrow area to be able to destroy cancer, and different types of drugs and things. All of this innovation is the product of freedom, because as people take risks and try new ideas, new and better ways to do things are born. It is the concept of the gentleman from Missouri, (Mr. AKIN) to whom I will be very happy to yield whatever time he may consume.

Mr. AKIN. It’s my pleasure to join my good friend. And as you talk a little bit about freedom, you have spoken in somewhat general terms about the effects of the government taking over everything that we do. But I would like to get a little bit more into the details, because I think we have to remember the results of what that freedom has done in the area of medicine. The level of innovation that has occurred in medicine in a free society such as ours is just incredible. And it is America that drives all of these new developments of various drugs. It is America that is driving all of these things, from a new heart bypass. That was something that wasn’t available 30, 40 years ago. And he is surviving and doing well at 88 years old. There are so many different kinds of innovations, use of radiation which is now focused in a very, very narrow area to be able to destroy cancer, and different types of drugs and things. All of this innovation is the product of freedom, because as people take risks and try new ideas, new and better ways to do things are born. It is the concept of the gentleman from Missouri, (Mr. AKIN) to whom I will be very happy to yield whatever time he may consume.
One is we spend too much money. We spend about 14.5 percent of our GDP on health care. The average of the industrialized world is 9.5 percent.

So we may spend too much. We could fix almost all that with tort reform and not to buy insurance across State lines. The too much question, spending too money can be fairly easily resolved. The other component of this is too many uninsured.

The gentleman from Missouri. Mr. AKIN. Now, who is it that should allow the Federal Government to tell American citizens whether they're spending their money in the right place? Isn't that kind of this Big Government top-down mindset that comes up with something as dumb as that?

If you're sick, you're going to spend as much money as you need to try and get well. Who's to tell you spent too much or too little? Even the very sniffs of that speaks of this Big Government mindset.

Mr. KING of Iowa. I'd suggest it's probably the predecessors to Merkel, Sarkozy, and Gordon Brown, or maybe even they, themselves. In fact, I heard an actual dialogue with Chancellor Angela Merkel. We spend too much on health care. That have that knee-jerk, shoulder tendency, as if global norms would be right. I remember one of those contributors to global norms would be the health care industry in Iraq. Mr. AKIN. When we went in there in March of 2003, the average annual expenditure for health care per person in Iraq was fifty cents per year. So I suppose you could add that into the global average. We do spend a lot of money. We get great results. And I haven't heard the American people complaining all that much about their results, because they are great results. But if we want to take the cost down, then we take care of medical malpractice.

I talked to an orthopaedic surgeon—and not to belabor it, but I believe it was yesterday—that out of his small little operation they spend more than a million dollars a year in premiums for malpractice and in unnecessary—unnecessary tests in order to avoid the litigation. Defensive medicine, over a million dollars a year out of what he considers to be a small practice; what I consider to be he's a great contributor to our society and to our civilization. That's multiplied across the country.

When I hear numbers that come from representatives that are part of the health insurance underwriters in America and they tell me that 8.5 percent of the overall health care costs are malpractice premiums, litigation, and defensive medicine, those three things in that category, and I multiply .085 times the gross receipts for the cost of health care, that comes to $203 billion a year unnecessarily spent because the trial lawyers have that corner over the box, and they will on HARRY REID's side of this Capitol building or NANCY PELOSI's side of this Capitol building. In fact, there's a huge will to resist addressing malpractice and the reform of lawsuit abuse. That's the best and most important thing we could do.

We evaluate these bills on the part of a 10-year plan; $303 billion a year. If we could fix it all, that's over $1 trillion. The President, in fixing the health care industry that he says costs too much money, only proposes to fix it by putting another $1.6 trillion into it. So we simply fix the malpractice and we have already fixed all the other ideas which I don't agree with. That's a component of this. It needs to happen.

And then we have the uninsured, Mr. AKIN. I would like to raise the issue about the uninsured. These 47 million now, this chart has got somebody else's software that did it, so I will tell you the numbers that I remember that I have vetted to be accurate.

Starts out with 47 million uninsured. We then fix this because there are too many uninsured in America. So what are they comprised of? All people who don't have affordable options? No is the answer, and here's what it's comprised of.

These are the illegal aliens. This chart says 6 million. Mine said 5.2 million. Then you have those that are here in the country legally that the law bars from benefits. That's the 5-year bar. It's a matter of solid Federal practice. They add up to 10 million—10.2 million, actually.

Then you have those who earn more than $75,000 a year. That's about 9 million people. And, presumably, they could write their own health plans and buy themselves at least catastrophic insurance. They are not in a position where we need to tax somebody that makes less to take care of those people that are making more.

Then you go down the line. Those that are eligible for government programs; that number is actually 9.7 million. Most of that is people that qualify for Medicaid but don't bother to sign up. And then you have those that are roughly 6 million people, that either opt out or don't opt in to their employer-offered plan.

So once you add all of these people and you subtract these numbers that I believe are not the target of this dialogue and rhetoric or the bill, you end up with 12.1 million Americans that don't have affordable options. That's less than 4 percent of the population.

This is what it looks like, Mr. Speaker. This is the entire population of the United States here, 306 million people, maybe 307 million by now, and these are the categories that I have mentioned: those that make more than $75,000 a year; those that qualify for, generally, Medicaid; those under an employer's plan. But over here, this little sliver in red, those are the Americans without affordable options. Less than 4 percent; 12.1 million people. All of the rest of these people, not only are they insured, but they're happy with what we have.

Mr. AKIN. So what we're doing, gentleman, is we're saying we're going to scrap the whole system, have the government take it over, because of that little 4 percent thing. I came from the engineering world, and there's one thing that people that are in running health care, so we're going to force a government solution just because of that little red—that isn't even a decent piece of pie. You couldn't even gain any weight on that amount.

Mr. KILIFY of Idaho. A belly full of silver. Even though 12.1 million people are a lot of people, they're still a small percentage of the American population. And to upset a hundred percent of the health insurance industry, perhaps defend every hundred percent of the health insurance industry and change the delivery system for the best health care delivery system in the world, all of that—this is an excuse for a government takeover. It's not a reason.

And if there's anything that my father taught me, he said, you know, Son, there's a difference between reasons and excuses. And I'm your dad and I will tell you I know the difference. And I don't have to explain it to you. I will just label them as such.

Well, this is an excuse, and I will label it as such. It's not a reason, not a reason to upset the entire industry, but an excuse because the people on this side of the aisle believe in Big Government. They don't believe in the American people, and they are sapping our vitality.

Mr. AKIN. Gentleman, the truth of the matter is we're not standing here defending everything about the American health care system. There's things that need to be changed, and we've talked about those things. You have mentioned on the floor that tort reform to be a biblical reason because tort reform is just using up a whole lot of money that doesn't need to be spent, which could be spent on good medicine. So that's one item.

But there's some other things that I think almost any American, if you heard about it, would say. Oh, yeah, that's right. For instance, there are some people in America who get to buy their health insurance using pretax dollars, whereas, small business men that self-insured people have to use the money they pay after they've paid taxes on the money.

So that's not just justice. People are not equal before the law. We say we're all equal before the law, but that's not just a solution. What we should do is that everybody should use the same equation. I think you and I would agree that we just pay for health insurance with pretax dollars. That would be making everybody consistent.

There's a second thing that we could do. Another thing is the idea of a medical savings account. You could allow
people with pretax dollars to set money aside. They could use that money to buy health insurance or to pay medical bills. And if they don’t use it, they can keep it earning interest in an uninsured account. If they up and die, they can leave their kids. That makes sense, too. That allows us to allow Americans having their own money, buying health care, and that equation starts to get people to shop for prices. So that’s another good idea. And that idea of being able to shop for health insurance across State lines is a very effective and competitive mechanism, because if one State has got laws that allow the insurance to be purchased when, then why can’t a citizen, particularly where we have a big metropolitan area that bridges two different areas, get their health insurance from places less expensive?

So your idea that’s been proposed. And there are other ones. I don’t want to run too long on your time, gentlemen, but there are a number of things that we can do to make medicine better in our country.

Let me tell you. You know who votes with their feet? You get some sheik in Bahrain or some other place or some other part of the world that’s loaded with millions of dollars and they get sick. And when they come to get their medical care, they come to the good old USA. That’s because our medical system is not bad. It’s producing very good results. It’s just that there’s a lot of cost shifting going on.

Here’s an idea, gentlemen. I just toss this out for you to think about it. Somebody summarized, if there is a problem with American health care, the problem is this: that is that one-third of Americans are paying nothing for it, the other two-thirds are paying for it, and that cost shift is the problem, that one-third are paying nothing. And that’s part of what’s causing our cost shift problem.

I’d yield.

Mr. KING of Iowa. Reclaiming, I thank the gentleman from Missouri. Initially, I put this concept out here, Mr. Speaker, that the circumstances that are going on this way are that for a long time now that are in the income-earning and productive years of their lives have been paying for the health insurance, the health care of those that are retired. We’ve decided to do that. It’s a matter of public policy. And I think we hear an objection on the part of the people that are paying their taxes on their payroll to support Medicare. In fact, I don’t hear a complaint very much on the funding that goes into Medicaid at the lower-income side. And generally, the younger people are beneficiaries of Medicaid.

So you have on the low-income side Medicaid funded by the working, producing, tax-paying Americans, and on the senior citizen side you have Medicare funded by the working, producing, tax-paying citizens. But in the middle, those working, producing, tax-paying citizens today at least have the freedom to choose a policy of their choice, whether they pay or not buy a policy of their choice. And this bill, H.R. 3200, takes that away.

And the subliminal message that I have not heard articulated that seems to be viscerally understood is that the younger people that are paying for Medicare and Medicare out of their paycheck because they’re going to work every day and managing and planning, now the government is saying, You no longer have the freedom to choose your own. You have to pay for everybody else’s. You’ve been doing that a long time, but now we want to take away your right to buy your own health insurance policy. And that sticks in the craw of the American people because it diminishes freedom.

Mr. AKIN. That strikes me a little bit as, first of all, you run over them with a car and then back over them to say you’re sorry. I mean, you’re getting them coming and going.

First of all, they’re doing what we would say is the right thing as a responsible citizen—having a job, buying health insurance, and trying to take care of their own bills—and now you’re going to tax them for doing the very thing that you wanted them to do in the first place.

There’s a basic rule of economics, and that is what you tax, you get less of, and what you pay for, you get more of. The more people you pay for free medical care, you’re going to get more and more people signed up for it. And the more you tax people who are working and paying for their own health care, you’re going to get less of it. So why in the world would we want to adopt a policy like that?

The interesting thing is, gentleman, this proposal, the Pelosi health care proposal, in spite of the fact that a lot of major media is pushing it and the President is pushing it and all kinds of people like that are pushing it, the American public is not buying this thing. And I was just kind of thinking in my mind, Who would be against this? Why is it that the polling data shows that this is not popular with the American public? And I’m thinking, well, it’s almost like politics, in a way.

How many groups of people does this Pelosi plan antagonize? Well, let’s see. First of all, you’re talking to Medicare. Well, the people who are on Medicare are thinking, I don’t want you to take $500 billion out of Medicare. Well, the people who are on Medicare are thinking, I don’t want you to take $500 million out of the place where I’m getting my health. So the older people—who are pretty regular, I think, in the way—they don’t like this thing.

Well, then you’ve got other people. Gentleman, you were a successful owner of a small business. Well, the small business guys are going to get soaked to have to pay for this plan, so they’re not too enthused about it. Then you have some other people. They call themselves pro-lifers. They don’t like this plan very well either because there are a lot of those groups that want the amendment committee making it clear that we weren’t going to use this government socialized money to pay for free abortions. That amendment was defeated in committee. It is very clear that this money would go for free abortions, which is why National Right to Life says, This is the biggest threat in the pro-life area since Roe v. Wade.

So the pro-life people don’t like this, small business people don’t like it, older people don’t like it. Then you have got the 100 million people that have their insurance, doctors that they like and a system that’s giving them good health care, and basically you’re creating something that’s going to destroy that, and they’re going to have to choose to go to a government system within some number of years, so they’re not liking this.

After you start adding those people together, it starts to make sense why people don’t like this. And particularly, most Americans at a fundamental level understand that good health care has to start with a patient-doctor relationship. It has to start with the doctor and the patient deciding what is the right health care alternative. We don’t like it when some big insurance company sticks their nose in that relationship, and we like it a whole lot less when it’s going to be a government bureaucrat.

Mr. KING of Iowa. Reclaiming again, I completely agree. As I’m listening to the gentleman from Missouri, the engineer who sees things in black and white and finite work out or else they can be checked and balanced, a logical approach is, let me say, that’s the engineering approach. As I’m listening to this, it’s triggering in my memory some of the things about what it was like to start and run a business for 28 years and what the motivations are. Now my business, a construction business, seasonal business, I looked at it, and I look at it from this concept. I wanted to have people that I could rely on. I wanted it to be a career. So I set things up where we would keep people on all year long, even though it was a seasonal business. And when things freeze up in Iowa, and it gets cold, there is frost and the temperatures go down, we move people into the shop where we would rebuild our equipment.

Sometimes we would take on some custom work, fixing somebody else’s, but we kept them around. I kept people around 12 months out of the year. I wanted them to have a health care package that was going to be a retirement plan. I want them to have a vacation plan. That’s all fine when you pay the payroll, but when the government
interferes—for example, the unemployment tax, and if they would offer unemployment benefits and sometimes they gave unemployment benefits to somebody that just didn’t want to work. But it was sometimes impossible for many of these people.

So even though I had my reading at zero, if you’re not willing to fight that, many others would see it go up to 9 percent, and they’d pay the percent of their payroll to unemployment because government intervention had decided they knew better than the marketplace. As I said, the year-round work part of this, keep people working year round. Well, the incentive is, if you’re going to pay unemployment at the top rate anyway, you might as well lay people off rather than keep them working when you don’t really need them. So instead, they become piecemeal workers rather than career employees.

Then the Federal Government decided, you shall pay union scale, Davis-Bacon Act, and we’ll decide what those categories are. Now you have people jockeying for a position, undermining the efficiencies, and the Federal Government looking over your shoulder, telling you how to run your business. But the Government still has created inefficiencies by government regulation that bring about the illogical, irrational business decisions until you consider the government regulation. Then it becomes rational within those rules.

To throw this health care thing on top of it, employers that have capitulated and decided they’re going to use people as piecemeal workers rather than career employees because of too much regulation, they’re going to also decide. I’m not going to pay this health insurance. I am just going to pay the premium. I’m going to add it on to the price of the work I’m doing, and it undermines the relationship between employers and employees. That’s a component of all this.

I wanted to throw out before our time ticks down, in what I believe is about 6 minutes, a little subtle segue, Mr. Akin. I think most of America should know what this little subtle segue is. This is a pervasive influence of the corrupt criminal enterprise ACORN. ACORN has developed since 1970, 39 years, to be this insidious operation of now, according to a Government Reform report issued by Mr. Issa of California on July 23, 361 affiliations, affiliations that have been engaged in shaking down lenders across this country in 120 cities.

Put this in your mind, Mr. Speaker. This of Chicago, Chicago politics, Chicago hardball politics. The make-a-deal—this is shaken down. The head of ACORN who recruited President Obama and is proud of their relationship has bragged about going into lenders’ offices and showing the banker’s desk and rounding him with ACORN people and intimidating that lender into making bad loans in bad neighborhoods.

Mr. Akin. You know, you talked about a lot of corrupt and illegal practices, gentleman. And when I think of ACORN, maybe as an engineer, I’m thinking cause and effect. ACORN is more closely associated with the central nerve center and hub of what created the housing crisis and the housing bubble in America. They’re the ones that basically started all of these bad loans which Wall Street then lied about, saying that they were good investments and sold them all over the world, creating the current economic crisis. So if you want to look at the epicenter of what created, for many of us who lost 30, 40 percent of our life savings in this economic mess, you’re looking at the symbol of that. ACORN. I’m glad you’ve got a line through it because we don’t owe them any favors.

Mr. King of Iowa. These are the people that have been undermining American freedom more aggressively than any other. They’re in many, many walks of life. Their influence is pervasive. They are at the core of the mortgage meltdown crisis. The intimidation factors, the shakedown in the cities of the lenders and at the same time the lobbying effort where they spent millions in this Congress to push to lower the underwriting standards on the secondary market of Freddie Mac and Fannie Mae. The chairman of the Finance Committee, Mr. Frank, has been engaged in lowering and fighting off the increased capitalization requirements that was lobbied by ACORN. If you look back through the financial crisis in the community level, it is ACORN at the core of that. The President of the United States has been at the beginning of this. His entire political career has been part and parcel, tied to ACORN, and he has said so, and the videotape is available.

Mr. Akin. The interesting thing is, our judicial system should be punishing these criminals. What we saw just a few weeks ago was a couple of courageous—I don’t know if they were college students—some gal with some pretty legs going in with a hidden camera at ACORN and getting all of the financial information necessary and the legal information, how they could set up a house of ill repute, bring in underage illegals to work, to write them off as dependents so that the taxpayer is paying some of the tab so that this guy could keep his business because he started this illegal brothel.

This whole thing is on tape, and yet we’ve got the Justice Department and all of these institutions of law in America that should have been cracking down on ACORN, even though I have seen the videotape of the President speaking to ACORN, telling them. We walk this walk together. ACORN was involved in promoting a whole series of crimes within these five cities, including: promotion of child prostitution; illegal immigration; violations of the Mann Act; helping to facilitate mortgages for a house of ill repute and telling them how to avoid taxes, report only 10 cents on the dollar and then qualify for the earned income tax credit, tapping money out of the taxpayer to fund the child care tax credit for little children prostitutes.

And were these mothers that were sitting behind the desk at ACORN when we saw the face of them? I heard children playing in the background. They’re recruiting girls to be prostitutes while girls are being raised in the background. Those things happened, and there are some similarities in five cities across America. And this is not just ACORN. There’s voter registration fraud, the voter election fraud. Today in the State of Nevada, ACORN, as an entity, is under prosecution right now. The trial is going on right now about ACORN’s fraudulent voter registrations, and Troy, New York, fraudulent votes—Mr. Speaker, this has got to stop.

SPECIAL ORDERS GRANTED

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

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

Ms. Woolsey, for 5 minutes, today.

Ms. Capps, for 5 minutes, today.

Ms. Kaptur, for 5 minutes, today.

Ms. Schifff, for 5 minutes, today.

Following Members (at the request of Mr. Gohmert) to revise and extend their remarks and include extraneous material:)

Mr. Forbes, for 5 minutes, today.

Mr. Brown of Georgia, for 5 minutes, today.

Mr. Poe of Texas, for 5 minutes, October 8.

Mr. Jones, for 5 minutes, October 8.

Mr. Wolf, for 5 minutes, today.

Mr. Burton of Indiana, for 5 minutes, October 7.

Mr. Pence, for 5 minutes, today.

Mr. Gohmert, for 5 minutes, October 6, 7, and 8.
BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on September 30, 2009 she presented to the President of the United States, for his approval, the following bills.

H.R. 3891. To amend the United States International Broadcasting Act of 1994 to extend by one year the operation of Radio Free Asia, and for other purposes.


H.R. 2918. Making appropriations for the Legislative Branch of the U.S. Government for the fiscal year ending September 30, 2010, and for other purposes.

H.R. 3614. To provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

H.R. 3607. To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 5 o'clock and 26 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, October 2, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

3877. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — Farm Storage Facility Loan and Sugar Storage Facility Loan Programs (RIN: 0560-AH60) received September 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.


3880. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — International Education Programs (Docket No. ED-2009-02002) (RIN: 0560-AK26) received September 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.


3882. A letter from the Director, OSHA Directorate of Guidance, Department of Labor, transmitting the Department's final rule — Updating OSHA Standards Based on National Consensus Standards; Personnel Protective Equipment (Docket No. OSHA-2007-0014) (RIN: 1238-AC08) received September 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.


3885. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Telemarketing Sales Rules (RIN: 3891-AB17) received September 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.


3887. A letter from the Program Manager, Health and Human Services, transmitting the Department's final rule — Breach Notification for Unsecured Protected Health Information (RIN: 1545-AB1) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3888. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vancuvers Act of 1998; to the Committee on Oversight and Government Reform.

3889. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vancuvers Act of 1998; to the Committee on Oversight and Government Reform.

3890. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vancuvers Act of 1998; to the Committee on Oversight and Government Reform.
to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.


3938. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service’s final rule — Examination of returns and claims for refund, credit or abatement; determination of correct tax liability (Rev. Proc. 2009-45) received September 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture and Education and Labor.

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. BRADY of Pennsylvania: Committee on House Administration. H.R. 2390. A bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to improve procedures for the delivery of marked absentee ballots of absent overseas uniformed services voters, and for other purposes (Rept. 111-281). Referred to the Committee of the Whole House on the State of the Union.

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. ISSA:

H.R. 3687. A bill to amend the Immigration and Nationality Act to eliminate the diversity lottery program and to reallocate those visas to certain employment-based immigrants who obtain an advanced degree in the United States; to the Committee on the Judiciary.

By Mr. ARCURI (for himself, Mr. BUYER, Mr. CASTLE, Mr. POLIS of Colorado, Mr. DONELLY of Indiana, and Mr. DEGETTE of Georgia):

H.R. 3688. A bill to encourage programs of health promotion or disease prevention; to the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RAHALL (for himself and Mr. HASTUS of Washington):

H.R. 3689. A bill to provide for an extension of the legislative authority of the Vietnam Veterans Memorial Fund, Inc. to establish a Vietnam Veterans Memorial visitor center, and for other purposes; to the Committee on Natural Resources.

By Mr. FALEOMAVAEGA (for himself, Mr. RAHALL, Ms. HIRONO, and Mr. DELORES L. M. CABRUCURU):

H.R. 3690. A bill to establish a Commission on Recognition of Indian Tribes to review and act on petitions by Indian groups applying for Federal recognition, and for other purposes; to the Committee on Natural Resources.

By Ms. GINNY BROWN-WATTE of Florida (for herself, Mr. TIBERI, and Mr. RIECHLT):

H.R. 3691. A bill to extend to 2010 the program for economic recovery payments established under the American Recovery and Reinvestment Act of 2009; to the Committee on Ways and Means, and in addition to the Committees on Veterans’ Affairs, Transportation and Infrastructure, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. INSLEE (for himself, Mr. HENCHER, Mr. GELALI, Mr. JOHNSON of Illinois, Mr. KIRK, Mr. RAHALL, Mr. HARE, Mr. BERMAN, Ms. MCCOLLUM, Mr. NADLER of New York, Mr. VAN HOLLEN, Ms. MALONEY, Mr. GEORGE MILLER of California, Mr. MORAN of Virginia, Mr. CAPFS, Ms. HIRONO, Ms. LEE of California, Mr. TIRENEY, Mr. WEXLER, Mr. STARK, Mr. WAXMAN, Mr. BOUCHER, Mrs. CHRISTENSEN, Mr. SERRANO, Mr. WC, Mr. GRIJALVA, Mr. BERNSTEIN, Mr. LEWIS of Georgia, Mr. CONNOLLY of Virginia, Mr. CARNARAH, Mr. SHERMAN, Mr. FRANK of Massachusetts, Mr. SMITH of Wisconsin, Ms. ESHEKIO, Mr. OLIVER, Mr. BALDWIN, Mr. LANGEVIN, Mr. COHEN, Mr. COSTELLO, Mr. GUTTERZIE, Mr. HARMAN, Mr. HASKINS of Colorado, Mr. HOLT, Mr. HONDA, Mr. KENNEDY, Ms. ZOE LOPFREN of California, Mr. MCGOVERN, Mr. NYE, Mr. MARKY of Massachusetts, Mr. HEINRICH, Mr. PAYNE, Mr. MILLER of North Carolina, Mr. QUIGLIEY, Mr. LEVIN, Mr. DEFAZIO, Mr. ACKERMAN, Mr. FILNER, Ms. WOOLSEY, Mr. BERKLEY, Mr. PALLONE, Mr. ROTHMAN of New Jersey, Ms. SCHWARTZ, Mr. SCHUFF, Mr. MCIERNEN, Mr. JACKSON of Illinois, Mr. SCOTT of Virginia, Mr. RYAN of Ohio, Mr. PASCRELL, Mr. HIGGINS, Mr. RANGEL, Mr. GRAYSON, Mr. BINGOL, Mr. REBAINES, Ms. DIGHETTE, Mr. BLUMAIN, Mr. CLEAVER, Mr. LJEAN, Mr. SPRATT, Mr. CLAY, Ms. SPEICHER, Mr. DELAURO, Mr. McGUIR of Missouri, Mr. J. MURPHY of Pennsylvania, Mr. FERREILLO, Mr. YARMUTH, Mr. FARR, Ms. EDWARDS of Maryland, Mr. SESTAK, Mr. PRICE of North Carolina, Mr. CARSON of Georgia, Ms. SLAUGHTER, Mr. SNYDER, Mr. MCDERMOTT, Mr. HALL of New York, Mr. ANDREWS, Mr. SCOTT of Georgia, Mr. KILDEE, Mr. CHANDLER, Mr. WATT, Mr. DOYLE, Mr. PETERS, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Mr. ISAREL, Mr. COOPER, Mr. ARCURI, Ms. SCHAKOWSKY, Mr. BISHOP of New York, Mr. KUCINICH, Ms. WASSERMAN SCHULTZ, Mr. RUSH, Mr. CARSON of Indiana, Ms. WATERS, Ms. LONGO of New York, Mr. DOREE of Wisconsin, Mr. BRALEY of Iowa, Mrs. DAVIS of California, Mr. ALTMEIER, Mr. ELLISON, Mr. MOORE of Arkansas, Mr. BUTTERFIELD, Mr. RAMIREZ, Mr. GONZALEZ, Mr. MEZ of Florida, Ms. KILROY, Mr. MASSA, Ms. CASTOR of Florida, Mrs. MCCAHEY of New York, Mr. KIND, Mr. GREEN of New York, Mr. PAS of Arizona, Mr. LIPINSKI, Ms. ROYBAL-ALLARD, Ms. KILPATRICK of Michigan, Ms. LORETTA SANCHEZ of California, Mr. TONKO, Mr. VELAZQUEZ, Mr. DOOGETT, Mr. SUTTON, Mr. LANCE, Mr. DELAHUNT, Mr. FOSTER, Mr. MAFFEI, Mr. BRADY of Pennsylvania, Mr. LYNCH, Ms. TSONGAS, Ms. MATSUM, Ms. LINDA T. SANCHEZ of California, Ms. EUNICE BERNICE JOHNSON of Texas, and Mr. MARSHALL):

H.R. 3692. A bill to protect inventoried roadless areas in the National Forest System; to the Committee on Natural Resources, 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. BURGESS (for himself, Mr. DINGELL of Michigan, Mr. GINGRKEY of Georgia, Mr. ROE of Tennessee, Mr. THORNBERRY, Mr. DENT, Mr. MCCAU, Mr. SESSIONS, and Mr. WALDEN):

H.R. 3689. A bill to amend title XVIII of the Social Security Act to modify Medicare physician reimbursement policies to ensure a future physician workforce, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BROWN of Georgia:

H.R. 3694. A bill to establish judicial procedures for causes and claims relating to any action or decision by a Federal official regarding the leasing of Federal lands (including submerged lands) for mineral development, production, processing, or transmission of oil, natural gas, or any other source or form of energy, and for other purposes; to the Committee on the Judiciary.

By Mr. MURPHY of Connecticut (for himself and Mr. POE of Texas):

H.R. 3695. A bill to authorize funding for, and increase accessibility to, the National Missing and Unidentified Persons System, to facilitate data sharing between such system and the National Crime Information Center database of the Federal Bureau of Investigation, to provide incentive funding to help facilitate reporting to such systems, and for other purposes; to the Committee on the Judiciary.

By Mr. RACHUS (for himself, Mr. BROKNER, Mr. HENSLING, Mr. GARRETT of New Jersey, Mr. JONES, Mr. LANCE, Mr. MCCARTER of California, Mr. ROYCE, Mr. McCOTTER, Mr. POSEY, Mr. KING of New York, Mrs. CAPPTO, Mr. GRELLACH, Ms. BIGGERT, Mr. LEE of New York, Mr. MCHEAN, Mrs. MANZULLO, Mr. PRICE of Georgia, Ms. ISSA, and Mr. SMITH of Texas):

H.R. 3696. A bill to prohibit recipients of TARP assistance from, and for other purposes; to the Committee on Financial Services.

By Mr. COLE:

H.R. 3697. A bill to amend the Act of June 18, 1944, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes; to the Committee on Natural Resources.

By Mr. MORAN of Kansas:

H.R. 3698. A bill to authorize grants to State and local law enforcement training centers to provide training to State and local law enforcement agencies and officers to communicate with telecommunications carriers in emergency situations, and for other purposes; to the Committee on the Judiciary.

By Ms. LEE of California (for herself, Ms. WOOLSEY, Mr. MCGOVERN, Ms. 10/01/09 H10455 CONGRESSIONAL RECORD — HOUSE
Mr. CONGERS, Mr. ELLISON, Mr. LEWIS of Georgia, Ms. WATSON, Mr. TOWNS, Mr. CLEAVER, Ms. JACKSON-LEE of Texas, Mr. COHEN, Mr. GRIJALVA, Mr. MCDERMOTT, Mr. STARK, Mr. HINCHENY, Mr. KUCINICH, Ms. EDWARDS of Maryland, Ms. CLARKE, Mr. FILNER, Mr. PETRI, and Mr. GRIJALVA.

H. R. 3699. A bill to prohibit any increase in the number of members of the United States Armed Forces serving in Afghanistan; to the Committee on Armed Services.

By Mr. GINGREY of Georgia:

H. R. 3700. A bill to establish requirements for and to provide enhanced penalties for marketing controlled substances to minors; 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. BOOZMAN:

H. R. 3701. A bill to amend the Controlled Substances Act to provide enhanced penalties for marketing controlled substances to minors; 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. BURTON of Indiana (for himself, Mr. WEKLER, Mr. McMahan, and Mr. TURNER):

H. R. 3702. A bill to require the President to call a White House Conference on Autism; to the Committee on Energy and Commerce.

By Mr. DELAURA of New York:

H. R. 3703. A bill to authorize a Department of Veterans Affairs medical facility lease in Atlanta, Georgia; to the Committee on Veterans' Affairs.

By Mr. ELLISON (for himself, Mr. McGovern, Mr. GRIJALVA, Mr. CONVYERS, Mr. SERRANO, and Mr. Issa of California):

H. R. 3705. A bill to amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to increase the number eligible for free and reduced-price meals; to the Committee on Education and Labor.

By Mr. GARRETT of New Jersey:

H. R. 3706. A bill to require borrowers under FHA-insured mortgages for single-family housing to make downpayments of at least 5 percent and to prohibit financing of closing costs under such mortgages; to the Committee on Financial Services.

By Mr. GARRETT of New Jersey:

H. R. 3707. A bill to amend the Internal Revenue Code of 1986 to exclude combat zone compensation of members of the Armed Forces from employment taxes; to the Committee on Ways and Means.

By Mr. GARRETT of New Jersey:

H. R. 3708. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income the earned income of a spouse of a member of the Armed Forces of the United States serving in a combat zone; to the Committee on Ways and Means.

By Mr. ENGEL for himself, Mr. SIMPSON, Mr. MNNICK, and Mr. BLUMENAUER:

H. R. 3709. A bill to amend the Geothermal Steam Act of 1970 to authorize noncompetitive leasing of certain areas adjoining other lands for which a qualified company or individual holds a preexisting legal right to develop geothermal resources, and for other purposes; to the Committee on Natural Resources.

By Mrs. LOWEY (for herself, Mr. VAN HOLEN, Mr. MORGAN of Virginia, Ms. LEE of California, Mr. LEWIS of Georgia, Mr. SHERMAN of California, Mr. BERKLEY, Mr. ROTHSCHILD of New York, Mr. LEWIS of New York, Mr. MILLER of California, Mr. FARR, Mr. BLUMENTHAL, Mr. HINCHENY, Mr. RANGEL, Mr. FRANK of Massachusetts, Mr. BERMAN, Ms. DELAURA, Mr. WEKLER, Mr. GRIJALVA, Mr. STARK, Mr. JOHNSON of Georgia, Mr. CONVYERS, Mrs. MALONEY, Mr. HARR, Mr. MACK, Mr. MENDOZA, Ms. WOOLSEY, Mr. CROWLEY, Ms. ROE of California, Mr. SCHRACKOWSKY, Mr. BALDWIN, Ms. SCHURACKOWSKY, and Mr. WU):

H. R. 3710. A bill to end the use of body-gripping traps in the National Wildlife Refuge System; to the Committee on Natural Resources.

By Mr. NADLER of New York:

H. R. 3711. A bill to authorize States or political subdivisions thereof to regulate fuel economy and emissions standards for taxicabs; to the Committee on Energy and Commerce.

By Mr. PLATTS (for himself, Mr. ARCURI, Mr. CAMPELL, Mr. DOYLE, Mr. WASHINGTON of California, Mr. ISRAEL, Mr. MUSTHA, Ms. SCHWARTZ, Mr. SHUSTER, Mr. BRADY of Pennsylvania, Mr. COHEN, Mr. FORTENBERRY, Mr. GORDON of Tennessee, Mr. HOLDEN, Mr. MILLER of North Carolina, Mr. PITTS, Mr. SREKAN, and Mr. WOLF):

H. R. 3712. A bill to require the Secretary of the Treasury to mint coins in recognition of, and to commemorate the 1863 invasion of Pennsylvania, the Battle of Gettysburg, and President Abraham Lincoln's Gettysburg Address; to the Committee on Financial Services.

By Mr. ROGERS of Michigan (for himself, Mrs. BLACKBURN, Mr. SHIMKUS, Mr. PITTS, Mrs. MYRICK, Mrs. BONO MACK, Mr. BUYER, Mr. UPTON, and Mr. RAUL H. GIBSON):

H. R. 3713. A bill to provide bipartisan solutions to lower health costs, increase access to affordable coverage, and give patients access to their health information; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and Labor, Appropriations, 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. SCHIFF (for himself and Mr. PENCE):

H. R. 3714. A bill to amend the Foreign Assistance Act of 1961 to include in the Annual Country Reports on Human Rights Practices information about freedom of the press in foreign countries, establish a grant program to promote freedom of the press worldwide, and for other purposes; to the Committee on Foreign Affairs.

By Ms. SCHWARTZ (for herself, Mr. TIBERI, Mr. CARNAHAN, Mr. GORDON of Tennessee, Ms. BERKLEY, Mr. WELCH, Mr. LARSON of Connecticut, Mr. HIGGINS of New York, Mr. CONCENI of New York, Mr. MCDERMOTT, Mr. ASPRECI, Mr. DAVIS of Illinois, Mr. YARMUTH, Ms. LEWIS of Georgia, Mr. FATTAN, Mr. BLUMENTHAL, Mr. LAMAR of Virginia, Mr. CONNOLLY of Virginia, Mr. HOLT, Mr. DOYLE, Mr. TURNER, Mr. ALTMIRE, Mr. COURTNEY, Mr. PRICE of North Carolina, Mr. TONKO, Mr. ARCURI, Ms. KAPTUR, Ms. SHIAU-FOSTER, Ms. SUTTON, Mr. MCGOVERN, Mr. ETHERIDGE, Ms. DELAUCO, Mr. SCHRODY, Mr. CASTELLO, Mr. ABERCROMBIE, Mr. TIERNEY, Ms. TSONGAS, Mr. ANDREWS, Mr. BRADY of Pennsylvania, Mr. SERRANO, and Mr. JRSHINO):

H. R. 3715. A bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes; to the Committee on Ways and Means.

By Mr. STUPAK (for himself and Mr. WELCH):

H. R. 3716. A bill to make certain adjustments to the price analysis of propane prepared by the Secretary of Commerce; to the Committee on Energy and Commerce.

By Mr. TIERNEY:

H. R. 3717. A bill to amend the Communications Act of 1934 to provide for a commercial mobile service or an H-enabled voice service to provide call location information concerning the user of such a service to law enforcement agencies in order to respond to a call for emergency services or in emergency situation that involves the risk of death or serious physical harm; to the Committee on Energy and Commerce.

By Mr. TOWNS (for himself, Mr. Hudson, Mr. Young of Alaska, Mr. SERRANO, Ms. ROSE-LIETHINN, Mr. MARIO DIAZ-BALART of Florida, Mr. PASCRELL, Ms. WASSERMAN SCHULTZ, and Mr. CROWLEY):

H. R. 3718. A bill to amend the Internal Revenue Code of 1986 to make residents of Puerto Rico eligible for the refundable portion of the child tax credit; to the Committee on Ways and Means.

By Mr. BURGESS (for himself and Mr. GONZALEZ):

H. Res. 193. Concurrent resolution expressing the sense of Congress regarding the need to pass meaningful legislation to protect commercial and government data from data breaches; to the Committee on Science and Technology, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BIGGERT:

H. Res. 789. A resolution expressing support for designation of October 2, 2009, as World Archaeology Day; to the Committee on Oversight and Government Reform.

By Ms. BERKLEY (for herself, Ms. TITUS, Mr. HELLER, Mr. WAMP, Mr. HASTINGS of Florida, Mr. ELLSWORTH, Ms. CORRINE Brown of Florida, Mr. CARDOZA, Ms. WATSON, Mr. GENE GREEN of Tennessee, Mr. LANDOIN, Mr. DONNELLY of Indiana, Mr. DUNCAN, Mr. DAVIS of Tennessee, Ms. LORETTA SANCHEZ of California, Mr. HARK, Mr. HOLT, Mr. DREHHAUS, Mr. WALZ, Mr. THOMPSON of Mississippi, and Mr. LOESACK):

H. Res. 790. A resolution supporting the goals and ideals of a national day of remembrance on October 30, 2009, for American nuclear weapons program workers and uranium miners, millers, and haulers; to the Committee on Oversight and Government Reform.

By Mr. GENE GREEN of Texas (for himself, Mr. JACKSON-LEE of Texas, Mr. POE of Texas, Ms. CONCENI, Mr. JOHNSON of Texas, Mr. KIREDER, Mr. CULBHERSON, Mr. BRADY of Texas, Mr. OLSON, Mr. BARROW, Ms. DEGETTE, Mr. BURRESS of Indiana, Mr. WOOLSEY, Mr. GONZALEZ, Mr. THORNBERY, Mr. AL GREEN of Texas, Mr.
Under clause 7 of rule XII, sponsors
By Mr. SHUSTER:
H.R. 2336: Ms. ZOE LOFGREN of California.
H.R. 2393: Ms. FALLIN.
H.R. 2398: Mr. ROE of Tennessee, Mr. FILNER, and Mr. CONAWAY.
H.R. 2404: Mrs. SLAUGHTER.
H.R. 2406: Mrs. CAPITO and Mr. FORTENBERRY.
H.R. 2423: Mr. SKELTON.
H.R. 2452: Mr. KROTOV.
H.R. 2493: Ms. LORETTA SANZIELI of California, Mr. BURTON of Indiana, and Mr. BACA.
H.R. 2496: Mr. CROWLEY.
H.R. 2502: Mr. BILRARV and Mr. POLIS of Colorado.
H.R. 2541: Mr. KIRK and Mr. SCHOCK.
H.R. 2555: Mr. LANCE.
H.R. 2556: Mr. HORKSTRA.
H.R. 2567: Mr. MASSA.
H.R. 2573: Mr. DOYLE and Ms. BERKLEY.
H.R. 2584: Mr. CROWLEY, Mr. SNYDER, and Mr. COLE.
H.R. 2597: Mr. BOSWELL and Mr. RUPPERSBERGER.
H.R. 2672: Ms. MARYK of Colorado.
H.R. 2698: Mr. YOUNG of Alaska.
H.R. 2699: Mr. YOUNG of Alaska.
H.R. 2737: Mr. EDWARDS of Texas, Mr. LIPINSKI, and Mr. MILLER of North Carolina.
H.R. 2788: Mrs. MILLER of Michigan, Mr. POSY, Mr. LINDER, and Mr. GARY G. MILLER of California.
H.R. 2817: Mr. HONDA.
H.R. 2842: Mrs. BACHMANN and Mr. MCCLINTOCK.
H.R. 2852: Mr. KISSEL, Mr. BOUCHER, and Mr. UPTON.
H.R. 2879: Mr. TRAEG.
H.R. 2991: Mr. BOWEN.
H.R. 2996: Mr. OBERSTAR and Mr. KAGEN.
H.R. 2995: Mr. MILLER of North Carolina, Mr. CALVERT, Ms. MATSUI, Mrs. MILLER of Michigan, and Mr. TRAEG.
H.R. 2996: Mrs. DAHLKEMPER.
H.R. 3002: Mr. BLUNT.
H.R. 3015: Mr. MARSHALL, Mr. CARTER, Mr. BARTLETT, Mr. GRAYES, Mr. MILLER of Flor-

"Broad Prize for Urban Education"; to the
the Aldine Independent School District in
the completion of the Na-
creating the Flight 93 temporary memorial
Ambassadors for their efforts in
off election in Afghanistan between the two
KILDEE.

Mr. HOEKSTRA, Mr. KING of Iowa, Mrs. LINDER.

The following:

H.R. 275: Mr. GINGRICH and Mr. SMITH of Nebraska.
H.R. 310: Mr. DRIEHAUS.
H.R. 319: Mr. GONZALEZ.
H.R. 326: Mr. MILLER of North Carolina.
H.R. 331: Mr. SOUDER.
H.R. 3355: Mr. COURTNEY and Mr. GEHLACH.
H.R. 3357: Ms. BLACKBURN.
H.R. 3380: Mr. LA TOURETTE, Mr. SHERMAN, and Mr. FALLOON.
H.R. 3386: Mr. HODES and Mr. DONELLY of Indiana.
H.R. 3390: Mr. COHEN.
H.R. 3406: Mrs. MILLER of Michigan.
H.R. 3470: Mr. KONG.
H.R. 3476: Ms. EDWARDS of Maryland, Mr. COURTEY, Ms. WATSON, and Ms. WOOLSEY.
H.R. 3477: Mr. FOSTER.
H.R. 3483: Mr. LA TOURETTE.
H.R. 3486: Mr. HODES and Mr. DONELLY of Indiana.
H.R. 3501: Mr. COHEN.
H.R. 3510: Mr. COHEN and Mr. BISHOP of New York.
H.R. 3519: Ms. MARYK of Colorado, Mr. MORAN of Kansas, and Mr. COHEN.
H.R. 3524: Mr. KIND, Mr. McNENNHY, Mr. CALVERT, Mr. THOMPSON of Missouri, Mr. FULER, and Mr. GRAVES.
H.R. 3554: Ms. SUTTON.
H.R. 3556: Mr. LUCAS and Mr. WITTMAN.
H. Res. 159: Mr. Bralley of Iowa, Ms. Schwartz, Mr. Quigley, Mr. Moran of Virginia, Mr. Minnick, Mr. Hinchey, and Ms. Berkley.

H. Res. 504: Mr. Kirk.

H. Res. 510: Mr. Langevin.

H. Res. 554: Mr. Minnick, Mr. Gingrey of Georgia, Mr. Boren, Mr. Fleming, Mr. Bishop of Utah, Mr. Radanovich, Mr. Camp, Mr. Kirk, Mr. Dial of Georgia, Mr. Coble, Mr. Mica, Mr. Young of Florida, Mr. Terry, Mr. Thomperry, Mr. Blunt, Mr. Barton of Texas, Mr. Rogers of Kentucky, Mr. Luetkemeyer, Mr. Gohmert, Mr. Putnam, Mr. Thompson of Pennsylvania, Mr. Reichert, Mr. Tiberi, Mr. Bilbray, and Mr. Pence.

H. Res. 567: Mr. Gallegly, Mr. Berman, Mr. Daniel E. Lungren of California, Mrs. Bono Mack, Mr. Mack, Mr. Costa, Mrs. Capps, Mr. Buchanan, Ms. Matsui, Mr. Schiff, Mr. Lewis of California, Mr. Dreier, Mr. Issa, Mr. Cardoza, Ms. Zoe Lofgren of California, Mr. Lee of New York, Mr. McClintock, Mr. Burton of Indiana, Mr. McNerney, and Mr. Sherman.

H. Res. 605: Mr. Murphy of New York and Mr. Stearns.

H. Res. 611: Mrs. Lowery.

H. Res. 648: Mr. Sahlan, Ms. Baldwin, Mr. Filner, and Mr. Rush.

H. Res. 660: Mr. Brady of Pennsylvania, Mr. Geijalva, Mr. Bishop of Georgia, Mrs. Christensen, Mr. Davis of Illinois, Ms. Moore of Wisconsin, Mr. Meek of Florida, Mr. Payne, Ms. Eddie Bernice Johnson of Texas, Mr. Towns, Ms. Edwards of Maryland, and Mr. Rush.

H. Res. 700: Mr. Cohen.

H. Res. 708: Mr. Quigley, Mr. Johnson of Illinois, and Mr. Jackson of Illinois.

H. Res. 709: Ms. Matsui.

H. Res. 715: Mr. Kirk.

H. Res. 719: Mr. Moran of Kansas.

H. Res. 736: Mr. Souder.

H. Res. 740: Mr. Shuler.

H. Res. 747: Mr. Shimkus and Mr. Murphy of New York.

H. Res. 749: Mr. Engels.

H. Res. 752: Mr. Rush, Mr. Loeb, and Mr. Roskam.

H. Res. 754: Mr. Boozman and Mr. Kline of Minnesota.

H. Res. 759: Mr. Upton.

H. Res. 773: Mr. Shuster, Mr. Wolf, Mr. Wittman, and Mr. Neal of Massachusetts.

H. Res. 783: Mr. Wolf, Mr. Schauer, and Ms. Roybal-Allard.

H. Res. 786: Mr. Ackerman, Mr. Payne, Mr. Engel, Mr. Delahunt, Mr. Miller of Florida, Ms. Capito of Florida, Ms. Shires, Ms. Jackson-Lee of Texas, Mr. Crowley, Ms. Bordallo, Ms. Woolsey, Mr. Gingrey of Georgia, and Mr. Costello.
The Senate met at 9:30 a.m. and was called to order by the Honorable Kirsten E. Gillibrand, a Senator from the State of New York.

PRAYER

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

Let us pray.

O God, our Father, we thank You for the gifts You generously give to humanity. We are grateful for the loveliness of Earth and sea and sky. Thank You for great music to hear and for great books of prose and poetry to read. Thank You for minds to think, for hands to labor, and for hearts to love.

Lord, we praise You for the abilities You have given our Senators and for their willingness to serve You and country. Teach them Your lessons; show them Your way. Make them Your instruments of a durable peace, just to all nations and hopeful for all humanity. As they work today, let their words, thoughts, and actions reflect the content of Your character.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable Kirsten E. Gillibrand, a Senator from the State of New York, 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 TEMPOR

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

The bill clerk read the following letter:

U.S. Senate, President pro tempore, Washington, DC, October 1, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable Kirsten E. Gillibrand, a Senator from the State of New York, to perform the duties of the Chair.

Robert C. Byrd, President pro tempore.

Mrs. Gillibrand thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. Reid. Madam President, following the remarks of the leaders, there will be a period of morning business for 90 minutes. The majority will control the first half and the Republicans will control the final half. Following morning business, the Senate will resume consideration of the Defense appropriations bill. Last night, cloture was filed on the committee-reported substitute amendment. As a result, the filing deadline for first-degree amendments is 1 p.m. today. Senators should expect rollover votes to occur throughout the day as we work through amendments to this bill.

RECOGNITION OF THE MINORITY LEADER

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

McCRystAL AMENDMENT

Mr. McConnell. Madam President, as the Senate fulfills its constitutional duty this week of providing for the common defense, it will also have an opportunity to fulfill its oversight responsibilities in the global war on terror and, more specifically, in the crucial theater of Afghanistan. Later today, the ranking member of the Senate Armed Services Committee, Senator McCain, will offer an amendment to the Defense appropriations bill that calls on our top commander in Afghanistan, GEN Stanley McChrystal, and the CENTCOM Commander GEN David Petraeus, to come to Washington to explain to Congress and the American people why they believe the situation in Afghanistan is so perilous, what they believe is necessary for our success, and why.

There is recent precedent for this. Many Americans will recall that 2 years ago, in accordance with a requirement contained in another Defense appropriations bill, GEN David Petraeus came to Washington to explain what had gone wrong in Iraq and what he and the rest of our forces were doing to turn things around. By providing a sober assessment of the situation that cut through the political cross-currents of the moment, General Petraeus’s testimony, along with that of Ambassador Ryan Crocker, focused the national debate. It left us newly confident in their ability to lead us in Iraq. And it set us on a path of progress that continues today.

No one is arguing that the two situations are identical. They are clearly not. But it is hard to deny the urgency of the assessment that General McChrystal sent to the White House in late August, parts of which have been made public. And it is impossible to ignore his depiction of a grave and deteriorating situation on the very soil where al-Qaida terrorists plotted the 9/11 attacks. General McChrystal’s assessment of the worsening situation in Afghanistan should be of concern to all of us, particularly its account of a resurgence Taliban and a resilient al-
Qaida. As the President told a Turkish audience in April, “The world has come too far to let this region backslide, and to let al Qaeda terrorists plot further attacks.”

But there is also reason to be concerned about the worsening violence in Iraq. America was fortunate to be able to turn to General Petraeus, the man who literally wrote the book on counterinsurgency. And now, at a time of worsening violence in Afghanistan, we are just as fortunate to be able to turn to General McChrystal, who reported previous combat experience supervised, planned, and executed counterterrorism operations.

No one is better equipped to assess the situation on the ground—and whether it calls for a new counterinsurgency strategy, or for a continuation of the same kind of counterterrorism strategy which the previous administration pursued—and which the current Vice President is reportedly urging the current administration to embrace.

Earlier this year, President Obama expressed his confidence in General McChrystal by appointing him to his current mission. Following the President’s lead, the Senate expressed its confidence in General McChrystal by confirming him for his current mission without dissent. Now it is time for Congress and the President to work together on a plan for success.

Since no strategy will succeed without the support of the public, the President will doubtlessly want to explain to the American people why he plans to accept or reject the McChrystal Plan. This is especially true of a counterinsurgency strategy, which, by definition, requires a large commitment of troops and resources and great endurance on the part of the Armed Forces and the public alike.

Congress, for its part, has a responsibility to fund and to oversee our armed forces. Part of that is ensuring that we have the best information possible, and that we make that information available to the American people. And that is why it is crucial that we have an opportunity to hear General McChrystal’s personal assessment of the mission that we confirmed him for, and that we give him an opportunity to explain why he has concluded that more troops are needed to avoid failure in Afghanistan.

General Petraeus’s testimony served a necessary purpose during an earlier debate over strategy. General McChrystal’s will do the same in this one.

We know he would be a willing witness. General McChrystal has spoken freely about his assessment on network television. And he recently told a visitor to Afghanistan that, if asked, he would welcome the opportunity to come to Washington to make the case for additional troops. He also said that it is his sacred duty to provide the unvarnished truth. With today’s vote—which I urge our friends on the other side of the aisle to support—the Senate will give him a chance to do both.

HEALTH CARE WEEK XI, DAY II

Mr. MCCONNELL. Madam President, Americans have been watching the health care debate play out in various committees in Congress, and they are wondering where it’s all headed. I will make it easy for them. The final bill is going to cost about a trillion dollars. It is going to include $2 trillion in cuts to seniors’ Medicare in order to create a new government program. It is going to raise hundreds of billions of dollars in taxes on individuals and businesses. And it is going to expand the government’s role in the health care of every single American, whether they like it or not, limiting choices and leading to the same kind of denial and delay we have seen in other countries.

And then there is the issue of rushing through a bill and denying the American people the chance to read it. Imagine that, a trillion dollars out of the taxpayers’ wallets for a bill that will affect the health care of every single American. The majority has already voted to deny a mere 72-hours of public review before voting on it. This is outrageous, and hopefully this is not the way the majority decides to go forward.

One group that has become increasingly vocal in its criticism of this legislation is our Nation’s Governors. Over the course of this debate, at least one in three of them have issued statements expressing their concerns about a proposed expansion of Medicaid, which will force them either to cut services, raise taxes, or both. That is on top of the tax hikes that come about on the Federal level as a result of this bill.

One Democratic Governor had this to say of the Medicaid proposal: “... it’s very scary for governors to be saying as soon as the revenues get back there, the Federal Government is going to come in and say ‘how are you going to spend your new money?’”

Governor Schwarzenegger of California says he won’t support Federal health care reform proposals that impose billions of dollars in new costs on California.

Governor Crist of Florida says the proposed Medicaid expansion would have a crippling effect on Florida’s State economy.

Governor Linda Lingle of Hawaii says the proposed Medicaid expansion would be tantamount to mandating a tax increase on every resident of Hawaii ... and further harm residents who are struggling to make ends meet.

Idaho Governor Otter calls the proposal “an ... irresponsible effort to shift a substantial and unmanageable financial burden to the states.”

Those are just a few of the comments we have heard from Governors. They are issuing the same kind of dire warnings about the proposed health care legislation that Americans have been sounding for months.

The fact is, supporters of this legislation know that most Americans oppose it. That is why they are not listening. And that is why they are trying to rush it through without giving anybody a chance to study the details. The American people understand these proposals. They understand the strategy. And they are not happy about either.

I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business for 90 minutes, 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 the majority controlling the first half and the opposing members controlling the second half.

The Senator from Oregon is recognized.

HEALTH CARE REFORM

Mr. MERKLEY. Madam President, a week ago, freshman Democratic Senators came to this floor to discuss as a group how our current health care system is broken and unsustainable.

Today, we return to address the challenge of runaway costs and how health care reform can bend the cost curve, making health care more affordable and more accessible to our families and our businesses.

Many folks have said to me: Is this really the time to take on health care reform, when we are in the middle of the worst recession since the Great Depression? The answer is an unequivocal yes. Now is the time. Now is the time because health care costs are a runaway train that can do great damage to our families and our small businesses and large businesses. Indeed, consider the situation of a family when health care costs have doubled in the last 9 years, so families who could afford insurance just a few years ago cannot afford it today. Now health care premiums are rising even faster. They are expected to double in the next 7 years. As a result, many families and many individuals who are struggling to pay those health care premiums right now will not be able to do so in just a few more years. So fixing our broken health care system cannot wait. Indeed, reform is essential to our families, our small businesses, and our large businesses.

Consider this: For a working family, every additional dollar that goes into a health care premium comes out of the wages that would otherwise go to increase the family’s purchasing power.
So rising health care premiums are a tax on family wages, a tax on family purchasing power, making it much harder for our families to get ahead and provide for their children and establish a high quality of life.

Costs are also essential to small businesses. Small businesses want to offer health coverage to attract and keep good employees, to do what is right for their employees’ quality of life. But runaway costs are making this impossible.

Consider the example of the Hawthorne Auto Clinic founded and operated by Jim Houser and his wife Liz Dally. When they opened 26 years ago, Jim and Liz were committed to offering those who worked for them and with them a good benefits package, including comprehensive health care.

They are still able to provide health insurance to their employees, but it is getting tougher. Premiums have gone from 9 percent of their payroll to 18 percent in just the last 5 years. As a result, they have had to cut back on the benefits they have offered. Over the last decade, health care premiums have skyrocketed, forcing small businesses across the board like they have for the Hawthorne Auto Clinic.

Large businesses see the effect as well. If you build a car in America, it costs $1,500 in health care. If you build a car across the border in Canada and Europe, the cost is zero. In fact, in 2007, GM spent more on health care than they did on steel. So controlling costs is essential for our large businesses to be competitive in the world, to be able to build products here in America.

If we do not build products in America, we will not have a middle class in America. So health care reform cannot wait. Premiums need to be brought down with runaway costs. Our small businesses are looking for us to help control costs, and our large businesses need reform to be competitive in the world and to build the strong economy that will raise wages.

Today, freshmen Democratic Senators are here to discuss this from a number of perspectives. First will be Senator ROLAND BURRIS of Illinois. As comptroller and attorney general of Illinois, Senator Burris committed himself to serving the health and well-being of underserved populations in his State.

I yield 4 minutes to the distinguished friend from Illinois.

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized.

Mr. BURRIS. Madam President, I am proud to join my freshmen colleagues on the floor today. Across America there is a broad agreement on the need for meaningful health care reform. But there is much debate about what reform means and who pays the bills for keeping all our Nation’s citizens well, including the disadvantaged.

As the center of this controversy is a simple question of dollars and cents, what is cost-effective reform? According to a recent study by the Joint Center for Political and Economic Studies, eliminating racial and ethnic health disparities in this country for the period between 2003 and 2006 would have reduced direct health care expenditures by nearly $230 billion.

Further, when the study factors in indirect economic losses, such as missed days of work and premature death, the total cost of health care disparity approaches $1.25 trillion over the same period. This is a cost our country cannot bear.

Part of the problem is a lack of coverage. People of color make up about one-third of the population of the United States, but they represent one-half of the Nation’s uninsured. Providing quality, affordable health care options, including a public plan, will help address this problem.

We also need to recognize that our health care system is not working. While looking for us to help control costs, our small businesses are stretched to the breaking point. But if we take certain basic steps on the front end, we can create a healthier nation and save a lot of money on the back end. For example, by encouraging and enabling health care providers to reach out to their communities, with cultural competency and prevention and wellness initiatives, we can prevent some of the chronic conditions and catastrophic health care problems that have such a high cost for our economy.

Basic nutrition education and access to healthy foods could drastically reduce the wide disparities in diabetes and heart disease. Expanding the prevalence of racial and ethnic minority health care professionals could increase the cultural competence of our health workforce.

The health reform bills under consideration take significant steps to address the health disparities our country faces. I would like to take this opportunity to thank the HELP Committee and the Finance Committee for their tireless work in this effort.

As a final combined bill comes to the floor, I look forward to an opportunity to debate and improve upon the provisions that help our Nation’s disadvantaged populations get access to the health care they need.

This is not only a moral imperative in its own right, but it will help us achieve the health cost savings our health system desperately needs.

Mr. MERKLEY. I thank the Senator very much for his comments and his emphasis on making the best use of every dollar while addressing ethnic disparities in our health care system and the dire need to invest in prevention and wellness.

Next, we will hear from Senator JEANNE SHAHEEN from New Hampshire.

As Governor of New Hampshire, Senator SHAHEEN enacted the New Hampshire Children’s Health Insurance Program, which provides affordable health and dental coverage to tens of thousands of children in her State.

She also initiated a senior prescription drug program, providing seniors with lower cost prescription drugs. I yield 4 minutes to the Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I wish to begin by thanking Senator MERKLEY for coordinating this effort today. I am pleased to be able to, once again, join my fellow freshmen Senators discussing how critical it is for the Senate to act on health care reform.

As the Senate moves to reform our broken health care system, we must address the skyrocketing cost of health care. We must ensure quality in our health care system. Because of the rising costs of health care, the stories they tell me are the most poignant reminders of why we must reform our health care system.

Recently, I heard from a man named Jeff, who is from Loudon, a small community close to the capital city of Concord. Jeff had recently lost his job and with it his health insurance. So when he experienced swelling of his right leg and shortness of breath, he was afraid to go to the doctor because he was afraid he could not afford the cost. He ignored the symptoms until they got so bad he had to call 911. He was taken to a local hospital. Doctors realized he had a blood clot in his leg which had migrated to his lung. This was a life-threatening condition called a pulmonary embolism. Since treatment, his condition has improved dramatically.

However, the final bill from the hospital was over $200,000. To this day, Jeff remains in debt. I think how much we all would have saved if Jeff had gone to the doctor when he first felt those symptoms. Stories such as these are unacceptable. They can happen to anybody. The truth is, similar to Jeff, we may all be one medical condition away from financial disasters because of the high cost of health care. So we must work to protect hard-working individuals and families as we put forward a bill.

I am proud to come from New Hampshire for so many reasons but one of them is because of the great work that is done by the Dartmouth Institute of Health Policy. For more than 20 years, Dartmouth has been a leader in comparative effectiveness research and has revolutionized our understanding of our health care system. Because of the Dartmouth Atlas Project, we now know there are huge variations in the way health care resources are used and how the money is spent depending on where we live.

This chart shows the difference in spending among different regions per
Medicare patient. It is amazing to me that Medicare costs can range from the lowest spending referral region, which as you can see is just over $5,000, to the highest spending referral region, where in some parts of the country Medicare pays. This is the kind of treatment that in other parts of the country is provided for only a little over $5,000.

Unfortunately, the research also shows that just because someone is in a higher spending area, it does not mean they are going to live longer or have better health outcomes. Simply put, more costly care does not mean better care. There is a fundamental problem with our health care system, and this is something we have to work on.

Things do not have to be this way. We can find savings in our system and still provide high-quality care. As I mentioned last week, we can save significantly on Medicare costs by reducing hospital readmissions. I have introduced bipartisan legislation with Senator Collins to do that. We have the opportunity to fix a problem that has been around for generations. We need to work together to achieve this goal.

Mr. MERKLEY. I thank the Senator. The Senator's time has expired.

Mr. MERKLEY. I thank Senator Shaheen so much. It is enormously valuable to have her experience fighting for health care at the State level and bringing that to this conversation. Recognizing we do have a partnership between what the State can do and what the Federal team can do and that the goal of reforming the way we deliver health care can have a huge impact on price.

Next, we turn to Senator Michael Bennet from Colorado. As the highly successful superintendent of Denver Public Schools, Senator Bennet committed himself to ensuring the health and educational well-being of Denver's school-aged children. I yield 4 minutes to my friend from Colorado.

Mr. BENNET. I thank the Senator from Oregon.

It is good to be here this morning with all my colleagues to talk about health care reform. There is a lot of disagreement about what the right answer is. What I would like to spend my time on this morning is why the status quo is not an answer. I think that if we can get agreement on that, we can solve the issues that confront the working families in my State and all across the country.

The median family income in Colorado has actually declined by $800 over the last 10 years. At the same time, the cost of health insurance has gone up by 97 percent. It has doubled during that time. That has happened all over the country. This slide shows the difference between the rate of increase in wages in my State, from 2000 to 2007, versus the rate of the increase in insurance.

I have talked to small business people all over the State of Colorado who have said they are trying to continue to insure their employees just as they have for generations in family-owned businesses, but they are finding they are having to pay between 20 and 7 percent between people's wages because the cost of insurance is getting so large.

By 2016 in my State, working families in Colorado are going to be spending roughly 40 percent of their income on health care, more than the Federal deficit. It is having a profound effect on the finances of the Federal Government. The biggest drivers of our deficit, as the red line shows, are rising Medicare and Medicaid costs. If we can change that, then we can begin to restore our Government to fiscal health. If we do not change it, we are going to continue to pile mountains of debt onto our kids and our grandkids, something that no one in my State wants us to do.

Finally, the light line shows we are consuming almost 20 percent of our gross domestic product on health care, devoting almost one-fifth of our economy to health care, when all our competitors across the globe are devoting less than half that to health care.

It is no different than if you had two small businesses across the street from each other, one spending one-fifth of their revenue on their light bill, the other spending less that on their light bill. You do not need an MBA to know which of those two companies is going to be able to invest and grow their business.

The Senator from New Hampshire talked about a very important cost control measure in this bill that has to do with the transition of care. Right now in this country, one out of five Medicare patients is readmitted to the hospital within the first month that they leave. The light slide shows we are following up to make sure they are getting the care they need to stay well.

Nobody is checking to see whether they fill their prescriptions or whether they are taking their medication.

In Colorado, we have a great model in Mesa County and Grand Junction, where the hospital readmission rate is not 20 percent but 2 percent. This alone is costing us $17 billion a year.

If we can do it smarter, more cheaply, and provide the kind of quality we see in Grand Junction, the Mayo Clinic, and other places across the country, we should. That is what this reform is about. It is time for us to put politics aside and come to an agreement that will create a much improved situation for working families and small businesses.

The status quo is eating people's wages because the cost of insurance is getting so large. It has doubled during that time. That has happened all over the country. This slide shows the difference between the rate of increase in wages in my State, from 2000 to 2007, versus the rate of the increase in insurance.
antitobacco funding. I know as a former mayor, when I came into office we had double-digit increases in health care costs; when I left, a less than 1 percent increase. Why? Because we created wellness programs, created personal responsibilities and incentives for personal health care.

Let's make a similar commitment in health reform this year. Let's promote personal responsibility. Let's give more American families the tools they need to take charge. Let's improve our Nation's health care delivery systems. And as we do it, let's make sure sidewalk trails are part of the package. Let's hire more PE teachers and build upon proven community programs. Let's save lives and save dollars by keeping tobacco away from kids.

As reform moves forward, our promise is to keep it deficit neutral, now and into the future. Health care reform, health insurance reform now, is important.

I yield the floor.

Mr. MERKLEY. I thank my colleague from Alabama for his remarks and his emphasis that prevention and management of chronic diseases are essential to bending the cost curve. I now turn to Senator Warner from Virginia.

Senator WARNER helped create the Virginia Health Care Foundation, which is providing health care to more than 600,000 underserved Virginians. I yield 4 minutes to Senator WARNER.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WARNER. Madam President, I thank my colleague, the Senator from Oregon, for helping organize this morning. I thank all our colleagues for once again coming together and speaking with different voices but with similar themes. I also thank our newest colleague, the new Senator from Massachusetts, for being here. I know he will be an even stronger voice to give his maiden speech. Being here and giving us moral support is helpful.

One of the things we all get to do as freshmen Senators is sit in that chair and preside over the Senate at various times. Consequently, we often get, perhaps more than other colleagues, a chance to hear the folks on the other side and their talking points. Monday afternoons, I get to hear it for uninterrupted hours. What I hear time and again—and the voices on the other side is complaints about the various proposals this side—and, hopefully, some on the other side will join us on—has put forward.

What I do not hear from the other side is what happens if we take their approach, which is doing nothing. What I do not hear from the other side is a simple recognition of the moral challenges of covering close to 30 million additional Americans, but the fiscal challenges of not acting, a fact that we all acknowledged. But we pointed out, if we fail to act, we will see Medicare go bankrupt by 2017; if we fail to act, our deficit numbers will continue to explode; if we fail to act, an average Virginia family, and an average Colorado family as well, will be spending close to 40 percent of their disposable incomes within the next decade paying for health care. Senator MERKLEY and Senator Baucus have been leaders for Americans business cannot compete when we have to pay $3,000 to $4,000 more per employee than our competitors across the world in terms of increased health care costs.

One of the reasons for these increasing health care costs is because we have an aging population. We do. But an aging population is not the only reason for rising health care costs. Our rising health care costs are increasingly driven by an inefficient delivery system, by a system that does not reward value, by a system that does not compensate based upon any rational basis. That is where so many of the reforms are focused through the Senate Finance Committee and the House HELP Committee, and others we will be putting forward in later weeks, perhaps even on the floor, that will bring these reforms to the overall delivery system.

Again, some of my colleagues have already mentioned wellness. Senator SHARRICK mentioned the enormous differential between states in terms of Medicaid reimbursements. We can and must do a better job.

For example, if we see here, we can put health care reform in place and drive system reform, we could poten-

tially save $3 trillion over the next 10 years across the entire system. If we fail to act, we leave those costs in a system that does not provide good quality health care and, with 70 percent of the cost going for chronic diseases, does not provide better coverage, either.

On this last chart, in terms of what we are talking about in expanded savings, we talk about the current system—this is based upon Lewin Group studies, the Commonwealth Fund that has been cited many times on the other side—if we simply put in place expanded coverage without reform, we will continue to explode the deficit. But if we put in place the kinds of reforms we are talking about, which is wellness, and increased transparency—and I strongly believe in a differential between states in terms of Medicaid reimbursements. We can and must do a better job.

For example, if we see here, we can put health care reform in place and drive system reform, we could poten-
tially save $3 trillion over the next 10 years across the entire system. If we fail to act, we leave those costs in a system that does not provide good quality health care and, with 70 percent of the cost going for chronic diseases, does not provide better coverage, either.

On this last chart, in terms of what

We have solid evidence that we can spend $3 trillion every year on health care. But only 4 cents out of every dollar is invested in prevention. It doesn’t make sense. Studies have shown that primary prevention will not only save lives, it will also save money. In New Mexico, a $10-per-person investment in community-based prevention programs would save $88 million annually. Nationally that translates to more than $16 billion annually. That is a return of $5.60 for every $1 invested.

We have solid evidence that we can spend $3 trillion every year on health care. But only 4 cents out of every dollar is invested in prevention. It doesn’t make sense. Studies have shown that primary prevention will not only save lives, it will also save money. In New Mexico, a $10-per-person investment in community-based prevention programs would save $88 million annually. Nationally that translates to more than $16 billion annually. That is a return of $5.60 for every $1 invested.

We have solid evidence that we can spend $3 trillion every year on health care. But only 4 cents out of every dollar is invested in prevention. It doesn’t make sense. Studies have shown that primary prevention will not only save lives, it will also save money. In New Mexico, a $10-per-person investment in community-based prevention programs would save $88 million annually. Nationally that translates to more than $16 billion annually. That is a return of $5.60 for every $1 invested.

We have solid evidence that we can spend $3 trillion every year on health care. But only 4 cents out of every dollar is invested in prevention. It doesn’t make sense. Studies have shown that primary prevention will not only save lives, it will also save money. In New Mexico, a $10-per-person investment in community-based prevention programs would save $88 million annually. Nationally that translates to more than $16 billion annually. That is a return of $5.60 for every $1 invested.
It could also mean more bike paths and more school gardens.

Legislation approved by the HELP Committee would establish a new fund to support these activities. This kind of dedicated, stable funding stream is critical to effectively address America’s legacy of neglect regarding prevention. There is an often-quoted parable that tells of a nurse fishing down a stream. As she fishes, she sees a person coming down the river struggling for life. She helps him out. Then, another comes and again must be rescued. This happens all afternoon and the nurse tires from constantly pulling people out of the river. Eventually, she realizes she has to get upstream, to see what is pushing them in the river in the first place.

It is time for America to look upstream, to see where the real problems lie. It is time to honestly address these preventable health problems.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. MERKLEY. Madam President, I thank Senator UDALL for his clarion call that prevention is the best way to save lives and save dollars.

We now turn to Senator MARK UDALL of Colorado. As a Member of the House of Representatives, Senator UDALL championed legislation highlighting the health benefits of physical activity for the public. I yield 4 minutes to the Senator from Colorado.

The PRESIDING OFFICER (Mr. WARRINER). The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, let me start by thanking my colleague, the Senator from Oregon, for holding this important gathering on the floor of the Senate this morning.

Mr. President, as my fellow freshmen have stressed, health insurance reform is essential in helping us lower spending, chip away at our Federal deficit, and strengthen our economy.

What we propose before us would contain costs across the board. I wish to focus on a particular area of health care reform near and dear to nearly 45 million Americans, and that is Medicare. Reforming how we pay for Medicare and how we spend those valuable taxpayer dollars is one of the biggest cost-containing tools we can include in health care reform, and it will also improve the health of seniors.

Coloradans have rightly asked me and Senator BENNET how health care reform can reduce government spending on Medicare while at the same time strengthen benefits and improve their health. They want to know how they can be getting more as the government spends less.

The answer is that health insurance reform can make our government and us smarter consumers. Because right now, 30 to 50 percent of spending on health care does not make a patient healthier. That is a lot of room for savings.

Let me give you an example. Today, Medicare actually pays doctors and hospitals more to amputate a leg than it does to treat early diabetes and actually prevent that amputation. Our government should be paying for quality outcomes, not writing checks that encourage expensive care that could have been prevented in the first place.

Let me tell you a couple of examples of how reform can change these incentives, help improve care for our seniors, and also decrease costs for all of us, the taxpayers.

First, reform can lower the rate of unnecessary hospital readmissions. Right now, one-quarter of all Medicare patients who are discharged from a hospital end up going back into that hospital for the same problem. Health reform would reward hospitals such as Saint Mary’s in Grand Junction, CO, which coordinates care and follow-up to make sure patients do not end up back in the hospital.

Second, reform can hold hospitals accountable if they are not doing enough to reduce the threats that develop infections in their facility. Such infections cause seniors to stay in the hospital longer, cost tens of thousands of additional dollars to treat, and—in the worst cases—they are life threatening.

Health care reform would also invest in and encourage innovative ways to deliver more efficient care to seniors. So-called patient-centered care can prevent seniors from being admitted to the hospital in the first place.

You will notice a theme here: The government would be paying less when we pass health reform, and seniors would be healthier for it.

I have not even touched on the billions of dollars per year in waste, fraud, and abuse that health insurance reform will help wring out of the system. I also have not discussed the tough cost-controlling mechanisms, such as a new Medicare payment advisory board. The waste, fraud, and abuse in Medicare are being spent efficiently to improve patient care and balance our Federal checkbook.

The reforms we are considering are critical to changing the way the government pays for Medicare so we can ensure its long-term sustainability. The reality is, if we do not act, as was mentioned early this morning—if we keep spending as we do today—Medicare will be bankrupt by 2017, just 8 years from now. That is a sobering thought.

If we take the step to reform our health care system, it will have the immediate effect of extending the life of our Medicare trust fund for 5 more years, and at the same time, we will lay down a foundation that will keep costs down in the long term so we can make Medicare sustainable for generations to come.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I thank Senator UDALL very much for his remarks. I thank the Senator for his emphasis on quality outcomes and patient-centered care as a way to improve care and to decrease costs.

We will now turn to Senator KAY HAGAN of North Carolina. As a State senator in North Carolina, Senator HAGAN worked to extend health insurance coverage to uninsured patients living in rural areas of the State, and to end insurance discrimination against mental health care patients.

I yield Senator HAGAN 4 minutes.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. HAGAN. Mr. President, I thank my fellow colleague from Oregon, Senator MERKLEY. I also welcome our new colleague from Massachusetts.

I am joining my freshmen colleagues on the floor today to talk about how health care reform will improve women’s access to care. I received a heart-breaking e-mail this week from a young woman in North Carolina. When this woman was 27 years old, she was diagnosed with breast cancer. She had a 16-month-old son and was in an abusive relationship with her. Her husband knew she would not leave him because she could not afford medical treatment without his employer-provided insurance. She looked into COBRA. She looked into other individual insurance plans. But her breast cancer was, obviously, considered a preexisting condition. So for 7 years, this woman stayed in an abusive relationship because she had to have health insurance for herself and her child.

Unfortunately, women across America face similar challenges to exactly what that woman has faced. Ineficiencies and discriminatory practices in our health care system disproportionately affect women. In a majority of States, insurance companies are permitted to charge women more than men for the exact same insurance policy. In Washington, DC, and in eight States, insurance companies can deny coverage to victims of domestic violence, citing that as a preexisting condition. In all but 2 States, insurance companies are allowed to charge women more than they charge men for coverage.

In my family, my daughter, who just graduated from college—out there looking for health insurance on her own—was quoted $9,500 per year. She was quoted more than twice the money for her coverage than if she had been a male.

Only 12 percent of individual market policies provide comprehensive maternity care. When women do have health insurance, it often does not cover basic preventive care such as mammograms and Pap smears. In the HELP Committee and in the Finance Committee bill, insurance companies can no longer charge women more than men or use preexisting conditions to prevent anyone from purchasing health insurance, and we are ensuring that basic preventive screenings will be covered.

I am focused on sending our President a bill that ends discriminatory
Mr. MERKLEY. Mr. President, I thank Senator HAGAN very much for her comments and her observations about how the current health care system, the current rules of insurance, including the ability to turn down patients and to deny folks with preexisting conditions, works to discriminate against women and prevent preventive health care.

We will now turn to Senator KIRSTEN GILLIBRAND of New York. As a Member of the House of Representatives, Senator GILLIBRAND was a champion of children’s and family health care issues and was a leading voice on the need to improve health care services for America’s veterans.

I yield my friend from New York 4 minutes.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, right now we are engaged in a historic debate about the future of our health care system. The crisis has reached historic proportions, and Congress must act now.

In 2000, family health insurance purchased through an employer was approximately $6,700. In 2008, it nearly doubled to $12,600. If we do not act now, by 2016, family health insurance is expected to double again, to nearly $24,300.

We pay nearly twice the average of what other developed nations pay for health care: $2.2 trillion a year—more than 16 percent of our gross domestic product. However, the United States ranks 29th in the world in infant mortality.

We have more than 47 million uninsured Americans. In 2007 and 2008, 86.7 million Americans—one out of every 3 Americans under 65—went without health insurance for some period of time.

There is a hidden tax in America’s health care system that all insured Americans pay to cover the cost of emergency care for the uninsured. For more than half of the 47 million Americans who do not have insurance, the only care they receive is through the emergency room. In fact, that hidden tax costs about $1,100 per year for family insurance premiums and over $400 per year for individual insurance premiums.

Every day we fail to act, 14,000 Americans lose their health insurance. We must provide affordable, quality health insurance to every man, woman, and child in this country. But we also must take additional steps to contain costs and make sure our system is more efficient. The health care reform plans we are considering today will address a number of these issues.

First, health care providers will be rewarded for the quality of the care they provide, not just the quantity. Hospitals and clinics around the country will increase their performance, places such as Bassett Healthcare which is in Cooperstown, NY, and is one of the leading health care providers in terms of positive outcomes because of the quality of care. We will also employ new practices, new providers, new policies, new regulations, new standards to reduce medical errors through accountability and through health care IT, and prevent costly illnesses through better care management, through diet, exercise, and prevent diseases such as preventing childhood obesity.

Second, we will address the needless red tape and excessive administrative costs in our current health care system. Senate health insurance reform combats this problem by setting administrative standards that insurance companies must meet, and providing new tools to combat fraud. I would like to see a universal, one-page form that all people can use for reimbursements for all insurance companies that can be submitted on line. Changes like that could transform efficiencies in the market.

Finally, we will make use of health care technology that could reduce health care spending by $77 billion a year. Currently, just 1 in 25 American physicians utilizes fully functional electronic medical records. Senate health insurance reform expands the use of electronic prescribing, electronic health records, and electronic support for diagnosis and treatment options. Studies have shown that one out of every four tests is needlessly done because there is no record of that test. This must change.

We know that Nation’s health care costs are steadily bankrupting our government and our citizens, and we owe it to every generation that comes after our own to act now.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I thank my Democratic freshmen colleagues for coming to the floor today to talk about our broken health care system and the absolute necessity to control costs in this system, that we are on a train headed for a wreck. It is making it so difficult for families and small businesses and large businesses to afford health care that we are going to establish a high quality of life, strong, thriving small businesses and international competitiveness for our large businesses. We can and must improve our health care system. The moment is now.

I thank my colleagues for coming to the floor and sharing their vast experience in so many different capacities and bringing it to bear on this challenge that touches the life of every single American...

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.
I have found one, I am on the Senate floor today to say I would like to be a cosponsor of the Reid amendment, the proposal by the majority leader of the Senate—the respected HARRY REID from Nevada. The New York Times reported on Tuesday that the majority leader had heard from his Governor and from other people in his State, and he was deeply concerned about the legislation that is coming through because it would increase costs in Nevada.

So the majority leader did exactly what I think most of us would do. He introduced an amendment, or proposed an amendment, to the Senate Finance Committee and said: Take care of Nevada. If the Federal Government is going to expand coverage for Medicaid, then the Federal Government ought to pay for it.

That is exactly what I believe. That is exactly the opinion of all of the Governors. The National Governors Association, of which I used to be chairman, has said to us: If you are going to expand Medicaid, if that is your big idea in Washington, then pay for it.

Nothing irritates Governors and legislators more than Washington politicians with big ideas announce them, take credit for them, and then send the bill to the Governor and the legislature. I was a Governor. The Senator from Georgia was in the Georgia Legislature for 17 years. He was the leader of the Republicans in the Senate for 8 years. He knows a good deal about State governments.

I am wondering if the Senator from Georgia thinks there might be opportunity for more bipartisan support for Senator Reid’s amendment to have the Federal Government pay for 100 percent of Medicaid costs if Medicaid is expanded.

Mr. ISAKSON. Well, I think the majority leader is exactly right. There is a prime example of what happens when the Federal Government mandates a benefit, and does not pay for it; the States end up having to do it. Just take No Child Left Behind or take the Elementary and Secondary Education Act, and IDEA. Back in 1978 we mandated funds to be appropriated by the States to cover the costs for children with disabilities in America. In fact, we mandated States spend 40 percent per FTE more on a special needs child than on a regular child. We never sent them a dime for about 20 years. We finally, in 1999, started paying part of that 40 percent. Now we are only paying half of it.

So now we take Medicaid. Medicaid is a program, for the people out there who are listening today, where the States pay about one-third of Medicaid and the Federal Government pays about two-thirds. It changes a little, but that is about right. The State runs the program; the Federal Government mandates the program. When I was first elected to the Georgia Legislature, the expenses for Medicaid the year I was elected in the State budget were $200 million, State funds. That was 1 percent of the State’s $2 billion budget. Now, today, this year, even with all of the cuts that have taken place, Medicaid is 12 percent of Georgia’s budget. So it has grown from 1 percent of the budget to 12 percent of the budget in about 30 years.

Plains in the health care bill that are being talked about in the Finance Committee and that have been talked about in the House would mandate an increase of 150 percent—from 100 percent of poverty to 150 percent of poverty. It is a big deal. It is said that the States will be held harmless until 2013 or 2014 but no promises after that.

Let me tell my colleague what would happen to my State of Georgia if we raised mandatory eligibility to 150 percent of poverty. The Senate paid its third of that one-third, two-thirds matched by the Federal Government. It would raise Georgia’s Medicaid budget expenses annually from 12 percent of our budget to 20 percent of our budget, over $3 billion. States can’t afford to do that.

As the Governor of Nevada said, 43 of our States can’t deficit spend; 43 percent of our States must balance their budgets. Medicaid has been carved on and worked on as it is to try and preserve it under the existing law. With a 150-percent increase in eligibility and no funds from the Federal Government guaranteed, the States would be put in a position of spending one penny out of every five that a child or adult who is about 12 percent of my State’s population. That is disproportionate and it is not fair.

I think Senator Reid is exactly right. Our States should be held harmless on any mandated increases in Medicaid.

Mr. ALEXANDER. Mr. President, going back to the Senator’s point, the thing I think about, those of us who have been a Governor or in the legislature—in fact, I have said to some of my colleagues many times that, if we expand Medicaid for low-income Americans—which States have to pay a third or more of—without paying for it, that we Senators ought to be sentenced to go home and serve as Governor for 8 years to see what it is like. I mean that because I can remember as Governor for 8 years balancing budgets, first I would come up with the money for the kindergarten through the 12th grade—that was a pretty set amount—then for the highways, and then for the prisons, and then for education, and I would get down toward the end and there would be a certain amount of money left to either go into higher education or it would go for increasing Medicaid costs. Almost always that was the choice. If I put it into Medicaid, I had to take it out of education, and that would keep the University of Tennessee or Georgia or the community colleges from getting better.

What happens when the States can’t put the money in. The tuition rates go up.

Mr. ISAKSON. It is interesting the Senator talked about that. By the way, his experience as Governor was a great experience for Tennessee. Senator Reid’s leadership in education was phenomenal. But already with the restricted economy we have today and the recession in my State, our teachers this year are having to take a minimum of 3, and at the university system a maximum of 6, furlough days without pay just to try and meet the balanced budget. Part of that is the pressure of Medicaid, which is an entitlement. We cannot decide to just not pay Medicaid, we have to do it. It is a Federal law: the States have to run it.

What the States are having to do this year—my State of Georgia and I think the State of Tennessee has probably experienced some of the same thing—they are having to cut back on other programs in order to still manage Medicaid.

In a State, when they say “other programs,” they are talking first and foremost about education. In Georgia, 54 percent of the budget is the university system and elementary and secondary education, one out of every two cents. Well, if they can’t cut Medicaid because it is an entitlement, then they have to cut education first and foremost, which is the most important function of State government. So the unintended consequences of such a mandate are going to be devastating. They only have two choices: to continue to cut education or to raise taxes. Neither one of those are a good choice.

Mr. ALEXANDER. There is an article in the New York Times today which I ask unanimous consent to have printed in the Record.

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

(From the New York Times, Oct. 1, 2009)

RATE OF ENROLLMENT IN MEDICAID RAPIDLY, REPORT SAYS

(Compiled by Kevin Sack)

The recession is driving up enrollment in Medicaid at higher than expected rates, threatening gargantuan state budget gaps even as Congress and the White House seek to cut the government’s $175 billion insurance program for the poor and disabled, according to a survey released Wednesday.

The annual survey of state Medicaid directors, conducted by the Kaiser Family Foundation’s Commission on Medicaid and the Uninsured, found that the program had been spared the worst effects of massive state budget shortfalls because it was to get aid in the stimulus package. But it also revealed grave concerns about what will happen when that relief dries up at the close of 2010.

Unemployment surged, enrollment in state Medicaid programs grew by an average of 5.4 percent in the previous fiscal year, the

October 1, 2009
highest rate in six years, according to the Kaiser survey. In eight states, the growth exceeded 10 percent.

Last year's average growth was well above the 3.5 percent that had been forecast by Medicaid directors a year earlier. In this year's survey, the directors projected that enrollment would continue to accelerate in the current 2010 fiscal year, growing by 6.6 percent.

The states and the federal government share $332 billion in annual costs for Medicaid, which insured 64 million low-income and disabled people at some point in 2007. It is the states, however, that regulate that spending by setting eligibility cutoffs, benefit levels, and provider payments, within federal guidelines.

The Kaiser survey found that the growth in Medicaid spending in 2009, at 7.9 percent, was the highest in five years. That number also may increase this fiscal year. Three-fourths of the agency directors said they already fear their appropriations will not be enough and that lawmakers will have to find more money or, more likely, cut benefits or provider payments.

One state to watch is Nevada. "We're seeing the trajectories of our enrollment growth as well as our revenues all going in the wrong direction," said Charles Duarte, administrator of the state's Division of Health Care Financing and Policy.

Medicaid is, by definition, a counter-cyclical program. Demand for it is always high, but the spikes that states cannot afford it because of slumping tax revenues.

The highest spikes in Medicaid enrollment often trail the worst recessionary indicators. It was not until a year after the 2001 recession that the growth in Medicaid enrollment peaked at 9.3 percent.

Vernon K. Smith, who directed the survey for Health Management Associates of Lansinig, Mich., said he doubted that enrollment growth would reach that level as a result of this recession, but that it was not out of the question. "Significantly many states said the pace of growth accelerated as the year went on," he said.

Some states did cut certain Medicaid benefits last year, and two-thirds of them either froze or reduced payments to providers. Those payments are typically the lowest made by any insurer—often falling below actual costs—and as a result some physicians decline to accept patients with Medicaid.

Nonetheless, state budgets were buffered from Medicaid by the federal stimulus package enacted in February. The largest single component of state aid in the package, worth about $87 billion, provided a temporary increase in federal Medicaid reimbursement to the states.

The survey found that 38 states used the money to avoid or reduce cuts in provider payments instead of 36 avoided benefit cuts. Because the federal money was conditional on states not reducing eligibility for Medicaid, 14 states reversed previously enacted restrictions on five abandoned plans to tighten coverage.

But state officials are already panicking about how to compensate when the spike in federal matching funds expires at the end of 2010. Few anticipate any significant reduction in their Medicaid rolls by then. "Many states believe they may be pressured to consider previously unthinkable eligibility and benefit reductions," the Kaiser report concluded. Unless Congress and President Obama extend the federal aid, the cuts needed to balance state budgets may be "on a scale not ever seen in Medicaid," the authors warned.

"We will have to look at wholesale elimination of eligibility groups," Mr. Duarte said.
Hon. NANCY PELOSI, Minority Leader, U.S. Senate, Washington, DC.

MADAM SPEAKER AND MR. BOEHNER: I appreciate your commitment and hard work towards reforming the nation’s health care system. I think we can all agree that the current system is not working as it should, and it is absolutely unaffordable for states.

Governor Schwarzenegger goes on to say:

Proposals in the Senate envision passing on more than $8 billion in new costs to California annually—crowding out other priorities or constitutionally required state spending and presenting a false choice for all of us. I cannot and will not support federal health care reform proposals that impose billions of dollars in new costs on California each year.

I ask unanimous consent that this letter be printed in the Record.

The inclusion of maintenance of effort restrictions on existing state Medicaid programs or shifting to federal funds imposes additional costs to states. We simply cannot lock into a cost structure that is unsustainable. Governors have three primary ways to control Medicaid costs: medicaid cost-sharing, benefits and/or reimbursement rates. Maintenance of effort requirements linked to existing Medicaid eligibility standards and procedures will effectively force state legislatures into autopilot spending and lead to chronic budget shortfalls.

The federal government must help states reduce their Medicaid financing burden, not increase it. A major factor contributing to Medicaid’s fiscal instability, before any program changes, is chronic demand. Chronic demand is effectively remains the sole source of financing for long-term care services. Therefore, I am encouraged by congressional proposals that create new financing models for long-term care services. Proposals that expand the availability and affordability of long-term care insurance are steps in the right direction, but they must be implemented in a financially sustainable way. More fundamentally, however, the federal government must take full responsibility for financing and coordinating the care of the aged in order to appreciably reduce the cost trend for this group. This realignment of responsibilities is absolutely essential to controlling costs for this population and ensuring that state governments will be better positioned to fill in any gaps that will undoubtedly arise from federal health care reform efforts.

I also encourage Congress to incorporate other strategies to help stabilize Medicaid costs for states. Delaying the scheduled phase-out of Medicaid managed care pilot programs, adjusting Medicaid rates, reimbursement for Medicaid claims owed to states associated with the federal government’s improper classification of certain state payments, and federal support for legal immigrant Medicaid costs are examples of federal efforts that could provide more stability to state Medicaid programs. Federal support for legal immigrant Medicaid costs are examples of federal efforts that could provide more stability to state Medicaid programs and help states better position themselves to face an increasing demand for long-term care services.

Quality improvement measures are also critical to health reform. The House proposal for a Center for Quality Improvement provides an effective incentive to help prevent adverse selection that could occur if the mandate is too weak. Creating transparent and user-friendly health insurance exchanges to help consumers compare insurance options will also help facilitate participation. States should maintain a strong role in regulating the insurance marketplace to maintain and operate their own exchanges, with the understanding that some national standards will need to be established. California is a long history of consumer-focused, community-based strategies can be effective and recognized tobacco control efforts that populations-based strategies can be effective and dramatically change the way the people think and act about unhealthy behaviors, with health care reform.

Because individuals’ behaviors are influenced by their environments, health reform must place a high priority on promoting healthy communities that make it easier for people to make healthy choices. California has demonstrated through its nationally recognized tobacco control efforts that population-based strategies can be effective and dramatically change the way the people think and act about unhealthy behaviors, with health care reform.

I urge Congress to pass health care reform legislation that is too weak. Creating transparent and user-friendly health insurance exchanges to help consumers compare insurance options will also help facilitate participation. States should maintain a strong role in regulating the insurance marketplace to maintain and operate their own exchanges, with the understanding that some national standards will need to be established. California is a long history of consumer-focused, community-based strategies can be effective and recognized tobacco control efforts that populations-based strategies can be effective and dramatically change the way the people think and act about unhealthy behaviors, with health care reform.

I urge Congress to pass health care reform legislation that is too weak. Creating transparent and user-friendly health insurance exchanges to help consumers compare insurance options will also help facilitate participation. States should maintain a strong role in regulating the insurance marketplace to maintain and operate their own exchanges, with the understanding that some national standards will need to be established. California is a long history of consumer-focused, community-based strategies can be effective and recognized tobacco control efforts that populations-based strategies can be effective and dramatically change the way the people think and act about unhealthy behaviors, with health care reform.

I hope my experience in California working toward comprehensive health care reform can be informative for Washington. There will be many short-term triumphs and seemingly insurmountable roadblocks for...
Congress and the nation on the road to comprehensive health care reform. We must all remain focused on the goal of fixing our health care system and remember that we all have a responsibility from the grassroots, and we all have a shared responsibility to achieve them. I look forward to working with you as you move forward on this desparate and important legislation.

Sincerely,

ARNOLD SCHWARZENEGGER.

Mr. ALEXANDER. Madam President, I say to the Senator from Georgia that we are all thrilled whenever we see what we would like to see cosponsor the Harry Reid amendment. The problems of the States are so well documented today. They don’t just exist in Nevada or the two or three other States he picked out yesterday; they exist in California, which is now not part of the Reid amendment. I guess that Senators FEINSTEIN and BOXER would be happy to cosponsor the Reid amendment if it included California. I certainly would be if it included Tennessee. I know the Senator from New York and others would also be.

Our States cannot afford to have the Federal Government say: We are going to expand your health care. Mr. and Mrs. Low-Income American. It is not a very good health insurance program or Medicaid then we are going to send 40 percent of the bill to States that are already bankrupt, making it more difficult for them to provide good care.

Mr. ISAKSON. The Senator from Tennessee frequently over the last couple of months that what we really need to do is take a step-by-step approach. Comprehensive health care reform’s unintended consequences will be a disaster because it affects 17 percent of the economy. You are taking the entitlements and 86 percent of the people who have some coverage and you are threatening that they have to go into a government option. This Medicaid debate is a good example of how we need to take a step-by-step approach, we need to take things first.

In the report before our committee, the HELP Committee, on which we serve together, we spent 67½ hours in the markup on that bill during the months of June and July. We heard about the uninsured and the uncovered in America. Of that 14 to 16 percent we hear about, a number of them are Medicare or Medicaid eligible, and they are not covered by the first step we ought to take is to say we are going to create a mechanism where every Medicaid-eligible person and Medicare-eligible person is covered, which would probably mean that when someone visits a hospital because they are ill and they are qualified for Medicare or Medicaid, they get enrolled automatically so that they do have the coverage. That is the first step we ought to take in terms of entitlement.

Then we can talk about another part of the uninsured—those people you and I talk about, the independent contractors, small businesspeople—and we can allow the forming of risk pools across State lines and insurance sales across State lines and allow like professions to associate together to form larger risk pools to compete with major corporations. And then insurance becomes more accessible and affordable.

This debate—having over Medicaid and the Governors’ immediate reaction—which is 100 percent of the Governors, not just a couple—demonstrates to us that we need to slow down and take step-by-step approaches to begin to address what we have done and uninsured without creating unintended consequences that bankrupt States and ration health care.

Mr. ALEXANDER. The Senator is being very sensible. I think most Americans would agree with us that our goal is to reduce the costs of health care—reduce the costs of your health care insurance when you buy it and reduce the costs to your government that is running up a big debt every year.

The Senators mentioned two specific ways we can take steps in the right direction without getting into this business of taking over so much in Washington, with trillions of dollars of debt, passing on big taxes to States, and cutting Medicare and the Governors’ immediate reaction. One was to allow small businesses to pool their insurance so they could offer more to their employees. That would affect millions of Americans. Another was to sign up more people who are already eligible. Another is to do something about junk lawsuits against doctors that are driving up costs. Another is to create more insurance exchanges in the States. We have proposed these.

People say: Where is the Republican plan? If they are looking for some comprehensive, trillion-dollar, thousand-page bill, they are not going to see it. If they are looking for four or five practical steps to move in the right direction, we talk about that every day, and we are not afraid to warn against the big, thousand-page bill plans. We compliment the Senator from Nevada for recognizing that it would ruin his State if we passed this bill, and we hope we have the opportunity to cosponsor that amendment so it applies to every State.

Mr. ISAKSON. There is no question—when the Senator referred to independent contractors, I had a flashback to the 22 of the last 24 years if we here expand Medicaid there and make them pay for a third or 40 percent of the care, the South Dakota Governor says it would cost their State $20 billion over 10 years if we here expand Medicaid there and make them pay for a third or 40 percent of the care, the South Dakota Governor says it would cost their State $1.1 billion over 10 years. I imagine those Senators would like to be a part of this. The Alaska Governor says it would cost $140 million in State general funds. I imagine the Alaska Senators would like to cosponsor the amendment. Governor Schwarzenegger—I suppose his Senators would like to be part of this as well. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this. The Nebraska Governor says this could mean more taxes and that. The South Dakota Governor says it would cost their State $20 billion over 10 years. I imagine those Senators would like to be a part of this.
you look up to Washington, and here comes some Congressman or Senator saying: I have a great idea; let’s expand health care all over your State and you will pay for it. That is called an unfunded Federal mandate. It is the wrong thing to do. The Senator from Nevada has said it.

All States would like to be part of that amendment.

Mr. ISAKSON. I agree. You cannot just treat 4 States differently from the other 46. You have to treat everybody alike.

I say to Senator ALEXANDER that there is another step-by-step thing we ought to talk about. In the pay-fors—the Medicaid increase of 150 percent is a pay-for. It is part of the cost of insuring everybody. There is another one; that is, the assumed $500 billion in savings from waste, fraud, and abuse. Well, assuming we know Medicare by $1 trillion in waste, fraud, and abuse. We are saying it is going broke by 2015 to look over the Medicare money, who the Medicare trustees, whose job it is not just a casual statement. Those are Americans. They are saying it is going broke by 2017.

To another program to pay for it? Medicare. I have a question for you. If you want to save one dollar for every dollar you pay for health care, Social Security, and Medicaid. So made, and those promises are Medicare.

Mr. ALEXANDER. That often confuses people. Medicaid is the program we have been talking about, of which States administer and pay a third or 40 percent. That has about 59 million people in it. The proposal is to move it to where one out of four Americans would be on Medicaid. There is also Medicare, which has about 40 million people, all seniors.

Mr. ISAKSON. This is my Medicare month. I am supposed to enroll. So it is now a personal issue with me.

Mr. ALEXANDER. That is the way it is with us. It has become a personal issue, and I think that is why so many people are going townhall meetings.

Mr. ISAKSON. I did a telephone townhall meeting, and a fellow said: Senator, I have a question for you. If there is $500 billion in savings in Medicare, why aren’t you all using it now to help save Medicare instead of giving it to another program to pay for it? Medicare is going broke by 2017.

Mr. ALEXANDER. That is correct. That is not only a personal issue, but I think that is why so many people are going townhall meetings.

Mr. ISAKSON. I did a telephone townhall meeting, and a fellow said: Senator, I have a question for you. If there is $500 billion in savings in Medicare, why aren’t you all using it now to help save Medicare instead of giving it to another program to pay for it? Medicare is going broke by 2017.

Mr. ALEXANDER. That is correct. That is not only a personal issue, but I think that is why so many people are going townhall meetings.

Mr. ISAKSON. I did a telephone townhall meeting, and a fellow said: Senator, I have a question for you. If there is $500 billion in savings in Medicare, why aren’t you all using it now to help save Medicare instead of giving it to another program to pay for it? Medicare is going broke by 2017.

Mr. ALEXANDER. That is correct. That is not only a personal issue, but I think that is why so many people are going townhall meetings.

Mr. ISAKSON. I did a telephone townhall meeting, and a fellow said: Senator, I have a question for you. If there is $500 billion in savings in Medicare, why aren’t you all using it now to help save Medicare instead of giving it to another program to pay for it? Medicare is going broke by 2017.
about a 3-percent new State income tax. Well, either one, we don’t want elected representatives in Washington deciding for us whether we want a new 10-percent or 3-percent State income tax.

There are just a few more I wish to include. I have a letter to Senator Reed from the Governor of Rhode Island. Of course, Rhode Island was included in the majority leader’s amendment. They should feel pretty good. They are going to get 100 percent of their request. Now, Senator, I am trying to raise taxes unless Congress pays 100 percent of it. I think they can understand that.

The Governor of Arizona has written to Senator McCain and Senator Kyl to point out that “Arizona is facing one of the worst financial deficits in the nation.” If Arizona is facing one of the worst financial deficits in the Nation, why is it left out of the majority leader’s amendment? It seems to me the citizens of Arizona deserve just as much attention. I imagine their Senators would like to cosponsor it as well.

I have a letter from the Governor of Louisiana talking about an unprecedented fiscal situation and the Governor of Mississippi saying: “In Mississippi, the issue of Medicaid expansion has come to a head.” Since our state’s share of the Medicaid is currently $707 million.

“According to the National Association of State Budget Officers, Governor Barbour said, Medicaid expenses were $336 billion for State and local government and a third of that is State money, and we are just going to up it. We don’t raise that money, we just send them an edict from Washington and say: We have decided that a good way of increasing the number of low-income Americans in your Medicaid Program and you pay for it, you take it out of this road, you take it out of this teacher’s salary, you raise the tuition at the University of Tennessee or Georgia and you cut their State funds. That is up to you, but we are going to pass the program.

Here is a letter to the Senator from Nebraska saying this new unfunded Federal Medicaid mandate could result in higher taxes in Nebraska or in cutting State aid to Nebraska school districts. I imagine the Senators from Nebraska, both of whom were Governors, would be happy to be cosponsors of the Reid amendment.

There is a letter from the Governor of South Carolina to Governor of Alabama; aletter from the Governor of Alaska and the Governor of Guam.

I say to Senator Isakson, we have been fairly specific on one point. I heard on the television this morning someone said this is so confusing to the American people; they don’t understand it. I think they can understand an unfunded Federal mandate. I think they can understand the Governor has to reduce Congress’s request of 80 percent of it. I think they can understand it when the majority leader picks out four States and says we will pay 100 percent of ours and the rest want to be part of that as well.

Mr. Isakson. The American people understand. This colloquy has been helpful to demonstrate something. I say to Senator Alexander. We on the Republican side have been saying from time to time of being obstructionists on health care reform. I think we indicated this morning we have been instructive, going on a step-by-step basis, dealing with the problems manageable one at a time, not sacrificing the Medicaid or Medicare, not sacrificing our States and forcing them into the impossible position of declining revenues and increasing costs through a mandated Federal program that, in the end, is only going to result in rationing of care to Medicaid-eligible beneficiaries and more and more pressure on our States already.

We are not trying to obstruct anything. We find it very instructive that there are ways, on a step-by-step basis, that we can close the gap on the number of uninsured people without taking away the benefits others have. I thank the Senator for allowing me the opportunity to participate in this discussion. We are learning from our Governors. I have learned from my townhall meetings and from my visits in Georgia. We understand America is tuned into a lot of America, 16 percent of it, needs attention for more affordable, accessible health care. Let’s be about the other things, on a step-by-step basis, of providing that and closing that gap without threatening to destroy the programs we have established over the years and promised to our seniors and to those less fortunate.

Mr. Alexander. Madam President, I thank the Senator from Georgia for his experience in State government and for his comments today. We want the majority leader to know our comments yesterday were not to be critical of him, just to say he is on the right track. He said to four States: If you expand your Medicaid, we are going to pay for it. We would like to include all States.

I yield the floor.

EXHIBIT 1


Senator John McCain,
U.S. Senate,
Washington, DC.

Senator Jon Kyl,
U.S. Senate,
Washington, DC.

Dear Senators McCain and Senator Kyl:

Thank you for the opportunity to provide information about Arizona’s Medicaid program, the Arizona Health Care Cost Containment System (AHCCCS).

As you know, Arizona is facing one of the worst financial deficits in the nation and projections show that the State is expected to make a slow recovery. In the meantime, the unemployment has continued to increase and counter-cyclical programs like AHCCCS have continued to experience record-breaking enrollment. As of last month, Arizona has grown by more than 100,000 new enrollees, and July 2009 enrollment is almost 17 percent above the same month in 2008. Total enrollment, including our Title XXI KidsCare program, in July reached 1,275,109 members, which is almost 19 percent of the state’s total population.

I am proud that AHCCCS program has served as a model for other state Medicaid programs across the country in terms of cost containment. This is due, in large part, to the fact that AHCCCS is a capitated managed care model and 65 percent of its long-term care patients receive home and community based services rather than institutional care. According to the Kaiser Family Foundation, AHCCCS has the lowest per member per month (PMPY) cost among Medicaid programs in the country. The average PMPY costs are: 1) $5,645.52 for acute care; 2) $45,960.72 for long-term care, which is a blended average of our elderly and physically disabled and developmentally disabled programs. The weighted average PMPY cost across all Title XIX programs is $7,182.60.

I am concerned that the Medicaid expansion proposals being discussed at the federal level do not consider the fiscal difficulties they are facing and continue to face over the next few years. At the same time as Congress is considering prohibiting states from changing their Medicaid eligibility standards, there is discussion about establishing a federal floor for Medicaid provider rates, which even further limits state flexibility in setting funding levels. State flexibility has been key to Arizona’s success in developing and efficiently managing a Medicaid program that provides high quality care at a low cost.

Even with our strong cost containment measures, I remain concerned about Arizona’s ability to sustain the existing AHCCCS model, let alone a mandatory expansion to 150 percent, regardless of whether the federal government provides full financing of the expansion for the first five years. Medicaid is already an increasing share of state budgets—Arizona’s General Fund spending on AHCCCS has increased by 230% over the past ten years, and has risen from 8 percent of General Fund spending in FY 1999 to an estimated 16 percent in FY 2011. Reaching this level of spending increases will be difficult, especially given that Medicaid enrollment and costs continue to rise. Moreover, Arizona’s revenues are not expected to turn around for several years and, even when they do rebound, we would require significant revenue growth in order to sustain rising expenditures for the existing Medicaid programs.

Please do not hesitate to contact my office if you have questions or should require additional information. I share your concern regarding Arizona’s ability to expand its Medicaid program and what the long-term fiscal impact will be. I hope you find this information useful as you consider the various proposals that are before you.

Sincerely,

Janice K. Brewer,
Governor.
WASHINGTON, DC.

Hart Senate Office Building,

To Congress:

As Always—Idaho, "Esto Perpetua."

Sincerely,

M.E. Daniels, Jr.,
Governor.

STATE OF IDAHO.

Hon. Mike Crapo,
U.S. Senate, Dirksen Senate Office Building, Washington, DC.

Dear Senator Crapo:

Idaho has a proud history of fiscal responsibility, ensuring that our State government serves its proper role for the people of Idaho while staying within their financial means. As the United States Congress attempts to address the healthcare challenges facing our nation, it is important that we remain diligent in assessing the implications of our decisions, always ensuring that we do not seriously diminish our ability to meet the financial resources of the American public, and allocating taxpayer money in an efficient and effective manner.

As the current proposals continue appearing in Congress, the full consequences of these reforms remain unknown and we are uncertain of the possible negative impacts on local businesses, families and senior citizens. However, it is clear that these sweeping proposals would irresponsibly shift a substantial share of the Medicaid and the federal matching rate effective would drop in the middle of fiscal year 2011, leaving Idaho struggling to fill the void. This $162.2 billion impacts 11 million people being taken from Medicare Advantage plans.

In Mississippi, that would necessarily mean increases in our state income or sales tax rates. Mississippi, like so many states, simply can’t afford to pick up the tab for an other unfunded mandate passed by Congress. Such state tax increases would be on top of the already $707 million it costs to fund Mississippi’s annual state share of the Medicaid program. These proposals, which would cover all individuals at 133 percent federal poverty level (FPL), will burden state budgets, forcing states to raise taxes. In Mississippi, that form of an additional 8 percent payroll tax or a 5.4 percent income tax surcharge. During a deep recession, when most people believe job creation and economic growth should be top priorities, huge tax increases will make it even more expensive to employ people; consequently, employers will employ fewer people.

Medicare, the nation’s largest provider of health coverage for the elderly and people with disabilities covering more than 46 million Americans, is on the chopping block. CBO has estimated that provisions in H.R. 3200 would lead to a total of $152 billion in cuts being taken from Medicare Advantage plans. This $162.2 billion impacts 11 million people in the current proposals by issuing a policy opposing current Congressional reform proposals by issuing a policy opposing current Congressional reform proposals by issuing a policy opposing current Congressional reform proposals by issuing a policy opposing current Congressional reform proposals by issuing a policy opposing current Congressional reform proposals by issuing a policy opposing current Congressional reform proposals by issuing a policy opposing current Congressional reform proposals by issuing a policy opposing current Congressional reform proposals by issuing a policy opposing current Congressional reform proposals.
Lastly, if we are trying to make health care more affordable, how do you leave out tort reform? After all, litigation and the resulting practice of defensive medicine add tens of billions of dollars to the cost of health care. In Mississippi, we passed comprehensive tort reform in 2004, partially to stop lawsuit abuse in the area of medical liability. It worked. Medical liability insurance costs fell 12 percent, and doctors have received an average rebate of 20 percent of their annual paid premium. The number of medical liability lawsuits filed in Mississippi doctors fell almost 90 percent one year after tort reform went into effect. Doctors have quit leaving the state and limiting their practices to avoid lawsuit abuse.

With all the issues concerning a government-run health care system, I wanted to warn you of the state tax increases Mississippi will shoulder on top of the federal tax increases in the pending bills as well as my concern for the increased costs our senior citizens will face as Medicare Advantage is cut. Congress must slow down and work in a bipartisan manner. Everybody agrees that health reform is needed, but it should be done thoughtfully. I hope you’ll keep this in mind when you think about proposals that shift costs to states—or to our senior citizens—are considered.

Sincerely,

Haley Barbour
Governor.

The Acting President pro tempore. The Senator from Alaska.

Alaska Territorial Guard

Ms. Murkowski. Madam President, on January 22 of this year, I came to the floor to inform our colleagues in the Senate about a decision by the Department of Defense that service in the Alaska Territorial Guard during World War II would not be regarded as Active-Duty service for purposes of military retirement. That decision reversed the position that had previously been taken by the Army that this service did count toward military retirement.

As Lieutenant Colonel McNorton explained in a story carried by the Associated Press, section 8147 applies to military benefits, including health benefits, but it does not make members of the Territorial Guard eligible for retirement pay.

I must emphasize, at this point, that no Alaska Territorial guardsman claimed a military pension solely because of his service in the Territorial Guard. The Alaska Territorial Guard was created in 1942 and disbanded in 1947. Many members of the “Tundra Army,” as some called it, continued to serve in the Alaska National Guard and other units of the military. That service, combined with service in the Territorial Guard, forms the basis for the claim.

I have come to learn that when you use the term “Crueilla” on the Senate floor, people sit up and take notice. My remarks made the rounds across the blogosphere and national media outlets. The response that came from across the country to the plight of the 26 elderly Alaskans, truly heart-warming. Across the ideological spectrum, the response from the American people was outrage over this situation.

The high level of national interest in the plight of these Alaska Territorial Guard members was not lost on the senior leaders of the Army. The Secretary of the Army reached into his emergency fund to continue the payments to those elders for 60 days, in the hope that Congress would have an opportunity to address the issue by then.

My colleague, Senator Begich, and I promptly introduced legislation to correct that situation, but the legislation was not considered before the 60 days expired on the emergency fund. The Alaska Legislature stepped up to fill the gap, and they enacted legislation to continue the payments from State funds until February of 2010 in order to, again, give Congress the time to fix the problem.

With the support of our colleagues—and I especially appreciate the leadership and support from Senator Levin, my colleague and friend Senator Inouye, and Senator Cochrane, language to clarify that service in the Alaska Territorial Guard counts toward eligibility for retirement pay that was included in that 2010 Defense authorization bill.

The Acting President pro tempore. The Senator’s time has expired.

Ms. Murkowski. Madam President, it was my understanding that I was to have 15 minutes under this time agreement; is that correct?

The Acting President pro tempore. The Chair is aware of no such agreement, and the time for the Republican side has expired.

Ms. Murkowski. Madam President, I do have additional comments I wish to make. I ask unanimous consent that I have 5 minutes to conclude these remarks, if that is acceptable.

The Acting President pro tempore. Without objection, it is so ordered.

Ms. Murkowski. Madam President, I also wish to recognize my friend and colleague, Senator McCain, who was there at the end to help us with this issue.

The people of Alaska thank our colleagues, Senator Inouye, Senator McCain, and so many others for the consideration that was given these Alaska Territorial guardsmen. Last Friday, we were disappointed to learn that some in the administration might not share our enthusiasm for putting this matter to bed and restoring the retirement benefits for the 26 elderly Alaska Native veterans.

The statement of administration position on the Defense appropriations bill contains two sentences that read as follows:

“Administration objects to a new General Provision that would count as ‘active duty’ the service the Alaska Territorial Guard members served during World War II. This provision establishes a precedent of treating service performed by a State employee as active duty for purposes of the computation of retired pay.”

The notion that restoring these benefits establishes a precedent of treating service performed by a State employee as active-duty service defies logic and it defies history. Not only is it inconsistent with the letter of Congress’s finding in section 8147 of the 2001 Defense Appropriations Act that the service was taxable Federal service, it is inconsistent with the facts, and I believe it is inconsistent with the law.

When our Lieutenant Governor—retired LTG Craig Campbell—heard this, he remarked:

“The administration doesn’t understand what a territorial guard is. This was an initiative of the Federal Government. They provided a federal service.

General Campbell recently retired as Adjutant General of the Alaska National Guard, and he is absolutely correct on this.

The Alaska Territorial Guard was created back in 1942 to protect Alaska from invasion by the Japanese. The notion that Japan had an interest in Alaska was far from speculative, as we know. The Japanese bombed Dutch Harbor and landed in Attu and Kiska in the Aleutian Chain. Enemy submarines lurked in the Bering Sea.

The ATG was organized by U.S. Army Maj. Marvin Marston under the leadership of a territorial Governor who reported to Washington. These were Uncle Sam’s men. All who served were volunteers. They were not State employees. It was organized in the name of the President of the United States, and it was armed by the U.S. Army. They were inspected by the U.S. Army, and the unit was disbanded in 1947 by order of the U.S. Army. The unit was well known...
for its skill in protecting Alaska. These gentlemen were Native hunters and fishermen, but they knew the land better than any soldier that the army might have sent up from the lower 48. They kept watch over 5,000 miles of coastline for enemy vessels and submarines, shooting down Japanese balloon bombs, protecting the Lend-Lease Route between Alaska and Russia and recovering downed airmen. These were the core missions of the territorial guard.

It is very disappointing that 62 years after the Alaska Territorial Guard was disbanded the value of their service to our Nation and to our success in World War II has been drawn into question. When I came to the floor on January 22 of this year, I gave the Defense Department to reopen the question of veterans' benefits and was interpreted by the national administration as not Federal and, therefore, the payments were not legal. Thankfully, former Army Secretary Pete Geren issued temporary payments to ease the economic hardship experienced by these heroes while they worked on a more permanent solution.

To its credit, the Alaska legislature stepped up where the Federal government fell short. The State is paying their pensions until Congress can provide a permanent legislative solution or until February 2010, whichever comes first. I cannot imagine another situation where Congress would stand by and let veterans’ entitlements be revoked and their sacrifices go unrecognized.

Luckily, my Senate colleagues also recognized this injustice. I thank my colleague, Senator MURKOWSKI, who introduced S. 315, a bill to provide for the treatment of service as a member of the Alaska Territorial Guard during World War II as active service for purposes of retired pay to restore pensions. I am a proud cosponsor of this legislation.

Working together with the leader of the Armed Services Committee, Senator LEVIN, and the ranking member, Senator MCCAIN, we were able to secure similar legislation to restore those pensions in an amendment to the National Defense Authorization Act for the year 2010, supported unanimously by the Senate. Most recently, the Senate Appropriations Committee included the same provision in the Defense Appropriations Act for fiscal year 2010.

However, I was extremely disappointed to learn in the statement of administration policy for fiscal year 2010 Defense Appropriations bill that the national administration has voiced objection to the provision that would count Alaska Territorial Guard service as active-duty time for retirement purposes. I remind my colleagues that the Alaska Territorial Guard members were not State employees. They were patriotic Alaska Natives answering the call of their country. Allowing their service to be counted as Federal service cannot set a precedent because there is no other group like them in this country. They served the United States in a time of war by defending an American Territory from the enemy. They engaged in combat. And they did this because they felt the same sense of patriotism during World War II that every active member of the Army and Air Force and every other military branch did.

These brave Alaskans are now in their 70s and 80s. Just this past Monday, one of them—Nicholai E. Nicholai
of Kwethluk—passed away before he could see this issue resolved. I ask my colleagues for their continued support to ensure that the now 25 Alaskan Natives who defended this Nation receive their earned pension by supporting the provisions in the National Defense Authorization Act and Defense Appropriations Act for fiscal year 2010.

I also join my colleague Senator MURKOWSKI in asking the administration to reexamine their objection to storing the retirement payments and honoring our World War II veterans. Our time is running short to correct this injustice and restore these modest payments. The Federal Government turned its back on these men at the end of the war. I hope Congress and my colleagues in the Senate won’t let that happen.

I yield the remainder of my time.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 3326, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 3326) making appropriations for the Department of Defense for fiscal year ending September 30, 2010, and for other purposes.

Pending:

McCain amendment No. 275, to provide for testimony before Congress on the additional forces and resources required to meet United States objectives with respect to Afghanist

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Mr. LEVIN. Madam President, I believe that the McCain amendment is the pending amendment. We will be offering or suggesting that a unanimous consent agreement be entered into where an amendment of mine could be made. We will be offering an amendment that would allow for that to happen pending the offering and acceptance of that, hopefully.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. McCAIN. Madam President, may I say through the Chair to my friend, the distinguished chairman, I understand there will be side-by-side amendments. I would be glad to enter into a time agreement that is agreeable to the chairman, and not an extended length of time—it is not a complicated issue—and then votes on both side-by-sides. I hope we could announce that agreement shortly, and I thank the chairman for his courtesy.

We are discussing now two amendments, as I understand it, and both of them call for testimony before Congress on meeting the United States objectives on Afghanistan and Pakistan. Many of us have been concerned about the fact that we have not heard from General McChrystal and General Petraeus on this issue of our strategic policy in Afghanistan, and of course most importantly the disposition orespousal of American forces, American troops, and increasing American troops to Afghanistan to implement the strategy that, according to Admiral Mullen, the Chairman of the Joint Chiefs of Staff, was agreed upon last March.

I must say, without mentioning any classified information, the briefing that I attended yesterday with General Jones doesn’t seem to corroborate that statement by Admiral Mullen. But the point is we need to hear from the architects and the people behind the strategy.

If the President does not want to talk to the commander in the field, General McChrystal very often—in fact, it was reported in a “60 Minutes” interview that he gave he said he had spoken to him once in 70 days, although the President talks to labor leaders almost on a daily basis pushing his health care agenda—the fact is we as Members of Congress, a coequal branch of government, also have a responsibility in this decision-making process.

I respect the President’s role as Commander in Chief. I respect the President of the United States making a decision. But I also cherish the role of the Senate and House of Representatives in being informed as to the views of our military commanders in whom we place the responsibility for the lives of our young men and women who are in harm’s way.

All we are seeking with this amendment is a date certain, not immediately—the date for this requirement of testimony by General McChrystal, General Petraeus, General Stavridis and perhaps others if necessary—by November 15. That is a month and a half from now. Should not we hear a month and a half from now, within a month and a half, as to what we are considering? I hope the decision would be made clear.

Mr. MURKOWSKI. Madam President, Chairman of the Joint Chiefs, in testimony said:

The President has given us a clear mission: disrupt, dismantle and defeat al Qaeda. . . .

But the President, in March, said of the situation—the President of the United States said the situation there was “increasingly perilous and that the future of this troubled nation is inextricably linked to the future of its neighbor Pakistan.” He also called it a “war of necessity,” and declared “America must no longer deny resources to Afghanistan.”

Obviously I agree with him. Time after time I have made my commitment of willingness and desire to work with him. But it is very difficult for members of the Armed Services Committee and Members of the Senate to work with him if we are not informed by the uniformed commanders in the field. Admiral Mullen, the Chairman of the Joint Chiefs of Staff, emphasized in his testimony before the Senate Armed Services Committee, time is not on our side. There are already somewhere between 62,000 and 68,000 American troops in the field in danger. Tragically, casualties have gone up. We have a responsibility to have the ability to hear from our commanders in the field.

Let me point out, General McChrystal was on “60 Minutes” talking about what we needed to do in Afghanistan. General McChrystal gave a speech in London just yesterday talking about what we needed to do. So it is OK with the administration for General McChrystal to go on “60 Minutes.” It is OK for him to give a speech at the Institute for Strategic Studies in London. But the administration does not want General McChrystal and General Petraeus before the Senate Armed Services Committee. How does that work?

I hope my colleagues will vote for my amendment, which calls for the same, basically, testimony by the commander of the United States Central Command, commander of the United States European Command, and Supreme Allied Commander—Europe, and the commander of the United States Forces—Afghanistan, and of course we would like to hear from the United States Ambassador to Afghanistan, Ambassador Eikenberry.

This is pretty clear. This is a very clear decision we have to make. We are asking that within a month and a half from now these individuals appear before the respective committees and testify as to what they believe the best strategy is to be employed in order to achieve victory. Why should not the Senate and the Congress and the people of the United States hear, directly in testimony before the Congress, what they believe is the best way to ensure victory in Afghanistan?

I understand the debate that is going on within the White House and the deliberations that the President is undertaking as he considers the most heavy responsibility that any President has, and that is to send our men and women into harm’s way. I have some sympathy. But I would point out there are already close to 68,000 young Americans there, and casualties are going up.

According to Admiral Mullen, according to every expert, the situation is deteriorating in Afghanistan, so this should not and must not be a leisurely exercise. Decisions have to be made and we—I speak for myself and I am sure all of my colleagues—we want to be part of that decisionmaking. We do not want to make that decision because that is the responsibility of the President of the United States, but it
is also the responsibility of the Congress of the United States to appropriate the money for it.

When a President lost the confidence of the American people and the Congress of the United States in a war long ago and the Congress of the United States did cut off the funding for further assistance in Vietnam.

I hope the Senate will act in a positive and act on what I think is a reasonable request, that within a month we could have the testimony before the Senate Armed Services Committee.

I remind my colleagues, the chairwoman of the House Armed Services Committee, the distinguished Congressman Ike Skelton, and the ranking member of the House Armed Services Committee, also want this testimony to take place. The majority leader of the House of Representatives, Congressman Hoyer, has also called for testimony before the Congress of the United States and the Senate would receive that same courtesy that "60 Minutes" transcript. There was no effort to put General McChrystal giving a speech there and not in the middle of that deliberative process. There was no resolution, there was no request, there was no pressure being brought to the House to appropriate the money for the President to have his commander, who was then General Casey in Iraq, to come up and testify about whether additional troops should be sent to Iraq.

I have no doubt as to what the responsible Commander should be put in that position when the President is hearing from the commanders in the field—then it is difficult for us to show our support for the President in the form of appropriations bills and authorizations as to what is needed without hearing from the commanders in the field.

There will be discussion about General Petraeus's testimony before the Congress of the United States. I remind my colleagues the decision was made by the President on the surge very rapidly: that the decision was made and General Petraeus was called before what—appeared before the Senate Armed Services Committee to give the reasons for that. I think it is very important that the important assessment the President of the United States fired, the previous commander—let's be clear, fired the previous commander because he had confidence in General McChrystal—that we should also be allowed the ability to hear about his vision and his strategy that would bring about a successful conclusion of a long, tragic, hard involvement in Afghanistan.

I hope we can have the same luxury that the Institute for Strategic Studies did to the President of the United States undertaking a rigorous review of the situation and approach in Afghanistan. By the way, before I go any further on this, I read the transcript of General McChrystal on "60 Minutes." I have not seen the speech in London that my good friend, Senator McCain, made reference to, but I have read the "60 Minutes" transcript. There was no effort to obtain from General McChrystal what his advice was relative to the resource question, the troops question, which he did before the President.

I know what his advice would have been had he been asked, which is, that is between him and the President. But the very purpose of the hearing which is the subject of the McCain amendment, the very purpose, is a hearing on the resources needed or recommended for Afghanistan. That is the very subject which is now under consideration by the President of the United States.

So we have now a President, with his second term, including General McChrystal, who I understand was on a TV monitor yesterday with his responses—we have a President of the United States undertaking a rigorous
review of General McChrystal's assessment. We have the assessment relative to the situation in Afghanistan that has already been provided and has now been made public.

What is now under consideration is whether to change the strategy from the March strategy, given the problems that have occurred in Afghanistan since the election, and given the other changes that have taken place, including in neighboring Pakistan, which has an effect on Afghanistan.

According to General McChrystal himself, a policy debate is warranted. What he has said over and over again in his assessment is: Debate strategy before you debate resources. He said: Resources are going to be needed whatever the strategy is. That is General McChrystal's statement: There will be needed resources.

General McChrystal: "Additional resources are required." This is his assessment. The second half of his sentence which is ignored too often, particularly in the media. After he said additional resources are required, without specifying what they are, that is left to this document which is now in the hands of the President, he said:

Additional resources are required. But focusing on force or resource requirements misses the point entirely. The key takeaway:

He said from his assessment, these are his words—

is the urgent need for a significant change to our strategy and the way that we think and operate.

Yet it is a hearing on resources that could come in the middle of a deliberative process. We are not sure whether by November 15 that deliberative process will be completed. I have every reason to believe it will be by November 15, but we do not know. So the McCain amendment has an arbitrary date, whether the deliberative process is completed by November 15 or not under this resolution—and I will be offering an alternative to this. Under this McCain resolution, he must come before appropriate committees before November 15.

That is an arbitrary date, whether the deliberative process of the President of the United States is completed or not. But it is on the very subject, on the very subject that is now under consideration by the President. That subject is: What are the additional resources, troops. But listen to what General McChrystal says. He said: Yes, there are going to be resources needed—without specifying what they are.

As far as we know, he has not, at least in the assessment that is unclassified. But then he says:

New resources are not the crux. To succeed, ISAF requires a new approach with a significant magnitude of change, in addition to a proper level of resources. So it is not the crux. He says strategy is the crux. But the McCain amendment says: We want to hear from McChrystal by a specific date, whether there has been a decision on the crux of the matter or not, which is the strategy. That is not me talking, that is General McChrystal who is saying: The crux of the matter is the strategy.

So now we have the White House—by the way, I am happy to interrupt my comments if there is a unanimous consent agreement that has been reached. So if either the ranking member or Senator McCain knows whether we are in a situation—I would tell you so everybody can know what the proceedings are here, that at any time there is a unanimous consent agreement that can be offered, I would be happy to interrupt.

Mr. McCain. I ask unanimous consent to respond to my colleague on that issue.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. Mr. McCain. I would say to my colleagues, we are asking if there are any other speakers. We should know that in a few more minutes. Then we would agree to a time agreement.

Mr. Levin. I thank my friend.

So now General McChrystal himself talks about a policy debate. Here is what he said in the article in the New York Times: He welcomes alternative proposals for how to stabilize Afghanistan and Pakistan. Then he says: "This is the right kind of process." He says: "I have been given the opportunity to provide my input to the decision." So we have this internal deliberation going on in the White House, which I think we would all agree is a matter of supreme importance; that is, whether we put troops in harm's way, and how many, what is the strategy they are following, what is their mission. That is the most important decision I believe a President of the United States can make. It should be a deliberative decision. It should be a deliberative decision. This President has made it clear. There was a March strategy, but there are a number of things that have changed since March, including an election where there are significant allegations of fraud. When such an election takes place, that lowers the support of the people of Afghanistan for a strategy which involves them. They must succeed. It is the people of Afghanistan who have to succeed. It is the Army of Afghanistan that has to succeed. It is the police in Afghanistan. It is the civil administration which must succeed in Afghanistan.

If there is this question about an election which then might impact the support of the people for the very policies in Afghanistan, the institutions that need to be fought for, that could change things. There are events in Pakistan. The Pakistani Government is doing a lot of things right now to some of the threats they face. That can make a change. But the President of the United States is committed to reviewing what has happened since March, to see whether that strategy still applies or whether he wishes to change that strategy. It is a debate General McChrystal himself has said is warranted. There are a number of differences between the amendment which I am going to be offering and the pending amendment of Senator McCain.

Madam President, I think we now have a unanimous consent agreement which has been cleared. I ask unanimous consent that amendment numbers 2582 which is the Levin amendment, and 2575, which is the McCain amendment, be debated concurrently for a period of 30 minutes, with the time equally divided and controlled between Senators Levin and McCain or their designees; that no amendments be in order to either amendment prior to a vote in relation thereto; that the vote sequence be as the amendments are listed above; further, that once this agreement is entered, Senator Levin be recognized to call amendment 2593; and that prior to the second vote in the sequence, there be 2 minutes, equally divided and controlled, prior to each vote, with the second vote 10 minutes in duration; and that the votes in relation to the amendments be at 2 p.m. today; provided further that following this debate, the amendments be set aside until 2 p.m. The ACTING PRESIDENT pro tempore. Is there objection?

Mr. McCain. Reserving the right to object, and I will not object, I ask the distinguished chairman, does that mean 30 minutes from now, equally divided, or the time that has already been consumed?

Mr. Levin. I understand it means from now.

Mr. McCain. From now, I do not object. The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. Amendment No. 2582

Mr. Levin. I thank my friend from Arizona. I now call up amendment No. 2593. The ACTING PRESIDENT pro tempore. The clerk will report.

The bill clerk read as follows:

The Senator from Michigan [Mr. Levin] proposes an amendment numbered 2593.

Mr. Levin. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

Amendment No. 2582 (Purpose: Relating to hearings on the strategy and resources of the United States with respect to Afghanistan and Pakistan)

At the appropriate place, insert the following:

SEC. 1. (a) HEARINGS ON STRATEGY AND RESOURCES WITH RESPECT TO AFGHANISTAN AND PAKISTAN. Appropriates committees of the Congress shall hold hearings, in open and closed session, relating to the strategy and resources of the United States with respect to
to Afghanistan and Pakistan promptly after the decision by the President on those matters is announced.

(b) Testimony.—The hearings described in subsection (a) should include testimony from senior civilian and military officials of the United States, including, but not limited to, the following:

(1) The Secretary of Defense.
(2) The Secretary of State
(3) The Chairman of the Joint Chiefs of Staff.
(4) The Commander of the United States Central Command.
(5) The Commander of the United States European Command and Supreme Allied Commander, Europe.
(7) The United States Ambassador to Afghanistan.
(8) The United States Ambassador to Pakistan.

Mr. LEVIN. Madam President, I believe that the Congressional hearings, which are appropriate, should now be handled in the same way as was done when President Bush was deliberating on a surge strategy for Iraq. That is when the President has received his recommendations and has made a decision.

We will, at that point, properly have administration officials come up to Congress, explain the President’s decision. We will hear from our military commanders at that time, including General McChrystal but not limited to General McChrystal. We have a Secretary of Defense whom we need to hear from. We have a Chairman of the Joint Chiefs of Staff whom we need to hear from, as well as our CENTCOM commander and our Afghanistan commander.

First, we need to be clear on our strategy. I yield myself 5 minutes.

The ACTING PRESIDENT pro tempore. The Senator is recognized.

Mr. LEVIN. We need to be clear on our strategy first, then address the question of the resources that are needed to be committed to that strategy. I need my amendment which I am offering, which will be voted on concurrently, or at the same time as the McCain amendment, we are going to have, if this amendment is adopted, a hearing not just on resources but on strategy and resources.

We are going to have that hearing, if this amendment is adopted, at the appropriate time, not with an arbitrary deadline, which sets a very bad premise. I believe in this circumstance, similar to President Bush Iraq surge circumstance, where the President of the United States, be it President Bush or President Obama, has before him and is considering, in a very deliberative way, this kind of a life-and-death decision.

Under this amendment, there will be a hearing without an arbitrary deadline, but the hearing will take place and could take place long before November 15. The hearing under my amendment will take place promptly after the decision is made by the President.

There is another difference between the two amendments. In addition to the Levin amendment including a hearing on strategy as well as resources, again, General McChrystal says the strategy is the crux of the matter, not just resources. So under the Levin amendment, the hearing will look at both the decision on strategy as well as on resources.

Secondly, under the Levin amendment, the testimony will come after the decision of President Obama, just the way we had hearings after the decision by President Bush.

There will include testimony not only from the Central Command commander and from General McChrystal, our Afghanistan commander, and the Ambassador to Afghanistan, under the Levin amendment the hearing will also take testimony from senior civilian officials and military officials not included in the McCain amendment, including the Secretary of Defense, the Secretary of State, the Chairman of the Joint Chiefs of Staff, and the Ambassador to Pakistan. That difference between the two amendments which we will be voting on at 2 o’clock.

Finally, in addition to outlining those three critical differences between the two amendments, I want to read from a letter received yesterday—or this morning from Secretary Gates by the majority leader.

I am writing in response to your request for an update on the... strategy and resource assessment prepared by General Stanley McChrystal.

He goes through a number of paragraphs describing pretty much what we all know, including that General McChrystal’s initial assessment, which has been available to us, “will serve as the prime focus” of the review the President has undertaken, “although other options and perspectives will also be included.” So in addition to General McChrystal’s initial assessment, he will also be looking at other options and considering other perspectives.

Then Secretary Gates says the following in this letter to the majority leader:

The decisions that the President faces may be some of the most important on Afghanistan in his presidency, so it behooves us to take the necessary time to make sure we get this right. That said, there are a number of internal meetings scheduled over the next few weeks on this topic. I do not expect decisions on the overall strategy—or the resources necessary to carry it out—to take an extended period of time.

He concludes as follows:

Until the President makes his decision on the way forward in Afghanistan, it would be inappropriate for me—or our military commanders—to openly discuss the advice being provided or the nature of the discussions being carried out. However, once the President acts, I will be happy to testify before the appropriate committees of the Congress and to facilitate similar testimony by commanders and other senior Department leaders.

I believe that is the right approach. It is the approach we took when President Bush was considering for 3 months whether to surge troops in Iraq. We did not try to bring his Iraq commander before the Congress for public hearings, a commander who history has indicated—at least it was fairly clear at the time—had a very different perspective than his Commander. We did not put him in that position. We didn’t do that to the President of the United States, to have his commander in the field come before us and say what his opinions were that he was going to bring to the President that time. We should not do that now.

I yield the floor.

The PRESIDING OFFICER (Mr. BURRIS). Who yields time?

The Senator from Arizona.

Mr. MCCAIN. Mr. President, I would like to point out what Admiral Mullen at the Joint Chiefs of Staff said: ‘‘Time is not on our side. We cannot afford to leisurely address this issue. I believe the Congress needs to be involved. The Commander in Chief is the Commander in Chief. But the Congress has a role to play because only the Congress can provide needed funding and develop policies as regards the responsibility we all have when our government decides to send young Americans into harm’s way.’’

I have watched a lot of decisions being made in my time. I have agreed with some and disagreed with others. One of the earliest decisions I was involved in was many years ago when Ronald Reagan decided to send marines to Beirut. At the time, I thought the mission was not sufficiently resourced and he thought it was unnecessary to put young marines in harm’s way. I objected; I spoke against it. Unfortunately, I was correct.

History does have a tendency to repeat itself. The fact is, unless this effort in Afghanistan is properly resourced, as recommended by General McChrystal, as recommended by Admiral Mullen and supported by history, we are doomed to failure. To think that a month and a half before that decision was made, because the strategy was decided on last March, and then to go through a bizarre sequence of events—I have never seen anything like it. First, General McChrystal was not told to send his troop request to Washington while the Secretary of Defense has said he is not sending over the number of troops requested by General McChrystal, which is known to everyone as 30,000 to 40,000 troops. Apparently, it will be known to everyone except the President, who is supposed to make the decision. We have legitimate questions about a process such as this to start with. The President in Chief can make a decision about how to conduct a conflict unless that Commander in Chief knows what resources
in the next month and a half, 45 days, as to what the recommendations and strategy of our military leaders are. I emphasize, they are not the last word. The Commander in Chief has the last word. But the Commander in Chief, General Petraeus, as far as I know, has to come to Congress for the necessary assets and authorization to do whatever his strategy is. So we do play a significant role. The American people and their elected representatives, as far as I am concerned, have the right to see the Department of Defense and the National Security Adviser, as far as I know, has the right to see the recommendations of the House of Representatives. From what I know from the Department of Defense, there has to be some of the most important on Afghanistan in the next month and a half. It is very obvious what is going on. The Chairman of the Joint Chiefs, General Petraeus, General McChrystal—all know we need additional troops in the range of 30,000 to 40,000, and the administration is backing off of that or trying to soften the signal. It is well known. It had been broadcast all over television that there are individuals—including the Vice President, now, unfortunately, the National Security Adviser, the chief political adviser to the President, Mr. Rahm Emanuel—who don’t want to alienate the left base of the Democratic Party. That is what this is all about.

The American people need to know what our military commanders, in their best judgment, think we need to defend this nation. They need to know it within the next month and a half. Do I need to remind my colleagues we have 68,000 Americans there now? Just a few days ago, five brave young Americans died in 1 day. Admiral Mullen said that this testimony before the Armed Services Committee that the clock is ticking. We are running out of time. This is an urgent situation. This is not a decision as to whether to send troops into harm’s way. Troops are already in harm’s way. They are already there, and they are getting wounded and killed while, according to the President’s National Security Adviser, we are considering all options. Shouldn’t we consider seriously the option of the recommendations of military commanders? I am not saying they have the final say; I am saying they should be given great weight.

Here we are asking for testimony from those people who, again—the President, looks in the field to replace him with General McChrystal, and yet we are not transmitting the fundamental and most difficult aspect of General McChrystal’s recommendations as to how to implement a strategy that was agreed on last March.

I fear that domestic political considerations are impacting a decision which has to do with the future security of the United States. Just recently, President Musharraf, said that American delay is being interpreted as a sign of weakness by countries in the region. We left Afghanistan once. We helped the brave Afghans drive out the Russians who were then trying to make Afghanistan part of the Soviet Union. We drove them out and we left. What happened? The Taliban took control. Al-Qaeda cooperated with them, and the attacks on the United States of 9/11 took place by people who were trained in Afghanistan.

Let’s have no doubt what is at stake. The American people and their representatives at least need to hear with

Mr. President, I ask unanimous consent that a letter which was sent by Secretary Gates to the majority leader, Senator Reid, be printed in the RECORD.

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


HON. HARRY REID, Senate Majority Leader, U.S. Senate, Washington, DC.

DEAR MR. MAJORITY LEADER: I am writing in response to your request for an update on the ongoing evaluation of the military strategy in Afghanistan in order to assess the overall situation and our strategy following the Afghan elections. Those elections, as well as the evolving situation in Pakistan over the last number of months, require us to review the U.S. approach in the region to ensure that, first, we have the right strategy and, second, we have the necessary resources in place to carry it out.

You will recall that when the Administration announced the initial review of American strategy in March 2009, we also acknowledged the need to reassess our approach following the national elections this fall. Accordingly, the President has asked that we conduct a careful and thorough assessment of these questions in order to provide him with the considered judgment of his national security team and military leadership. General McChrystal’s initial assessment will serve as the prime focus of this review, although other options and perspectives will also be included.

The decisions that the President faces may be some of the most important on Afghanistan in his presidency, so it behooves us to take the necessary time to make sure we get this right. Indeed, there are a number of internal meetings scheduled over the next few days on this topic. I do not expect decisions on the overall strategy—or the resources necessary to carry it out—to take an extended period of time.

Until the President makes his decision on the way forward in Afghanistan, it would be inappropriate for me—or our military commanders—to openly discuss the advice being provided or the nature of the discussions being carried out with the President. However, once the President acts, I will be happy to testify before the appropriate committees of Congress and tell them our testimony by commanders and other senior Department leaders.

Sincerely,

ROBERT M. GATES.

Mr. President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, again, unfortunately, a lot of the information we have to get is through the media rather than testimony before the Senate Armed Services Committee. I do think it is worthy of note that there is a story dated October 1, 2009, which says that:

The top military commander in Afghanistan, Gen. Stanley A. McChrystal, rejected calls for scaling down military objectives
there on Thursday and said Washington did not have unlimited time to settle on a new strategy to pursue the eight-year-old war.

... General McChrystal said that the situation in Afghanistan was serious and that "neither success nor failure can be taken for granted..."

General McChrystal was asked by a member of an audience that included retired military commanders and security specialists whether he would support an idea put forward by Senator McCain to scale back the American military presence in Afghanistan to focus on tracking down the leaders of Al Qaeda and the Taliban. He did not give the same opportunity to have a clear record of being consistently wrong. I hope that is taken into consideration when he comes up with his ideas about Afghanistan.

But that number—which is known to everyone, and keeps being reported—that number is not going to be transmitted to the President by the Secretary of Defense. You can’t make that up. He knows it, but it is not going to be sent to the President by the Secretary of Defense.

Anyway:

In a confidential assessment of the war last month, under consideration by the Obama administration, General McChrystal said that he needs additional troops within the next year or else the conflict ‘‘will likely result in failure...’’

Mr. President, we have a limited amount of time, but I do not have to tell most people and colleagues here what the consequences of failure in Afghanistan might be. So what we are asking is, sometime within the next 45 days, an appearance by the leaders we have put in charge of the lives of our young American men and women. We are just asking for them to come on the record before our committee of jurisdiction, to exercise our responsibilities as representatives of our States. That is all we are asking. That is all we are asking.

There are already 68,000 there. They are being wounded and killed as we speak. In addition, the Joint Chiefs of Staff has said: Time is not on our side. The situation is deteriorating.

Shouldn’t the Senate Armed Services Committee and, through us, the American people and the Senate Appropriations Committee, which has its responsibilities, also hear from these great leaders who are in charge of the lives and safety and well-being of our men and women in uniform and are charged with achieving victory and not defeat, and in achieving success and not failure in Afghanistan?

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, how much time is remaining?

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, how much time is remaining?

The PRESIDING OFFICER. The Senator from Arizona.

Mr. LEVIN. Mr. President, the stakes here are truly huge. We obviously share one goal; that is, to succeed in Afghanistan. What General McChrystal has pointed out repeatedly in his assessment is that the way to succeed is not just with resources. He says the crux of the matter is to get a new strategy. His words: get a new strategy.

The question is, are we going to allow this President the same opportunity to put a strategy in place or to change it like President Bush did in Iraq, as we have afforded to other Presidents, including President Bush?

The right strategy here is key, as well as the resources. And to set an artificial date is a terrible precedent. To put a commander in the field at a public hearing to try to pressure a Commander in Chief to reach a certain result is unacceptable, inappropriate. The Secretary of Defense is not going to allow it, nor should he, and we are not going to ask it, as chairman of the Armed Services Committee, I hope the Senate does not ask for that to happen either. We did not do that to President Bush. We should not do that to President Obama.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. McCaIN. Mr. President, how much time is remaining on both sides?

The PRESIDING OFFICER. Each Senator has 2 minutes remaining.

Mr. McCaIN. Well, Mr. President, let me say, if I could—I will use my remaining 2 minutes—I appreciate very much the relationship I have developed over more than 20 years with the chairman of the committee. From time to time, we have had differences and vigorous debate. I want to express, I respect the opinions and views and authority of the chairman of the committee. We just have an open and honest disagreement.

I hope my colleagues will understand the urgency of this situation and agree to my amendment that does not in any way diminish my respect and appreciation for the way the Senate chairs the committee and acts on a bipartisan basis, which is a long tradition of the Armed Services Committee. I urge my colleagues to vote in favor of my amendment.

Mr. President, I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I yield my remaining 2 minutes to Senator Kaufman.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. KAUFMAN. Mr. President, I cannot think of two better people to be involved in a discussion about what we must do in Afghanistan than Senator McCain and Senator LeVin.

Where I come down on this issue is with Senator LeVin because I believe it is very important we give the President the opportunity to discuss in detail. There are a lot of different pieces to this puzzle. It is not just General McChrystal’s report. It is a report by Ambassador Holbrooke. I think he would have a report from Ambassador Patterson from Pakistan. I think we need a report from the DOD in terms of force structure and what additional troops we would have beyond that.

There are a number of issues that have to be dealt with here. I think as we go forward with President Bush, where there was a 3-month process before the surge—during that time, people were able to talk to the President, and to work their way up the chain of command in the military, and the civilians to work their way up in the Department of Defense, to talk to the President so the President could have their counsel before the President made his decision.

I think that is what we need here. I think one of the most important things President Obama said in his speech the other night to the joint session was: I am going to be here for a long time, so I want to get it right.

We have to get it right in Afghanistan. I think this is the obvious time to proceed. Clearly, the present election and the flaws in the election, in addition to General McChrystal’s report which points out the rise of the Taliban, demonstrates it is time for us to sit down and take a hard look at how to do it right. I think the President is going to do that. He is going to go through a process. Many people have to be involved. Many
different issues have to be done. And then the President will come with his plan for Afghanistan.

At that time, after that happens, I think then—Chairman Levin is correct—we should have hearings, we should have an opportunity to come and testify, and that will be the time to do it. In the meantime, I think we owe it to the military chain of command that everyone involved in that chain of command be allowed to come and talk to the President so he can make the best decision possible. And before the Senate gets an opportunity to deal with everyone who is going to be involved with the President.

So, again, I support Senator Levin’s amendment. I think it is essential we have a process that allows it to go forward.

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

Mr. KAUFMAN. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I ask unanimous consent that I be allowed to speak for 10 additional seconds.

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

Mr. LEVIN. Mr. President, I want to thank Senator McCain for his warm comments. I feel very strongly about our relationship. It is a great relationship. It could not be possibly affected by differences over policies. I have great respect for the Senator and the body and to the Nation.

It is important to know. The O&M account is what runs everything. What came out of the bill was $294 million because you chose to use an inflation rate that was less than what CBO and OMB had stated it would be. You did use the one that was the one prior. But the one presently would, in fact, add another $294 million to the operation and maintenance account. I would be glad to hear the reasoning why we chose to use it. I think I know why the reasoning. But before it allows more ability to do other things Members would like to do.

What this amendment is trying to do is to restore that money to truly reflect the inflation rate that OMB and CBO have said it would be. Three-tenths of a percent makes a big difference when you are talking about taking something from our military. I would remind my colleagues that last year the Navy ran out of O&M money and we needed an emergency supplemental to supply it. So by under-shooting what the real inflation factor is for their costs, both in fuel and maintenance and operations, if we undervalue that account, what it means is we are going to take away from readiness. I know that is not the intent of this committee. The intent of this committee is to make sure our military has the needs and the means with which to carry out their requirements.

Let me get a little more detailed on it. When the committee set the O&M number, they used a GDP index inflation rate from the Congressional Budget Office that was 3 months old, and they ignored the updated one for August, which was three-tenths of a percent higher. That means that if—and I agree, they are estimates; they may not be correct. What I would like to know is, what if you are wrong with the lower number you put in? Are we going to be coming back with a supplemental to supply it. So by under-shooting what the real inflation factor is for their costs, both in fuel and maintenance and operations, if we undervalue that account, what it means is we are going to take away from readiness. I know that is not the intent of this committee. The intent of this committee is to make sure our military has the needs and the means with which to carry out their requirements.

Mr. LEVIN. Mr. President, I ask unanimous consent that I be allowed to speak for 10 additional seconds.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Amendment, proposed by Senator from Oklahoma [Mr. Coburn] proposes an amendment numbered 2569.

Mr. COBURN. Mr. President, I ask unanimous consent that this pending amendment be set aside and amendment No. 2563 be called up.

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

The amendment is as follows:

(AMENDMENT NO. 2563)

Mr. President, I ask unanimous consent that the pending amendment be set aside and amendment No. 2563 be called up.

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

The amendment is as follows:

(Purpose: To require public disclosure of certain reports)

The amendment, proposed by Senator from Oklahoma [Mr. Coburn] proposes an amendment numbered 2563.

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

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

The amendment is as follows:

(AMENDMENT NO. 2563)

Mr. President, I ask unanimous consent that this pending amendment be set aside and amendment No. 2563 be called up.

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

The clerk will report.

The legislative clerk read as follows:

The Amendment, proposed by Senator from Oklahoma [Mr. Coburn] proposes an amendment numbered 2563.

Mr. COBURN. Mr. President, I ask unanimous consent that the pending amendment be set aside and amendment No. 2563 be called up.

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

The amendment is as follows:

(Purpose: To require public disclosure of certain reports)

At the appropriate place, insert the following:

S. 3407, (a) Notwithstanding any other provision of this Act and except as provided in subsection (b), any report required to be submitted by a Federal agency or department to the Committee on Appropriations of either the Senate or the House of Representatives in this Act shall be posted on the public website of that agency upon receipt by the committee.

(2) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

Mr. COBURN. Mr. President, this is a straightforward amendment, and the Appropriations Committees heretofore have agreed with it. This says, other than in terms of national security or something that should not be released for general circulation, the reports that are authorized and that are in this bill, which are going directly only to the Senators on the Appropriations Committee, be made available to the rest of the Senators in the body as well as the rest of the American public. If there is a good national security reason not to do so, fine, there is no problem with that, but all the rest of the American people ought to see it. It is called transparency. The American people are paying for them. The American people have a right and an obligation to see them if they are going to be involved in the governance of our country. In fact, they are supposed to be in charge of the governance of our country.

So what it will do is allow the American people to see how their money is actually being spent and allow them to get to see the results of those reports.

It is very simple.

My hope is the chairman and ranking member would be inclined to support this amendment.

Mr. President, I ask unanimous consent that the pending amendment be set aside.
The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2565
Mr. COBURN. I ask unanimous consent that amendment No. 2565 be called up.

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

The clerk will report.

The legislative clerk reads as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 2565.

Mr. COBURN. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To ensure transparency and accountability by providing that each member of Congress and the Secretary of Defense has the ability to review $1,500,000,000 in taxpayer funds allocated to the National Guard and Reserve components of the Armed Forces)

On page 177, line 23, strike "the modernization" and all that follows through line 25 and insert the following: "and the Secretary of Defense, who upon completion of a thorough review, shall provide to each standing committee of Congress a modernization priority assessment for their respective Reserve or National Guard component."

Mr. COBURN. Mr. President, in this bill we are attempting to address what I agree is a serious problem, the funding of our National Guard and Reserve. I do have some concerns, though, about how we are going about doing that.

I would love to be corrected by either the chairman or the ranking member. As I understand the bill, the $1.5 billion in upgrades for the National Guard and Reserve actually bypasses the Department of Defense, bypasses the Joint Chiefs of Staff, and goes directly to the committee in terms of the approval of how they do that. I would inquire of the chairman if that is accurate.

Mr. INOUYE. If I may, Mr. President. The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. I would like to tell everyone within the sound of my voice something else. I was talking to one of my Republican colleagues recently. He is from the State of Georgia, a wonderful man, JOHNNY ISAKSON. I said: How about those rains? He said: Well, I have a rain gauge in my home. In 24 hours, it rained 18 inches. I can't comprehend that. In Las Vegas, the average rain fall per year is 4 inches, but he got 18 inches in 24 hours, and the next day I think he told me 12 inches. That torrential rain they had in Georgia has created problems the State can't handle, and they are asking for Federal emergency help. I want to help them. I am a Senator of the United States. My first obligation is to help my people in Nevada, but if there is a problem in Georgia because of the rains or the fires in California, I am going to do everything I can to help the people of Michigan, Oregon, and Rhode Island, as I spoke yesterday.

So we have to look out for each other. We have mutual responsibilities. I am disappointed that people would complain about the fact that we have situations in our States that we need help for. We have a lot of poor people and a lot of people getting poorer real quick.

It is becoming increasingly clear that Republicans simply don't have any ideas for helping the American people as it relates to health care, even people in their own States who are suffering...
so desperately. It is another excuse. It is more of the same. It is more evidence that some on the other side think it will never be a good time—never be a good time—to reform the health care system.

For the latest video on that, look what is going on in the Finance Committee. Are there constructive amendments offered? No. Just nitpicking, just a way to slow things down. It is more proof they want to defend the status quo, refuse to take care of their suffering constituents, and ignore the will of the American people—at any cost. We know that cost is great.

Mr. LEVIN. Mr. President, while the majority leader is on the Senate floor and talking so eloquently about the inadequacy of health insurance and specific examples, one of the statistics—and I know it is just a statistic, not a specific example—which has moved me so dramatically in the direction the majority leader described is, if I understand this correctly, the majority of people in this country go into personal bankruptcy because they cannot pay their health care costs. That is bad enough; nobody should go bankrupt because they cannot pay for health care. That is unacceptable in this country.

But what compounds that is that a majority of them do have health insurance. The American people focus on that statistic, and I know statistics are difficult to put our arms around. But the majority of people who go bankrupt because of not being able to pay health care bills have health insurance. This isn’t just a matter of trying to get people covered who are not covered; it is a matter of also trying to fill in for the inadequacy of the uncertainty that exists, the instability that exists for people to have health insurance.

Mr. REID. Mr. President, if I may respond to my friend, President Obama told me the other day, when I telephoned him, that he wants to make sure when we finish this health care legislation it is not a program for only the poor but that it is a program for the American people; that in the process the poor and middle class will be taken care of. I agree with the President.

What the Senator has said is true. The majority of the people who file bankruptcy do so because of health care costs. That says it all.

Mr. LEVIN. I thank the leader. We are not going to be able to get to the needed health care reform without his leadership. He also pointed out a particular circumstance that a number of our States are in. I am grateful for this situation.

In Michigan, we are losing 27,000 jobs a month. I believe we have the highest unemployment rate in the country, which is 15.2 percent. It is growing, and it will continue to grow, apparently. People are losing their health care. The number of people eligible for Medicaid is increasing.

The bill before the Finance Committee has a provision in it that we will have more people eligible for Medicaid. That is critically important. That is one way to get more people eligible for health care. But what the Finance Committee does in its current mark is also say that certain States—including Nevada, Oregon, Rhode Island, and Colorado—have this situation particularly, and in particular ways, and we are a long way from economic recovery. So the additional Medicaid support for those States is highly appropriate. There are reasons for that. I am concerned about the flooding in Georgia or the disaster we had in Louisiana a few years ago or the fires in California. We have an economic fire taking place in my home State of Michigan. I thank the majority leader for his willingness not just to grapple with the entire issue of health care reform but to also recognize not just the situation in his own State, with all the foreclosures they have faced, but the situation we have faced in my State economically. We are very grateful.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Mr. President, I join the majority leader and the chairman of the Finance Committee to express my appreciation to colleagues who will support the provisions for Federal assistance for high-need States. Rhode Island is one of those high-need States.

One of the key targets to being a high-need State is a high unemployment rate. Right now, ours in Rhode Island is about 12.8 percent—nearly 13 percent. Since the beginning of this crisis, we have either been the second or third highest unemployment State in the Nation, only behind Senator Levin’s State of Michigan. It is the highest level of unemployment Rhode Island has seen since World War II, in a generation. It amounts to, in our view, a generation of a million people, fewer than 1 million people, 73,000 people who are unemployed. That is only counting the ones who qualify as unemployed under the labor standards; for people out too long, they are even more. After a while, they don’t count them any longer in the statistics. It is actually more than 73,000 people unemployed in a State of less than 1 million; 73,000 families are facing unemployment and are worrying about how to care for their loved ones.

We know this is a national problem, and we know many States are suffering. To be in this category of these four States that are high-need States and that are getting a little extra attention in the Finance bill is not something we want. I would love for Rhode Island to have a 7- or 8-percent unemployment rate. I would be delighted. This is a real trial for the people of Rhode Island, and I appreciate that there are people, including our distinguished leader, who are reaching out to try to help Rhode Island while we are in this period of intense economic suffering.

From my perspective, I have supported others when we went to help the States that depended on the auto industry. I have watched billions of dollars flow across this floor to support those big auto States. I have watched and supported billions of dollars flow across this floor to protect the finance industry States—Wall Street—and to protect our banking industry. I have supported it when billions of dollars flowed across this floor to support coastal States that were hit hard by hurricanes, I have supported billions of dollars flow through here for the States hit by flooding recently with the terrible floods in the South and a little while ago when the terrible floods hit the upper Northwest. I have watched enormous support go to States when they experienced wildfires, and when our distinguished leader on the Budget Committee, Senator CONRAD, argued so effectively for the States affected by drought.

Mr. President, the Environment and Public Works Committee. The coal States are getting taken care of in amazing ways. Over and over again, when we have seen our fellow States in trouble, we have been willing to help them out. All I am asking is, from Rhode Island’s perspective, we have watched all of these things go by, and there is yet to be anything for Rhode Island.

I hope very much that my colleagues will not take this opportunity to turn what has been a very collegial atmosphere about helping other States when they are in trouble and, for purposes of politics, pile onto little Rhode Island. This is something that we need. This is something that is important to us.

Do we depend on coal? No. Do we depend on the auto insurance industry? No. Do we depend on Wall Street? No. Have we had a big hurricane? No. Nor have we had flooding, wildfires, or drought. But the condition of our people—economically, as well as as bad as if those things had occurred.

Rhode Island is at nearly 13 percent unemployment. I urge my colleagues to stand with the leader and with the tradition of kindness and collegiality that has always characterized this body when a State is experiencing particular distress and difficulty.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. INOUYE. Mr. President, I listened to my leader with great admiration. I wish him to know that I support his action in support of the health reform measures before us.

The leader touched upon two problems. One was that each day in the State of Nevada, 221 men, women, and children will go to bed and the next morning find themselves without health insurance coverage. I believe it should be noted that, as we speak, over 12 million uninsured children of the United States will wake up in the morning finding that they have no insurance coverage—15,000 a day. That
means close to half a million every month. This is not acceptable. I don’t think we should tolerate this and set it aside.

Mr. President, my leader, the very distinguished Senator from Nevada, brought up the matter of the death panel. I think we need to recall that the health care system throughout this land, when confronted with terminal cases, to tell their patients of the condition. They should also notify the patients that as long as they want care and life-sustaining medicine, it will be done. But I believe it is the right of the patients to suggest that they would like to rest.

Three years ago, I lost a wife. We were married for 57 years. It wasn’t an easy moment, believe me. One evening—and I have never discussed this publicly before—as I sat near her, she said, “I have something I would like to discuss with you that is very important.” She looked at me and said, “I will be dead in 10 days.” I said, “Now you must be kidding.” She said, “No, I have discussed this matter with the doctor. We all know it is terminal. This cancer is beyond control. And I don’t wish to continue this agony. I hope you will support me.” She said, “I will live for 5 days.” But on the seventh day I will go into a coma. During those 7 days, I would like to discuss with you certain things, such as where my funeral services should be held.”

She kept all these details. There was no death panel. What the doctor did was to probe her with comfort—comfort of her emotions, her senses. She passed away happy. She knew that things were going to be done.

I am sorry to see—and it hurts me to see—fellow Americans distort a good aspect of health care and turn it into something murderous. They should be ashamed of themselves.

Mr. President, our leader is a good man. 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. MERKLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MERKLEY. Mr. President, it has become clear that our health care debate is entering the twilight zone. We have had strange stories shared in this Chamber—stories, as my colleague from Hawaii mentioned, about death panels, a creation in the mind of the former Governor from Alaska, having nothing to do with anything that happens to be in any bill before this body. We have had strange stories about benefactors of America who are here undocumented, in direct opposition to the straightforward language that is in the House bills and the Senate bills.

We have had strange stories about a murky government takeover, when the heart of this plan is to create the same sort of marketplace that gives 8 million Federal workers access to multiple private plans, to create that same marketplace and access for every single American. Now, in the last day, there is something even more strange: an attack on States that are having the most difficult time in this recession.

We are deep in the twilight zone when Members come to this body to attack our States. This most severely damaged by this recession—the States of Michigan, Rhode Island, Nevada, and my home State of Oregon. Oregon is having a difficult time for a host of reasons. We are a State that doesn’t have a lot of high-tech, but on the seventh day I will go into a coma. During those 7 days, I would like to discuss with you certain things, such as where my funeral services should be held.”

We have a wonderful section of our economy involving growing fruits and growing Christmas trees, and the Mexican tariffs have hit that very hard. Add it all up and Oregon is one of the four States worst hit.

I read a few weeks ago that if we include the underemployed as well as the unemployed, Oregon is the single worst hit State in our Nation.

I applaud the efforts of Members of this Chamber to say we have a broken health care system and we are going to repair it. They are absolutely right. I am pleased to be a member of that team working to make those repairs.

I applaud the Members of this Chamber who said we must help those States that are being going to a great American tradition. When a State is hit by drought, we reach out and assist. When a State is hit by a hurricane, we reach out as a nation to gather and assist. When a State is hit by a flood, there is a natural disaster called, and we as a nation respond. When an earthquake strikes, as a nation we are there.

Now we have another disaster, an economic disaster, that is hitting particularly hard in four States. I applaud the efforts to reach out and assist those States together as a nation, as we have so many other States in so many other circumstances.

Let’s pull this conversation out of the “Twilight Zone.” Let’s come together, as we have so many times before, to take on the challenge of a broken health care system, to take on assistance to the worst hit States and help them adjust to providing Medicaid the urgently needed by their populations.

Thank you, Mr. President.

The PRESIDING OFFICER (Mr. ULLMAN). The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I commend Senator MERKLEY, Senator WHITEHOUSE, and Senator REID of Nevada for their eloquent and accurate description of the situation that faces several States.

Throughout this country, there is a crisis in unemployment. But in States such as Michigan, Oregon, Nevada, and Rhode Island, it is a catastrophe—over 12 percent unemployment.

As my colleague pointed out, that is just the official number. That number does not include those who have lost their job, but not filed their official unemployment status. That number does not include those who are looking for work and not finding employment. It is a situation that is extremely difficult on the individuals and families of Rhode Island.

We are engaged in a very serious debate about health care reform. There seems to be a consensus that the status quo will not work. Yet our proposals to change it are dismissed without appropriate response in terms of alternatives. Our colleagues in the minority are simply saying the status quo is bad, but it is good for us.

We have to make changes, and we have to make those changes that recognize not only the inefficiencies in our medical care system but also the overall economic system.

One of the impetuses for this reform is not just access and affordability of health care, it is the economic future of this country. Again, States such as Rhode Island, Michigan, Oregon, and Nevada, this is an issue that is incredibly important.

We understand that some States have taken a much more aggressive approach to their Medicaid populations. In recognition of our costly health care system, they have tried to enroll as many people as they could. They recognize a higher level of poverty, one that is in federal reform initiatives. But effectively, these States, unless they are given some help, will be punished for being ahead of their colleagues, for trying to extend health care coverage before the Nation was ready to do that. In that sense, I think we have to recognize the need to support the Medicaid Program and also support particularly those States that are in this economic catastrophe.

As Senator WHITEHOUSE pointed out, we routinely come together and recognize the special needs of regions and States—wildfires in California, agricultural disasters throughout the middle
October 1, 2009

CONGRESSIONAL RECORD — SENATE
S10019

of the country and elsewhere, the great crisis of Katrina. To say now that we cannot recognize something as extraordinarily important, such as health care, to several States, including my own of Rhode Island, is, I think, neglecting what we do here on a relative routine basis.

The other fact is that some of the criticism directed at proposals that have been made in the Finance Committee have been made by Governors who simply say you cannot shift the burden to us—and that is particularly the case in Rhode Island. We are facing a significant crisis in State funding. If we give them a responsibility without resources at a time of this great unemployment crisis, it would add a further burden. We would be, I think, not only disadvantaged by the economic situation but, as I suggested before, punished for a good deed, which is to try and incorporate more people into our Medicaid system.

We are training to support the Finance Committee’s approach. In fact, I thank the Finance Committee and Senator Baucus for considering this issue. This is critical. Again, we all wish we would be in a situation where unemployment could confidently be seen in the future as not a factor to support the States, but we know it is going to be.

The support the chairman and the members of the Finance Committee have given is appropriate. I strongly support it and urge my colleagues to do so, as well.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

AMENDMENT NO. 2578

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I call up amendment No. 2578.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

The Senator from Delaware [Mr. KAUFMAN, for himself, Mr. LUGAR, Mr. BAYH, and Mr. REED], proposes an amendment numbered 2578.

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

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

The amendment is as follows:

(Purpose: To provide for continuing support of joint military training for civilians deploying to Afghanistan)

At the appropriate place, insert the following:

Sec. 111. The Secretary of Defense shall, in consultation with the Secretary of State and the Administrator of the United States Agency for International Development, continue to support requirements for monthly integrated civilian-military training for civilians deploying to Afghanistan at Camp Atterbury, Indiana, including through the allocation of military and civilian personnel, trainers, and other resources for that purpose.

Mr. KAUFMAN. Mr. President, I am grateful to the Senator from the State of Hawaii and the Senator from the State of Mississippi for their work on this very important bill. I also thank Senator Jack Reed from Rhode Island, Senator Lugar, and Senator Bayh for their support of this amendment, which I instruct the Secretary of Defense, in consultation with the Department of State and USAID, to continue to support the integrated civilian-military training for all civilians deploying to Afghanistan, occurring once a month in Indiana—Camp Atterbury.

The civilian role in Afghanistan is absolutely critical to achieving the broader goals of counterinsurgency. As we discuss the way forward in Afghanistan, it is essential to remember that troop levels are only one part of that strategy.

In order to cultivate support among the population and implement an effective counterinsurgency, civilians from across government agencies must continue to partner and work in tandem with the military.

In May, I offered an amendment to the supplemental which aimed to ensure that civilians deploying to Afghanistan receive training that cultivates greater civilian-military unity of mission and which emphasized the importance of counterinsurgency and stability operations.

Prior to passage of this amendment, joint civil-military training was only occurring once every 9 months to coincide with scheduled military deployments. Since then, officials throughout the government—and especially the State Department—realized this was insufficient to meet the increased needs presented by the civilian surge in Afghanistan.

As such, the joint training schedule was increased to once a month, and Ambassadors Holbrooke and Eikenberry recently mandated that all civilians working in the field in Afghanistan must receive this training prior to deployment.

On Monday, I urged Camp Atterbury to observe and express my support for the training, to thank these brave men and women for their service, and to emphasize the key role of our civilians in Afghanistan.

Civilians from across the interagency process—including the Department of State, U.S. Agency for International Development, and the Department of Agriculture—have come together in Camp Atterbury for a 1-week intensive course for the military, where they simulate real life experiences in Afghanistan.

This includes participating in vignettes with role players and the military to brainstorm ways to help their Afghan partners deliver essential services, security, and economic opportunity.

This essential skill set and level of familiarity with the military would take weeks to achieve once in theater. But the integrated training at Camp Atterbury allows our civilians heading to Afghanistan to hit the ground running.

Given the increased demand for this training, I am offering an amendment to ensure that training at Camp Atterbury continues to receive the support it needs in terms of military and civilian personnel, trainers, and other resources.

With a new mandate from Ambassadors Holbrooke and Eikenberry, the class size for this training has obviously increased. As we continue with the civilian surge, I hope the training at Camp Atterbury will receive a commensurate level of increased funding and support which it needs.

We owe it to our brave men and women in Afghanistan to get this right. It is critical to remember that our strategy in Afghanistan is not just about the troops; it is also about the civilians.

Just as we seek to ensure our troops headed to the field have the proper preparation and equipment, it is critical our civilians have the same level of support to ensure their effectiveness and security.

As the number of civilians in Afghanistan continues to grow—up to nearly 1,000 by the end of the year—our support for this mandatory training must also increase.

Integrated civilian-military training is a great example of steps being taken to improve our counterinsurgency strategy. In order to succeed in Afghanistan, civilians must successfully partner with the Afghans to help provide essential services, to promote economic development, and to improve systems of governance.

I am especially grateful to the Indiana National Guard, General Umbarger, adjutant general of the Indiana National Guard, and General Touley are so involved in this and doing such a wonderful job. They are to be commended. I also am grateful to the staff at Camp Atterbury and the broader training support team from the Departments of State, Defense, and USAID.

Most important, I am extremely grateful to the thousands of our brave men and women—civilians and military—who are serving in Afghanistan.

I believe this amendment is non-controversial, and with support of the Hill managers, I will be more than happy to adopt it by voice vote at the appropriate time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

AMENDMENT NO. 2592

Mr. CASEY. Mr. President, I come to the floor to speak about an amendment, one we are going to be spending more time on in the next couple of hours—amendment No. 2592. I will not call it up at this time, but I will speak about it.

First, I am very honored that our assistant majority leader, Senator Durbin, has worked with me and our staffs have worked together on this amendment. I ask unanimous consent that Majority Leader Reid, Senator Kerry
of Massachusetts, and Senator BILL NELSON of Florida be added as cospon-
sors of amendments Nos. 2591 and 2592, which I filed for consideration during the
debate on the HR. 3326, the Defense Appropriations Act.

The PRESIDENT PRO Tempore. Without
objection, it was so ordered.

Mr. President, the first amendment I
will speak about is 2592.

This amendment has three major
goals:

First, this amendment will make
sure the shoddy electrical work on
American military bases gets fixed im-
mediately. When I say shoddy elec-
trical work, in some of the cir-
umstances I will describe, that is an
understatement.

Second, it would also ensure that the
brave men and women serving in war
zones have clean water. It is kind of
hard to believe we have to have an
amendment to deal with that. We
should not remain that anymore. But once
again, it is something we have to cor-
tect and fix.

Third, the amendment would estab-
lish and enforce strict standards for
preventing and prosecuting sexual as-
sault on Army bases.

This describes the three goals and objec-
tives of this amendment. These simple,
commonsense reforms are long over-
due. These problems should have been
corrected a long time ago, but they
didn't, so we have to take action.

For the moment, I would like to
focus on the first provision of the
amendment, which requires immediate
correction of substandard electrical
work.

Since the 2003 invasion of Iraq, 10
brave servicemembers and civilian con-
tractors in Iraq have died—have died—
as a result of electrocutions that could
have been prevented. This includes
SSG Ryan Maseth of Shaler, PA, which
is in the southwestern corner of our
State.

Ryan died on January 2, 2008, when
he was electrocuted while showering in
his barracks in Iraq. It is hard to de-
scribe in a short presentation and a few
number of words the horrific night-
mares he had to live through and was
killed by and the nightmare his family
has lived through ever since. His moth-
er Cheryl Harris is someone I have
come to know. She has been a strong
advocate not just for finding out what
happened but also making sure this doesn't happen to other sons
and daughters serving in harm's way.

Just imagine this: A brave soldier,
willing to take on the enemy and trained
to do that, willing to go into the
battlefield and endure a firefight, is
killed in a shower because someone
didn’t do their job in ensuring a shower
was grounded or installed correctly to
prevent shock or electrocution and
death.

Ryan was not killed in combat. He
was killed by the mistakes of others in
a place where he should have had a rea-
sonable expectation of safety and secu-
ritv away from the battlefield. In one
of those few moments when our sol-
diers can relax and get a breather, he
was killed. So this amendment is nec-
essary because Ryan’s tragic death
could have been prevented if the bad
electrical work had been fixed in a
timely manner.

Ryan’s death is not an isolated inci-
dent. Other incidents involve service-
members and contractors from all over
the country, including Georgia, Texas,
California, Nevada, Oregon, Hawaii,
Minnesota, and, as I mentioned, my
homestate of Pennsylvania. The risk
continues to persist, and it has been
going on since 2004.

Ryan died in January of 2008, but the
risk is still there for our soldiers. On
September 1 of this year, the beginning
of last month, a civilian contractor, Adam
Hermanson, died as a result of
being electrocuted—again, just like
Ryan—while showering.

Adam grew up in San Diego and Las
Vegas. He had three tours in Iraq
three tours—with the Air Force before
leaving at the rank of staff sergeant.
Adam Hermanson was planning to
move to Pennsylvania with his wife
Janine. Janine is currently living in
our State with her parents and search-
ing for an explanation as to why this happened to her hus-
band. The Departments of Defense and
State have an obligation to provide
this explanation.

We have a lot of investigations and
lots of reviews but not enough in
the way of answers. We have an obliga-
tion in the Senate as well to prevent
any further electrocutions of our
troops in these circumstances.

This amendment attempts to right a
wrong by ensuring that the Army re-
views the language of a contract at the
time of formation of that contract to
ensure that it includes explicit lan-
guage that clearly requires contractors to
immediately correct deficiencies,
continuing repair or maintenance work
or facilities which could cause the
death or serious bodily harm of a sol-
dier. This review should be happening
already, but the facts make clear that
it isn’t. The Senate needs to take con-
crete steps now to reduce and ulti-
mately eliminate this danger to our
troops.

No family should have to en-
ure the pain suffered by Ryan’s moth-
er Cheryl Harris or Adam’s wife Janine
Hermanson or any other family mem-
bers of the other eight fallen soldiers.

Americans are in the theater of war
or any theater of war face chal-
genial on the battlefield that most of
us can’t even imagine. I know Chair-
man INOUE understands what I am
talking about. He served in combat and
knows of the great heroic story. He
can understand it, but I am not sure I
can, not having faced those challenges
myself. But the risk of death should
not follow these brave men and women
into the barracks, where they should
have a reasonable expectation of safety
and security away from the battlefield.

Mr. President, I ask unanimous con-
sent to have printed in the RECORD
the names of the 10 servicemembers and contractors who have died in Iraq as a
result of electrocutions.

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

**ELECTROCUTION DEATHS IN IRAQ**

Since the March 2003 invasion, 19 people
have died from electrocution, including 10
from the Army, 5 from the Marine Corps, 1
from the Navy, 2 military contractors and 1
State Department contractor.

According to the Inspector General of
the United States Department of Defense, nine
of the 19 electrocutions involved accidental
deaths that resulted from the victims touch-
ning or coming into contact with live elec-
trical power lines. The Inspector General’s
report on these incidents concluded that—"[w]hether equipment maintenance
complied with proper electrical standards or
whether the respective chain of command
acted responsibly in providing Service
members.

1. Army Spc. Marcus A. Camposis, 25, of
Attleboro, Massachusetts: Army Spc. Marco
Butterfield died in Al Asad, Iraq, when he was electrocuted while
performing routine generator mainte-
nance. He was assigned to 1st Battalion, 26th
Infantry Regiment, 2nd Armored
Brigades, 1st Infantry Division, Bamberg, Germany. Died on
April 17, 2004.

2. Marine Pfc. Brian K. Cutter, 19, of River-
side, California: Marine Pfc. Cutter died in
Al Asad, Iraq, after being electrocuted while
working on a cooling system for a tent, only
two days after arriving in Iraq. He was as-
signed to 3rd Assault Amphibian Battalion,
1st Marine Division, I Marine Expeditionary
Force, Camp Pendleton, California. Died on

3. Spc. Marcus “O.” Nolasco, 34, of Chino,
California: Spc. Marcus Nolasco died in Baji,
Iraq, when he was electrocuted while show-
ering. He was assigned to Battery B, 1st Bat-
talion, 14th Field Artillery Regiment, 1st Infantry
Division, Schweinfurt, Germany. Died on

4. Navy Petty Officer 3rd Class David C. Ader,
25, South St. Paul, Minnesota: Petty Officer 3rd Class Cedergren
died near Iskandariyah, Iraq, died as a result of being
electrocuted. He was assigned to the 2nd Ma-
rine Division Fleet Marine Forces Atlantic.
Died on September 11, 2004.

5. Spc. Chase R. Whitham, 21, of Harris-
burg, Oregon: Spc. Whitham died in Mosul,
Iraq when an electrical current surged from
a swimming pool in which he was swimming.
Died on May 8, 2005.

6. Sohan Singh, Civilian Contractor Em-
ployee: Mr. Sohan Singh was electrocuted while attempting to
take his coppers at Fallujah Surgical, Camp Fallujah, Iraq, on
July 19, 2005. Mr. Singh was a third country
national from India.

7. Staff Sgt. Christopher L. Everett, 23, of
Huntville, Texas: Staff Sgt. Everett died in
Al Taqaddum, Iraq, when he was electrocuted
while power washing sand from a Humvee. He was assigned to the Army Na-
tional Guard’s 2nd Battalion, 112th Armor
Regiment, 56th Brigade Combat Team, Ar-
lington, Texas. Died on September 7, 2005.

8. Army Sgt. Michael J. Montpetit, 31, of
Honolulu, Hawaii: Army Sgt. Montpetit died
when he was electrocuted while working on a
October 1, 2009

CONGRESSIONAL RECORD — SENATE

Mr. CASEY. Mr. President, let me conclude with a couple of remarks.

The Associated Press published a story written by Kimberly Hefling on September 8, 2009, and I ask unanimous consent to have this article printed in the RECORD.

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

[From the Associated Press, Sept. 8, 2009]

STATE DEPARTMENT CONTRACTOR ELECTROCUTED

(By Kimberly Hefling)

WASHINGTON—A State Department contractor apparently has been electrocuted while showering in Baghdad even as U.S. authorities in Iraq try to remedy wiring problems that have led to the deaths of American troops there.

The contractor, Adam Hermanson, 25, died Sept. 1, his wife, Janine, said Tuesday. She added that a military medical examiner told her that preliminary findings indicate that Adam died from low voltage electrocution while serving there three times in Iraq with the Air Force before leaving at the rank of staff sergeant. Died on September 1, 2009 while showering in Baghdad.

Mr. CASEY. Mr. President, I won’t read all of this Associated Press story but will just make note of two statements by two people who loved Adam Hermanson very much.

There is a statement in this story about his wife and his mother. His wife said, when reflecting upon what had happened to her husband and the circumstances: He was supposed to come back, and we had a lot of plans. Then Adam’s mother, Patricia Hermanson of Las Vegas, said everyone in her family was struggling to understand how he could survive so many tours of duty and then die suddenly in a seemingly safe place. That is a question all of us should ask and have answered—those who are family members who have lived through this nightmare and those who are Senators trying to do something about it.

I know there are many people here in this Chamber who want to do something about this, so I ask my colleagues to support this amendment.

Mr. President, I hope someone can tell me whether we can call it up at this time.

Mr. INOUYE. Will the Senator yield? Mr. CASEY, I will.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. I commend the Senator from Pennsylvania for his amendment. I support the Senator and the purpose of that amendment. However, I have been advised there are certain technical changes that have been recommended for better acceptance by this body. So if I may ask that the Senator’s staff and those of the committee get together, I think we can work it out.

Mr. CASEY. I thank the chairman for his comments, and we will certainly act in accordance with his statement.

Mr. INOUYE. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. The President.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KAUFMAN. Mr. President, I ask unanimous consent that amendment No. 2578 be modified with the changes at the desk.

The PRESIDING OFFICER. The amendment is so modified.

The amendment, as modified, is as follows:

The appropriate place, insert the following:

SNC... The Secretary of Defense may, in consultation with the Secretary of State and the Administrator of the United States Agency for International Development, continue to support requirements for monthly integrated civilian-military training for civil trainers deploying to Afghanistan at Camp Atterbury, Indiana, including through the allocation of military and civilian personnel, trainers, and other resources for that purpose.

Mr. KAUFMAN. Mr. President, I ask for a voice vote.

The PRESIDING OFFICER. Is there further debate on the amendment at this time?

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. KAUFMAN. Mr. President, I move to reconsider the vote and to lay on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2567

(Purpose: To prohibit the use of funds for the Center on Climate Change and National Security of the Central Intelligence Agency)

Mr. BARRASSO. I ask the pending business be set aside and I be allowed to call up my amendment, No. 2567, and make it pending.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

The Senator from Wyoming [Mr. BARRASSO] proposes an amendment numbered 2567.

At the appropriate place, insert the following:
Mr. BOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BOND. Mr. President, I have two things to do. First, there is an amendment from the Senator from Oklahoma on the National Guard REA accounts. I think the amendment would miss the point and assume that the National Guard/Reserve equipment accounts do not go through a process.

The Secretary of Defense and service chiefs are now on file that the NGREA funds are put toward. The Air National Guard and Army National Guard, working closely with their major command counterparts, have been able to use these funds on critical capability requirements by leading with funding for integration and procurement of various weapons systems capabilities.

The Army and the Air Force are responsible for equipping their Reserve components, and they do so within budget constraints. We know historically that the Air National Guard has been equipped at a level significantly lower than the Active components and, constitutionally, the Congress has the explicit power to provide for equipping the militia. Even in recent history the Air National Guard’s equipment requirements are placed in the supplemental or in the outyears, which often do not survive.

Congress has traditionally understood that we must meet the Reserve component’s equipment requirements. The National Guard has a Federal “wartime” mission as an operational Reserve and, in order to ensure that the Reserve component, specifically the Guard, can meet both its Federal and domestic missions, Congress provides the NGREA.

After Katrina, the Guard had only 33 percent of the homeland equipment needed to respond to its State emergency response mission. The Guard primarily focuses its NGREA procurements on critical dual-use items that support both the Chief and the National Guard Bureau’s “Essential 10” capabilities—their overseas military responsibility—and the Governors.

The funding provides for the modernization, unfunded MTOE equipment requirements, and items of equipment that are not managed by the Army G4 or G8.

With all that said, I hope my colleagues will continue to recognize that investments in our citizen soldiers and airmen provide the best bang for the taxpayers’ hard-earned dollars and, further, that the funds in the National Guard and Reserve equipment account are subject to an internal process review by the Secretary of Defense and respective Guard Chiefs.

The strategy is being developed. At the time it will be presented to the Air Force, the Guard, and the Adjutant Generals in November. Senator LEAHY and I have continued to endorse the procurement of 4.5-generation aircraft to address the shortfall.

The strategy is being developed. At the time it will be presented to the Air Force, the Guard, and the Adjutant Generals in November. Senator LEAHY and I have continued to endorse the procurement of 4.5-generation aircraft to address the shortfall. The Air Guard absolutely needs to consider purchasing more F-16s, F-15s or F/A-18s that are relevant to the current and foreseeable war on terror, are cost-effective, and are available to bridge the Guard through the fifth generation.

The Air Guard absolutely needs to be a part of the fifth-generation missions but not at the expense of the vast majority of units it would lose due to a
lack or delay in follow on. We do not need to accept a smaller Air Force, particularly when it is not based on thoughtful analysis but based on the need to cut budgets and cost growth in the procurement of the new planes that are so far behind schedule, under-performance, and under-budget.

We will see too many units shut down. That is why Senator LEAHY and I have offered an amendment to restrict the retirement of the current generation aircraft until the Secretary reports to the Congressional Defense Committees a detailed plan on how the Secretary of the Air Force will fill the force structure, a description of the follow-on missions, an explanation of the criteria for selecting the bases, a plan for the reassignment of regular and Reserve Air Force personnel, and an estimate of the cost avoidance to be achieved by the retirement of such tactical air.

Many of the efforts we have had to wage over the last few years have been the result of the Guard getting shut out of key decisions on resources and equipment. America’s oldest fighting force is now more relevant than ever. In today’s world, the need for a National Guard is greater than ever before. The Guard has experienced and capable fighting units. There is no program or plan that prevents this fighter gap from occurring. Unless we pass this amendment, the issue remains unresolved. This amendment will prevent the loss of any additional force structure until we get the information needed.

I ask unanimous consent to set aside the pending amendment and call up this amendment.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. I reserve the right to object. Let me inquire as to what is pending now.

The PRESIDING OFFICER. The pending amendment is the Barraso amendment No. 2567. Five other amendments are also pending.

Mr. INHOFE. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BOND. I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. FEINGOLD. Mr. President, as we consider the Defense Department Appropriations bill, the most important question we face concerns our military operations in Afghanistan. That is why I have filed an amendment which commends the President for focusing on Afghanistan and Pakistan and for developing a comprehensive, interagency strategy for the region. It also expresses the sense of the Senate that the President should provide Congress and the American people with some basic information before he authorizes any potential increase in troop levels in Afghanistan. That defense strategy is the best way to ensure our Afghan strategy is part of, and contributes to, that broader strategy I just mentioned.

This administration sees that bigger picture, which is why it has begun to redeploy troops from Iraq, though not as quickly as I would prefer. And President Obama has brought needed focus and attention to the Afghanistan-Pakistan region, but I am concerned that our current and proposed military strategy Afghanistan may play into al-Qaeda's international terrorist agenda but nonetheless opposes our massive military presence in the region. It has driven people into the arms of the Taliban even while Taliban and al-Qaeda leadership remains out of reach in Pakistan. And it risks further destabilizing Pakistan, a nuclear-armed country where al-Qaeda is now based. Rather than continue down this road, we need a smart, targeted strategy to pursue al-Qaeda and Taliban leadership without provoking further militancy in both countries.

Our enemy is agile. It has a network that spans the globe, receives financing from individuals around the world and has a presence even in the most developed nations. We have expanded our ability to go after these networks, working with allies and cutting off the flow of funds. Chasing after elusive Taliban foot soldiers in Afghanistan will not defeat al-Qaeda; rather, we must use all available power to target al-Qaeda without getting bogged down in massive military operations with unrealistic goals and potentially dangerous unintended consequences.

Armed nation-building in a country hostile to foreign interventions and with a feckless, corrupt central government is at best an experiment and at worst a dangerous distraction. Rather than focusing desperately on a quick fix to the problems that plague that country, we must acknowledge the limits of our ability to radically remake Afghan society no matter how many billions of dollars and tens of thousands of troops we commit to the cause. Instead, we should pursue a sustainable, civilian-focused strategy to support the emergence of legitimate governance. This is the surest way to defeat the Taliban in the long term.

Unfortunately, while our commitment to go to war in Afghanistan was the right one, the exigencies of our military operations are now undermining our ability to help promote such legitimate governance. We have pursued the wrong way when our supposed allies committed human rights abuses, sold drugs or embraced corruption. As General McChrystal stated in his assessment, we have embraced “problematic” relationships with “polarizing and predatory” power brokers, including in the Afghan National Security Forces, who “have been major agents of corruption.” He reported that “extortion associated with large-scale development projects is undermining our ability to promulgate a legitimate government in Afghanistan.” Additionally, he notes, the Afghan public “perceives that ISAF is complicit in” the abuse of power and corruption.

Some who want to persist with our current strategy are asking for a rapid increase in the size of the Afghan security forces. But without a legitimate, functioning national government, a rapid expansion of these forces is likely to provoke further instability. What is worse, the Afghan government in many parts of the country is the Afghan police force which is itself beset by corruption.
While our current strategy depends upon our ability to address the corruption that plagues the Afghan government, no one has explained how we can achieve this goal. With the input of millions of dollars, international pressure and an additional U.S. troop presence, we should have the ability to prevent large-scale fraud in the recent presidential election. In the absence of a legitimate local partner, our counterinsurgency goals, while perhaps laudable, are perhaps unrealistic.

Rather than further aligning ourselves with this badly flawed government, we should focus on targeting our aid to those currently working to promote good governance and the rule of law. This does not require a massive military presence. Indeed, attempting to accelerate this process with an increase in U.S. troop levels may well be counterproductive. Countries are typically built by their own people, over time, through a process of building a national identity. This cannot be imposed by foreigners, especially when they are active participants in an ongoing war in a country that is highly resistant to foreign occupation. And we cannot afford to link this lengthy and unproductive process to an open-ended and unsustainable military escalation.

General McChrystal has argued that we should significantly increase our military resources in Afghanistan for the purpose of “protecting” the Afghan people. He acknowledged that, if we endorse his proposal, it “is realistic to expect that Afghan and coalition casualties will increase.” This does not make sense. Occupying the population centers of southern Afghanistan is likely to provoke greater resentment and increase the danger to our troops and to the Afghan public. The majority of Afghans oppose an increase in foreign troops and want to see foreign troops leave the country within a reasonable time frame. Without giving the American and Afghan people a sense that our military operations will not go on indefinitely, we are unlikely to gain the support needed to accomplish our goals, particularly if we know that going in that civilian casualties will only increase in the short term. That is why I have called for a flexible timetable to draw down our troop presence in Afghanistan.

Rather than risking more American lives, we should consider whether the current military escalation is badly in need of a diplomatic approach in Afghanistan that is not likely to fix our governance problems in that country or to address the al-Qaeda presence in Pakistan, and that could further destabilize the entire region. Over the last 8 years, we have committed tremendous resources in an effort to dramatically rework Afghan society. We have doubled our troop levels over the past year and, this year alone, we will spend over $8 billion in that country. This has already become the deadliest year for U.S. troops in Afghanistan. Rather than doubling down on a strategy with objectives that may well be unachievable, we should focus on relentlessly pursuing al-Qaeda’s network in Pakistan and around the world, and set realistic goals for providing civilian assistance to legitimate actors within the Afghan and Pakistani governments. My amendment asks whether the potential military escalation to ensure that we carefully consider the costs of the proposed strategy, its likelihood of achieving our counterterrorism goals, the potential pitfalls and the alternatives. I hope my colleagues will ask themselves these questions as they consider whether to support the underlying bill, which funds a military approach in Afghanistan that is badly in need of rethinking.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. I ask unanimous consent to set aside the pending amendment and call up my amendment at the desk, No. 2598.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. Reserving the right to object, I have no objection to the Senator from Minnesota offering his amendment. I wanted to get two other objections on the record, and I ask that I be included in the request.

The PRESIDING OFFICER. Is there objection to modifying the request?
Mr. FRANKEN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. FRANKEN. I would like to get my amendment in.

Mr. COBURN. If the Senator objects for me, then I will object to him getting his.

The PRESIDING OFFICER. Objection is heard.

AMENDMENT NO. 2593

Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment 2593 offered by the Senator from Michigan, Mr. Levin.

Mr. LEVIN. Mr. President, there are two amendments that we will be voting on next to each other, side by side, relating to the appearance of not only General McChrystal but, if my amendment is passed, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Commander in CENTCOM and General McChrystal, both. That was the approach we used when President Bush, for 3 months, had under consideration an Iraqi surge. Nobody tried to have a hearing at that time. So I am bringing in his commander while the President was deliberating to give us the commander’s views that he was sharing with his Commander in Chief. As a matter of fact, that commander, General Casey, had views which ran very contrary to his Commander in Chief. Chief. But we should follow that same pattern here. We should allow this deliberative process to take place. We should not try to intrude upon it or to try to bring into the field in a position where he is testifying in public relative to what he is advising his Commander in Chief.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I hope everybody had a chance to read the wording of this amendment that says, “appropriate committees of Congress shall hold hearings,” et cetera, “promptly after the decision by the President on those matters is announced.” In other words, we don’t have any input into the decision-making process. We don’t get to hear from the Secretary of Defense on down while the decision is being made by the President as a coequal branch of government. This is bizarre. I have never seen a requirement that we can’t call witnesses and won’t call witnesses on an issue about sending young Americans into harm’s way. This is a remarkable statement that we are not going to be in on the takeoff and so therefore we will not be in on the landing. We aren’t going to have a hearing on one of the most pressing and incredible emergencies of our time? We aren’t going to have any witnesses before the appropriate committees until after the decision is made? I am not ready to abrogate those responsibilities that we have to the citizens of Arizona who are in harm’s way. I urgently ask colleagues to vote against this bizarre amendment.

The PRESIDING OFFICER (Mr. FRANKEN). The question is on agreeing to amendment No. 2593.

Mr. LEVIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is.

The clerk will call the roll.

The PRESIDING OFFICER (Mr. MCCONNELL). Mr. President, I rise to reconsider the vote.

Mr. NELSON of Nebraska. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Republican leader is recognized.

SENATOR ORRIN HATCH’S 12,000TH VOTE

Mr. McCONNELL. Mr. President, I rise to honor our colleague and good friend, the senior Senator from Utah, who is about to cast his 12,000th vote. Today, Senator HATCH becomes part of a small group. He is now one of fewer than 15 Senators in history, and the only Senator in the history of Utah, to have cast 12,000 votes in the well of the Senate.

The people of Utah have elected Orrin Hatch to this body six times, and I am sure they couldn’t be more proud to see him reach this milestone. For more than 32 years, he has been a phenomenal representative of the Beehive State. He has made sure no one in Washington, as he likes to put it, has been able to push Utah around. He has also made a lot of sacrifices in the process. A few years ago, when Senator HATCH was deciding whether to run for reelection, his wife Elaine asked him if maybe this was the right time to run. And he was torn between doing it for himself and making it for the people in Utah. For Republicans, he is a good friend, a constant ally, and one of the most influential members of the Senate. For Democrats, he has been a champion of health care reform, particularly children’s health, through his work on the Finance and Health, Education, Labor, and Pensions Committee.

Senator HATCH is also known to millions of Americans as a veteran member of the Judiciary Committee. He has been involved in the debate over eight—eight—sitting Supreme Court Justices.

He has been a major player in recent debates over national security, energy, labor, the second amendment, and the current debate over health care, and he has done it all in the spirit of bipartisanship, earning the respect and admiration of every Senator in this Chamber.

No one who has ever met Orrin Hatch isn’t struck by his courtesy and the dignity with which he carries out his duties. For Republicans, he is a good friend, a constant ally, and one of the best advocates we have. To Americans, he is the very picture of a Senator.

Incidentally, he is also one of the most prolific songwriters ever to serve in Congress. He wrote all 13 songs from one of his albums over the course of one weekend, and he knows many musicians such as Gladys Knight have sung his songs. But he will never be accused of false modesty when it comes to his
talents as a songwriter. ORRIN once told a reporter: Everybody loves my music.

In everything else, though, ORRIN is happy to share the credit. He will be the first to tell you that his success would be impossible without his family. So today we also honor Elaine, their 6 children, and their 23 grandchildren on this very historic occasion.

These milestones are important because they testify to hard work and commitment. But they also give us an opportunity to recognize colleagues whom we admire and respect, colleagues such as the senior Senator from Utah.

(APplause, Senators rising.)

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I have looked forward for the last half-hour or so to this occasion, recognizing that ORRIN was going to be making his 12,000th vote.

The people of Utah are proud of Senator HATCH for a lot of reasons. His name is synonymous with Utah. Even though he spent a lot of his growing up in Pennsylvania, the name ‘Hatch’ is a prominent name throughout the State. They even have a town named Hatch. His great-grandfather, Jeremiah Hatch, helped found the town of Vernal. ORRIN, I have to say this: My staff prepared this said the beautiful town of Vernal. I had to change it to say the interesting town of Vernal. But it is an indication of the roots of the Hatch family in Utah. That town of Vernal, UT, was founded more than 130 years ago by Jeremiah, and the heart of every Hatch since then was been part of the State of Utah.

Senator HATCH has chaired the Judiciary Committee on more than one occasion. He spent 7 years at the helm of that panel during some of the most difficult times we have had in the Senate dealing with judicial appointments. He served as chairman of the HELP Committee. In that post, he sat alongside his friend, Ted Kennedy, for almost two decades. Senator HATCH has a lot to be proud of in his legislative record. One of the things that is a hallmark of Senator HATCH is that the reason we have a Surgeon General’s warning on cigarette packages and advertisements. That is because of Senator HATCH.

He has not only been a good Senator, he is also a terrific lawyer. He excelled in his younger days as a basketball player, has fought in the ring, and as such he is a part of the president’s committee. In that time, he has been a leader and he always has. From that time forward, I could not have had and could not have wished for a more reliable or more supportive senior colleague than ORRIN.

I am senior to him when it comes to age. You wouldn’t think that, but it happens to be true. But never at any time has he treated me as anything but a complete equal. He has acted as a mentor.

I am grateful to the two leaders for their setting aside this time. I wish to congratulate ORRIN on his 12,000th vote.

The PRESIDING OFFICER. The senior Senator from Utah.

Mr. HATCH. Well, thank you so much to the two leaders. This is embarrassing, but it is very moving to have all my friends and colleagues here. This means so much to me. I didn’t realize it was such a big deal, to cast 12,000 votes, but I am grateful the people of Utah have given me this privilege and this opportunity to serve our great State, and to be part of the greatest legislative body on Earth today, with the most wonderful people I know on both sides of the floor. I appreciate each and every one of you, and as long as I am here, I am going to try to do the very best job I can.

I am very grateful to BOB BENNETT as well. He is a wonderful colleague and a wonderful companion here in the Senate. He has been a wonderful guide, and he has helped me as well.

This body means a great deal to me. We all saw what it meant to Ted Kennedy and the great accolades he received throughout his lifetime. It was a real privilege to be close to him, as I am to almost all of you and will be to all of you. This is a tremendous body. I wish we could move some of the partisanship as well as work together a little bit better than we have. To the extent that I can, I will certainly try to do that.

I wish to thank my friends on the Democratic side for their patience and their tolerance and kindness and my friends on the Republican side for putting up with me all these years. I am very grateful to you.

By the way, I had three great-grandchildren as well, so I have 26 grandchildren, and I think probably more on the way by now.

When I was a missionary in Ohio, Indiana, and Michigan, they once called me to start the congregation in Sandusky, OH. We had four members there who hadn’t been to church in less than 10 years. Within a month we had 30, all women, of course, and children. I became the first branch president, pastor of our congregation. We have the longest serving woman’s organization in the world in the Mormon church, and it is called the Relief Society, which is presided over by women. I don’t want you to misconstrue this, but I was also a part of and the president of the Relief Society as well in that small branch of the church.

From those humble beginnings, I have to say I received some of the greatest experiences of my life. That children was important to me. This is important to me. I love each and every one of you. I think I have expressed that to you in various ways, even at times when I am sure you wondered about it. I am sorry I took so long, but I am moved by this nice care that you have all shown to me. Thank you so much.

(APplause, Senators rising.)

AMENDMENT NO. 275

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 275, offered by the Senator from Arizona, Mr. MCCAIN.
Mr. MCCAIN. Mr. President, this amendment says within 45 days that we should have testimony from our military leaders, whom we have given the responsibility for combat operations in Afghanistan.

We have just abrogated the Senate’s obligations and constitutional authority by opposing the amendment, because now, thanks to the passage of the Levin amendment, we will not have testimony from those commanders in the field. I take special exception to it, and so should most people who have their children over there in harm’s way today fighting and dying.

What we are going to do is say we cannot have any hearing as regards to strategy concerning how we are going to succeed in Afghanistan. So we are not in on the takeoff, and a lot of us may have trouble being in on the landing. This is an issue regarding which the Senate should have a role—at least of being informed.

I guess maybe we will be restricted to interviews with General McChrystal on “60 Minutes.” I urge my colleagues to vote in favor of the amendment.

Mr. LEVIN. Mr. President, I very much oppose the amendment. Secretary Gates opposes it. It would be totally inappropriate, in the middle of a deliberative process, to pit a commander of our troops in the field against the Commander in Chief. We did not do this when President Bush was President and General Casey was the commander. Apparently, he had very different views about the surge. Three months went by while President Bush deliberated on whether to surge troops. We never put General Casey at a hearing to tell us what he was advising President Bush, asking why we heard he might be advising a very different course of action. We never did that to President Bush. We should extend the same courtesy to President Obama during this deliberative process.

There are good reasons why Secretary Gates opposes bringing his commander in front of a public hearing at this time. We should show the same respect for the President of the United States now as we did when President Bush was President.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Indiana (Mr. BATH), is necessarily absent.

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

The result was announced—yeas 40, nays 59, as follows:
Mr. FRANKEN. Madam President, the amendment I am offering today seeks to narrow the target of the most egregious violations. The amendment applies to defense contracts, many of which are administered abroad, where women are the most vulnerable and least likely to have support resources. The amendment would apply only to many contractors that have already demonstrated their incompetence in efficiently carrying out defense contracts and have further demonstrated their unwillingness and their inability to protect women from sexual assault.

I urge my colleagues to support this amendment.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, it is my understanding the Senator from Louisiana is going to be the next speaker, but I ask unanimous consent at the conclusion of her remarks that the Senator from Georgia be recognized, and that I be recognized after him.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I understand there are several colleagues wishing to speak on the underlying bill. I am going to speak for a minute on an event that happened last night to someone who may find herself in similar situations.

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

The Senator from Georgia.

Mr. FRANKEN. Madam President, the amendment I am offering today seeks to narrow the target of the most egregious violations. The amendment applies to defense contracts, many of which are administered abroad, where women are the most vulnerable and least likely to have support resources. The amendment would apply only to many contractors that have already demonstrated their incompetence in efficiently carrying out defense contracts and have further demonstrated their unwillingness and their inability to protect women from sexual assault.

I urge my colleagues to support this amendment.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Madam President, the amendment I offer today is inspired by the courageous story of a young woman who has dedicated 4 years of her life to making sure no other woman lives through her nightmare.

Four years ago at the age of 19, Ms. Jamie Leigh Jones signed a contract to become an employee of KBR, then a Halliburton subsidiary. That contract contained a clause which required her to arbitrate any future dispute against her employer—this means to force her to give up her right to seek redress in court if she was wronged. At the time, Ms. Jones had no idea what implications this seemingly innocuous fine-print clause would have.

Ms. Jones arrived in Iraq in July of 2005. Immediately, she complained to supervisors about the hostile conditions imposed by KBR. She was constantly being harassed by her male colleagues and was housed in barracks with 400 men and only a few women. Her pleas for safer housing were ignored.

Four days after her arrival, Ms. Jones was drugged and gang-raped. She requested medical attention, and a doctor administered a rape kit. Parts of that rape kit have since mysteriously disappeared.

After Ms. Jones reported the rape to her supervisors, she was locked in a shipping container with an armed guard and prohibited any contact with the outside world. They locked her in a container. It was only after she convinced one of the guards to lend her a cell phone that she was able to talk to her father, who enlisted the help of Representative Ted Poe, a Republican Congressman from Texas, to arrange for her safe return to the United States.

But Ms. Jones' horrific plight did not end there. Having survived this ordeal, most of us would expect that she would have had her day in court to seek justice for the actions and inactions of her employer. Instead, KBR sought to enforce the arbitration clause in Ms. Jones' contract and tried to force her into arbitration. Over the past 3 years, Ms. Jones has been fighting for her right to bring a lawsuit, and KBR has been fighting her every step along the way. This is simply too long for a rape victim to wait, just to have her day in court.

The only thing more outrageous than KBR's actions is that Ms. Jones' story is not an isolated one. Since Ms. Jones courageously shared her story, many more women have come out of the shadows saying the same thing happened to them. And, yes, some of these women are still waiting for their day in court too. Others were forced into arbitration, and their outcome remains secret due to the nondisclosure clauses in the arbitration agreements.

Arbitration has its place in our justice system. For two companies haggling over the price of goods, arbitration is an efficient forum, and the arbitrator will undoubtedly have the appropriate expertise. The privacy that arbitration offers can protect their proprietary business information. But arbitration has its limits. Arbitration is conducted behind closed doors and doesn't bring persistent, recurring, and egregious problems to the attention of the public. Arbitration doesn't ever allow a jury of your peers. Arbitration doesn't establish important precedent that can be used in later cases.

Many of our Nation's most cherished civil rights were established by individuals bringing claims in court, the court ruling in their favor, and then extending the protection of those rights to anyone in a similar situation. Arbitration does harm our system, but handling claims of sexual assault and egregious violations of civil rights is not its place.

Ms. Jones won a small but important victory just a few weeks ago. The conservative Fifth Circuit Court, encompassing Texas, Louisiana, and Mississippi, ruled that most of Ms. Jones' claims do not belong in arbitration, and she is entitled to her day in court. But the Fifth Circuit ruled that even when you sign an employment contract requiring arbitration, there are some rights to sue your employer that can't be signed away. These include assault and battery, infliction of emotional distress, negligent hiring, retention, and supervision. But the Fifth Circuit's ruling only applies to the Fifth Circuit's jurisdiction, so it is not settled law throughout the United States. Who can say what might happen to claims filed in other circuits?

My amendment seeks to extend much of the Fifth Circuit's reasoning to government contractors who continually subject workers to these so-called mandatory arbitration clauses. The government shouldn't be doing business with defense contractors such as KBR as long as they continue this practice.

The amendment I am offering today seeks to narrow the target of the most egregious violations. The amendment applies to defense contracts, many of which are administered abroad, where women are the most vulnerable and least likely to have support resources. The amendment would apply only to many contractors that have already demonstrated their incompetence in efficiently carrying out defense contracts and have further demonstrated their unwillingness and their inability to protect women from sexual assault.

I urge my colleagues to support this amendment.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, it is my understanding the Senator from Louisiana is going to be the next speaker, but I ask unanimous consent at the conclusion of her remarks that the Senator from Georgia be recognized, and that I be recognized after him.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I understand there are several colleagues wishing to speak on the underlying bill. I am going to speak for a minute on an event that happened last night to someone who may find herself in similar situations.

Congressional Coalition on Adoption

Madam President, I see my good friend, Senator Inhofe, on the Senate floor today. He and I have the privilege and honor of cochairing the adoption caucus, and I wanted to speak briefly and to thank the 45 Senators who participated in this annual event by honoring individuals in their States—and, Madam President, you participated as well—for something special they had done on behalf of adoption or foster care in the United States or abroad.

The event is in its eleventh year. Collectively, the Members of Congress—Democrats and Republicans—have honored over 1,500 Americans—
In the last 20 seconds that I have, I want to submit for the RECORD the names of the 43 Senators and their angels from a variety of States in the Union. I want to acknowledge the three national angels: Judge Michael Nash of California, nominated by the Senators from that State and from all of us who started National Adoption Day, where judges such as Judge Nash took the liberty to hold adoptions on Saturdays so we could move a backlog of children. Because of his action, 350 communities now hold adoptions on Saturdays.

Al Roker, who greets most Americans in the morning, an adoptive father, is now using his position of power to advocate on behalf of orphans.

And Sean and Leanne Toohey, who adopted a young man at 16 years old, are a couple who had raised two biological children, then adopted a young man who was going nowhere, on a dead-end street. Because of their love and because of their mutual support, he now is the No. 1 draft choice and is going to play for the Baltimore Ravens—a young man with a great deal of potential who just simply didn’t have any parents who believed in him.

Now he does.

That is the work we do. We honor all of our angels who were here for many days, understanding they are not alone in this fight to find homes for orphans.

Madam President, I ask unanimous consent to have printed in the RECORD the 2009 Congressional Coalition on Adoption Institute Angels in Adoption.

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

2009 CONGRESSIONAL COALITION ON ADOPTION INSTITUTE ANGELS IN ADOPTION ALABAMA Linnie and Debbie Dickson; AGAPE of North Alabama, Inc.

ALASKA Elaine Cordova; Mchele and Ricky Adams.

ARIZONA James and Virginia Avelar.

ARKANSAS Christie Erwin; Keith Morrison.

CALIFORNIA Dan and Brook Meehan; Wanda Bonnell; Christine Devine; Mark D. Widelock; Kimberly Felder; Olive Crest; Knotts Family Agency; Mimi Katz; John and Kathy Prosser; Patrick and Judy Dahlison; Kathy Van Osten.

CONNECTICUT Haley Dunning.

FLORIDA Ione and Don Hemby; Michael and Patricia Jania; Saras and Johnnie James; George and Barbara Kadzis; Dean and Debbie Heather; Frances P. Allegra; Sarah Franco; Jodi Sue Rutstein, MSW, Esq.; Gia Tutalo-Mote; Shirley Dunlap; Children’s Home Society of Florida; Karen and John Burns.

GEORGIA Rachel Ewald; Mr. Everett Espe.’

IDAHO Al Barrus.

ILLINOIS David and Christine McCarty; Lloyd and Gloria Otterson; Jim and Andrea Thome and Paul and Jennifer Konerko; CASA Kane County.

INDIANA Ben and Debbie Evans; Theresa and Michael Teders; Stacy Lynn Taylor; The Villages.

IOWA Gary and Sandy Launderville; Ray and Jo-anne Walton.

KANSAS Brandon and Melissa Hoffman; Dr. Kimberlee Murphy.

KENTUCKY Lea Ann Gollihue; Terry Winterberg.

LOUISIANA Lisa Gould; Edith H. Morris; Barbara Thompson; Irene Williams; Ada Burson.

MAINE Jaimie and Belinda Erekline.

MARYLAND Samuel and Mildred Stewart; Lori Weinstein.

MASSACHUSETTS Etta Lappen Davis; Mary Gambon.

MICHIGAN Kimberly Roberson and Carroll Baker; Robert and Caro-line Deppe; Steve and Sarah Rosinski; Belinda Geertams; Addie D. Willi-am; Christ Child’s House.

MINNESOTA Dean and Teresa Julkowski; Heidi Reitz; Karl Fletcher.

MISSISSIPPI Patricia Digby.

MISSOURI John and Christie Hancock; Anthony and Jennifer Dattilo; Keith and Tami Hoskin; Mike and Holly Hyde; Mary Beck; Fran Albrecht.

NEBRASKA Sara and Junior Heredia; Steven and Shelley Brune; Boys’ Town.

NEW JERSEY Terd and Marsha Burke; Alice Nadelman; Victoria Howard; Brenda Milry.

NEW MEXICO Ginni Jones.

NEW YORK David and Eileen Shifter; Careen Sue Peet; Archbishop Voni Johny; Frederick J. Magovern; Claudette and Jean Adrien.

NEW HAMPSHIRE Gail DeGoos.

NORTH CAROLINA Ross and Diane Moreton; Dawn Davenport; Walter Johnson; Ken Tutterow.

NORTH DAKOTA Robert and Vicki Thu; Leanne Johnson.

OHIO Peter and Angela Schoepflin; Larry and Vicki Palur; Carole Adlard.

OKLAHOMA Duane and Cathy Shipman.

OREGON Zak and Alexa Knight; Rose McBride.

PENNSYLVANIA Thomas and Theresa Stacy; Charles and Shannon Eder; Mary Ann Pettrillo; Tom and Patti Long.

RHODE ISLAND Adoption Rhode Island.

SOUTH CAROLINA Bob Porterfield.

SOUTH DAKOTA Bob and Donna Burke; Dan and Becky Foster.

TENNESSEE Mark, Janet, and Nathan Carlton; Josh and Katrina Hildabrand; Smoky Mountain Children’s Home; Michael McDonald.

TENNESSEE Hollie and Eric Kounce; Jenny L. Womack; A World For Children; Dell and Gladys LeFever.

VERMONT Lund Family Center.

VIRGINIA Linda and Vic Simpson; Loren M. Walck, Sr.; Captain Sean Welch.

WASHINGTON Randy S. Perin; Antioch Adoptions.

WEST VIRGINIA David and Dawn Heatwole.

WISCONSIN Marshall and Marjorie Barlow; Aaron and Laura Maki.

WASHINGTON, DC Michele Zavos.

Ms. LANDRIEU. Madam President, I thank my colleagues for the opportunity to speak briefly and to take the time from this important bill.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. CHAMBLISS. Madam President, I would first like to commend the Senator from Louisiana for her great work on this issue of adoption. She has been very diligent over the years in promoting the issue of adoption of needy children across America, and I am very pleased to be a part of that caucus and commend her and thank her for her great work there.

Madam President, what is the status of the business before the Senate?

The PRESIDING OFFICER. The last offered amendment is the Coburn amendment, No. 2566. Amendment No. 2568.

Mr. CHAMBLISS. Madam President, I ask unanimous consent that the pending amendment be set aside and that I be allowed to call up amendment No. 2608.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk reads as follows:
The Senator from Georgia [Mr. CHAMBLISS], for Mr. KYL, proposes an amendment numbered 2688.

The amendment is as follows:

(Purpose: To appropriate an additional $900,000,000 to the Afghanistan Security Forces Fund)

At the appropriate place, insert the following:

SIGNATURE. The amount appropriated by title IX under the heading "AFGHANISTAN SECURITY FORCES FUND" is hereby increased by $900,000,000.

Mr. CHAMBLISS. Madam President, very quickly, this amendment restores the money for the training of the Afghan security police and military back to the level that was requested both by the President in his budget submitted to this body, as well as restores the number that was approved in the Defense authorization bill that has previously been voted on by this body and is now in conference with the House.

The fiscal year 2010 Defense appropriations bill takes $900 million from the President's request for Afghan security forces at a point in time when our troops are in the trenches fighting and defending us, defending the Afghan people from both the Taliban and al-Qaeda, and there is no more critical issue now than training both the Afghan military as well as the Afghan security police.

We have just received General McChrystal's assessment, and let me quote a portion of that assessment where it states as follows:

"Failure to provide adequate resources also risks a longer conflict, greater casualties, higher overall cost, and ultimately a critical loss of political support. Any of these risks, in turn, are likely to result in mission failure."

General McChrystal's No. 1 issue is the training of the Afghan military and the Afghan security police because of the fact, if we are ever going to achieve success over there, we have to know that once we root out the bad guys, once we take out the Taliban and al-Qaeda, that we can turn that country over to the Afghans, as we are doing in Iraq today, and we can remove our troops with the confidence that the Afghan military and the Afghan security police will be able to maintain security within that country as well as to protect the Afghan people from external sources. But the only way we will be able to do that is to train the military as well as the security police.

The President's budget that came over for this particular issue requested $7.5 billion. That is a lot of money—a lot of money for any issue—but certainly a lot of money for training. But it is obviously absolutely necessary if we are going to complete the job.

We are at a very critical crossroads in Afghanistan right now. The President has under consideration the issue of whether to call for additional troops to be sent into Afghanistan. He is obviously weighing that very heavily. While he should, I would hope he is going to make a very quick decision on that particular issue. But whatever the decision is, and whenever he makes it, we know for a fact that the Afghan military and the Afghan security police have to continue to receive the training our troops are providing for them today.

Let me just quote a couple of other statements from other very high-profile individuals who are very knowledgeable and very thorough in their assessment of the situation with respect to the Afghan forces, the Afghan security police. First of all, Admiral Mullen, during testimony before the Senate Armed Services Committee on September 15, said the following in response to Chairman LEVIN:

I share your view that larger and more capable Afghan national security forces remain vital to that nation's viability. We must rapidly build the Afghan army and police.

Senator LEVIN, chairman of the Senate Armed Services Committee, at that same hearing stated:

"We basically need a much larger Afghan army, much quicker. That is the bottom line. That is the winning strategy."

Senator LIEBERMAN said in July that the commitment to an expansion of Afghan forces "is a decision that we have avoided making for far too long. Every day we continue to drag our feet and fail to commit to the indigenous security forces hinders the fight against the extremists and delays the pullout of U.S. troops in Afghanistan."

"Lastly, the outgoing Supreme Allied Commander for Europe—the SACEUR—GEN John Craddock, said during his farewell address:

I don't think the intent there is to ever occupy and stay. The key, as has been pointed out, is the enabling of development of the Afghan national security forces. As the SACEUR for the last 2 1/2 years, I repeatedly told NATO nations the very first thing we need are more trainers for the army and the police, particularly."

Madam President, what this amendment does is add $900 million basically back to the top line. The reason we can do that is that under the appropriations bill, as has been passed, and as compared to the President's budget and the budget passed, this bill is about $3.5 billion under the budget. So there is room to add this $900 million back in to make sure we are giving the Afghan people the ability to protect themselves from external forces as well as the ability to protect themselves from dangers within their own country.

Last, let me say the President has been very critical of the reduction of this $900 million. In the statement of administration policy, or the SAP that was put out on the 23rd of September, here is what the President said:

"The administration opposes the reduction of $900 million for ANSF sustainment. Accelerating the growth in size and capability of the Afghan security forces is a key component of the U.S. strategy in Afghanistan. The President's full request reflects his commanders' plan for Afghan forces to assume a greater share of responsibility for security as quickly as possible."

Simply stated, it is critically important that this training proceed at a very rapid pace. In order to do that, we have to resource the training that our troops are doing today and we will need to continue to do over the next fiscal year.

I ask this amendment be called up at the earliest time possible. This amendment is made by the Senator from Georgia, because I was privileged to be in Afghanistan several years ago with the Oklahoma 45th, which actually took a great responsibility in the training over there and also turning over some of the training to the Afghans. They have done a good job, but as the Senator pointed out, this takes resources and it takes equipment and it takes money. I applaud him and join him in this effort to provide the resources necessary to make that happen.

Let me make a couple of comments. We will have some amendments coming up concerning the C–17. I wish to share maybe an opposing view to some of the things we have heard. I was deeply disappointed, I guess it was in April, when we got the defense portion of the President's budget and the termination of such programs as the F–22, next generation bombers, the Future Combat System, and particularly doing away with our commitment to Poland and the Czech Republic to have an opportunity there to knock down a missile, an ICBM coming to the United States from Iran, when we know they should be having that capability by around 2015.

Today I want to mention a couple of things about the C–17. The Air Force budget justification documents state:

"The C–17 can perform the entire spectrum of airlift missions and is specifically designed to operate effectively and efficiently in both strategic and theater environments.

I can remember when the first C–17 came in. The training takes place actually in my State of Oklahoma at Altus Air Force Base, and in 1995, it was the spring of 1995, the first C–17 swept into Altus Air Force Base. At that time the chief was General Fogelman, and I was honored to accompany him and actually sit in the right seat and see what this new spectacular airplane was.

I never dreamed that we would have the use of the C–17 to the extent we did in Bosnia and Kosovo missions we did not dream at that time we would have to be confronted with.

Every time you watch the news or see a disaster or emergency of some type anywhere in this Earth where our military is involved, you are going to see the C–17. The country and its military must be able to engage globally, and the C–17 enables that engagement.

In my 22 years on the Hill, I have seen airlift requirements increase, not decrease. I have had experience. Sometimes you talk about a system, a platform such as the C–17. Our dealing
Right now we have other lift vehicles. We have the C-130s, better ones, the C-130Js and the C-130Es, which are getting old and outdated. I actually had two experiences on two of my trips coming into and out of Baghdad. One experience involved actually not one but two engines. We are talking about some pretty old, beat-up E models that should not be flying right now.

The very next trip, I remember, was the first trip of our recently retired Senator from Florida when we actually received some SAM activity. We had to fire the flares. The reason we did, it was 8 minutes after taking off from Baghdad and the engines should have had us out of SAM’s range. However, the E models are getting old and tired. So it is life threatening. I say that even though I am here to talk about C-17s.

We can absorb a lot of deficiencies we have in other areas by increasing our number of C-17s. Currently it is the only aircraft capable of performing every airlift mission, whether ferrying troops and supplies to remote airfields overseas or returning wounded service-member back home.

The Congressional Research Service has indicated that the C-17 was designed to fly 1,000 hours a year over 30 years. However, as our overseas commitments have grown since 2001, the fleet has averaged 1,250 hours per year instead of a year. Some aircraft have even reached as high as 2,400 hours in a single year.

A November 2008 GAO study stated the C-17:

—production line is currently scheduled to close in September 2010 with the supply base and portions of the line closing sooner.

The study concludes that:

Analysis indicates that once closed it would not be feasible or cost effective to restart the production line to the costs for reestablishing a new workforce, reestablishing the line closing sooner.

That is what the study concluded. The GAO estimates that restarting the line could cost up to $1 billion.

This is something we are always concerned with when you talk about altering the life of a particular platform, but this is one I don’t see how we can get along without. I know we have the C-5s, the old C-141—a lot of lift capacity—a lot of tired C-130s, but the price of all these capabilities is the C-17. While the administration objects to funding 10 additional C-17s based on 205 C-17s and the existing fleet of C-5 aircraft, the Air Force has cut the number of C-5s it plans to fully modernize by more than half because of substantial cost increases in the modernization efforts. In testimony to the House Armed Services Committee in May of 2009, the Air Force said it will fully modernize only 52 of the 40-year-old C-5s.

While we are upgrading some of these aircraft, some of these, specifically the C-5A, had to be retired. However, this Congress, by bill language, is preventing the Air Force from retiring any of the C-5s. In terms of cost, the GAO calculated “the DOE would need to fully modernize 7 C-5s to obtain the equivalent capability achieved from acquiring 1 C-17 and the costs would be 3 times more.”

It found the unit cost of modernizing one C-5 is $132 million, while the unit cost of one new C-17 is $267 million.

To put it another way, it would take seven modernized C-5s to provide the capability equivalent to one new C-17, or $924 million worth of work on modernizing the C-5 to provide the capability equivalent to procuring one additional new C-17 at $276 million. I am hoping when this issue does come up we will have a chance to think that through.

I would say this: Even if we were inclined to do that, to go along with the smaller number, it would seem to me that we should wait until we have the Quadrennial Defense Review and the upcoming Mobility Capability and Requirements Study. It is my understanding these would come sometime early in 2010. I suggest we at least wait until we have the benefit of that report before taking such drastic action.

Let me mention one other thing that happened last night, for clarification. At midnight last night the highway program of people who had suffered a major loss because of a calculated decision that politics should trump common sense.

I have often thought that congressional inaction is a good thing sometimes, but in this case we failed miserably to do our job. As a result, we are unable to pass the 3-month extension of the highway program that Senator Boxer and I were pushing. It is very interesting when you have a combination such as that. It is very interesting when you have a combination of people who have made it impossible for us to send something over there and get it complied with. I have been trying to pass a long-term extension with rescission fix since July. At that time opposition from Congressmen and Senators from both sides of the aisle prevented taking care of the problem.

Our attempts to set a prudent length for highway extension has been plagued by some people’s unrealistic expectation that we can complete a 6-year transformational highway bill and plug a $150 billion shortfall in the next 3 months. It is undoubtedly true that the highway is a $150 billion shortfall in the next 3 months.

I was on the phone with Gary Ridley, who was our highway director for many years. He was the best highway director in the country. He is now Oklahoma’s transportation secretary. He gave me the impact of our failure to act, just on my State of Oklahoma. He said we would have to receive $53.6 million of Federal money but instead are likely only to receive $36 million. That is the 25-percent reduction. They have a $28 million bond obligation which leaves them only about $8 million for letting projects, instead of $26 million. This means that they will likely only be able to let three or four projects in November, the first letting of the year, and probably none in December. That is my guess. That is my guess.

Here is the real-world impact of what we do here. This will be devastating for construction workers in Oklahoma and will be repeated in every State. This may come as a surprise to those in the other body who have said it will have no effect on States. They are the ones over there in the House who have made it impossible for us to send something over there and get it complied with. I have been trying to pass a long-term extension with rescission fix since July. At that time opposition from Congressmen and Senators from both sides of the aisle prevented taking care of the problem.

I was on the phone with Gary Ridley, who was our highway director for many years. He was the best highway director in the country. He is now Oklahoma’s transportation secretary. He gave me the impact of our failure to act, just on my State of Oklahoma. He said we would have to receive $53.6 million of Federal money but instead are likely only to receive $36 million. That is the 25-percent reduction. They have a $28 million bond obligation which leaves them only about $8 million for letting projects, instead of $26 million. This means that they will likely only be able to let three or four projects in November, the first letting of the year, and probably none in December. That is my guess. That is my guess.
This is very significant. The other body wanted an offset for this, and they were right. So did I. I wanted an offset. I think the most reasonable offset is the unused stimulus funds. I have stated all along that there was not enough there, and I would be very meaningful. But according to CBO’s most recent analysis that was done a month ago, only $85 billion of stimulus funds has actually been spent. Furthermore, less than 60 percent of the stimulus funds has even been obligated, leaving $150 billion in unobligated balances.

Money being unobligated means they do not have a plan for how they are going to spend it and are now nowhere near the end of the day for our money. It is a waste of our money. It is a waste of our economy and give us something at the end of the day. So they couldn’t cut the things that were not working or were not even congressional pet programs. This is simply cutting the worst 1 percent of the stimulus—something everybody should be able to agree to whether or not you voted for the stimulus, which I did not. But the other side blocked this approach in a show of partisanship. So Senator Boxer and I brokered a bipartisan use TARP funds, the Troubled Asset Relief Program. To me, this made sense because this would have offset the amount of money that would be lost in the recession fix, as a way of doing it, and it would have actually taken care of the problem.

Some people thought this would have somehow affected the deficit, but it would not. It meant we would reduce TARP authority by $8.7 billion, which would reduce the deficit by $4.1 billion, according to CBO. Putting aside politics, penciling this out shows that $4.35 billion in deficit reduction, minus the cost of the rescission—$500 million—means a deficit savings of just under $3 billion. I thought this was a good thing. We would preserve up to 17,000 jobs and reduce the deficit—clearly a win-win solution, I thought. I thought this up until late last night because I thought we were going to be able to do it. But there were objections.

We reduced funding for a program that was a bad idea from the inception. I opposed it initially. We are talking about TARP. I voted against it. A lot of those people who are complaining about the amount of money being spent voted for a $700 billion bailout, as it has been referred to. But I did not. I opposed it thinking the government buying so-called toxic assets was necessary. But then, when this money was given to unaccountable bureaucrats, it was used for buying insurance companies, car companies, and banks.

But some of my conservative colleagues opposed this approach because they want to use TARP money for debt reduction. I agree with that. As I pointed out, the compromise Senator in Ohio and I. It is probably not. It is about the same throughout the Nation. But speaking now as a conservative, one who is always ranked in the top two or three conservatives, I have always felt conservatives can be big spenders when they need to be. One is defending America, as I talked about a few minutes ago, and the other is in our infrastructure. That is a function our government is supposed to perform.

Mr. SHELBY. I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SHELBY. Madam President, what is the pending business?

The PRESIDING OFFICER. Amendment 2594 is the pending business. I thought this was a good thing. We would preserve up to 17,000 jobs and reduce the deficit—clearly a win-win solution, I thought. I thought this up until late last night because I thought we were going to be able to do it. But there were objections.

We reduced funding for a program that was a bad idea from the inception. I opposed it initially. We are talking about TARP. I voted against it. A lot of those people who are complaining about the amount of money being spent voted for a $700 billion bailout, as it has been referred to. But I did not. I opposed it, thinking the government buying so-called toxic assets was necessary. But then, when this money was given to unaccountable bureaucrats, it was used for buying insurance companies, car companies, and banks.

But some of my conservative colleagues opposed this approach because they want to use TARP money for debt reduction. I agree with that. As I pointed out, the compromise Senator in Ohio and I. It is probably not. It is about the same throughout the Nation. But speaking now as a conservative, one who is always ranked in the top two or three conservatives, I have always felt conservatives can be big spenders when they need to be. One is defending America, as I talked about a few minutes ago, and the other is in our infrastructure. That is a function our government is supposed to perform.

Mr. SHELBY. I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SHELBY. Madam President, what is the pending business?

The PRESIDING OFFICER. Amendment 2594 is the pending business. I thought this was a good thing. We would preserve up to 17,000 jobs and reduce the deficit—clearly a win-win solution, I thought. I thought this up until late last night because I thought we were going to be able to do it. But there were objections.

We reduced funding for a program that was a bad idea from the inception. I opposed it initially. We are talking about TARP. I voted against it. A lot of those people who are complaining about the amount of money being spent voted for a $700 billion bailout, as it has been referred to. But I did not. I opposed it, thinking the government buying so-called toxic assets was necessary. But then, when this money was given to unaccountable bureaucrats, it was used for buying insurance companies, car companies, and banks.

But some of my conservative colleagues opposed this approach because they want to use TARP money for debt reduction. I agree with that. As I pointed out, the compromise Senator in Ohio and I. It is probably not. It is about the same throughout the Nation. But speaking now as a conservative, one who is always ranked in the top two or three conservatives, I have always felt conservatives can be big spenders when they need to be. One is defending America, as I talked about a few minutes ago, and the other is in our infrastructure. That is a function our government is supposed to perform.

Mr. SHELBY. I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SHELBY. Madam President, what is the pending business?

The PRESIDING OFFICER. Amendment 2594 is the pending business. I thought this was a good thing. We would preserve up to 17,000 jobs and reduce the deficit—clearly a win-win solution, I thought. I thought this up until late last night because I thought we were going to be able to do it. But there were objections.

We reduced funding for a program that was a bad idea from the inception. I opposed it initially. We are talking about TARP. I voted against it. A lot of those people who are complaining about the amount of money being spent voted for a $700 billion bailout, as it has been referred to. But I did not. I opposed it, thinking the government buying so-called toxic assets was necessary. But then, when this money was given to unaccountable bureaucrats, it was used for buying insurance companies, car companies, and banks.

But some of my conservative colleagues opposed this approach because they want to use TARP money for debt reduction. I agree with that. As I pointed out, the compromise Senator in Ohio and I. It is probably not. It is about the same throughout the Nation. But speaking now as a conservative, one who is always ranked in the top two or three conservatives, I have always felt conservatives can be big spenders when they need to be. One is defending America, as I talked about a few minutes ago, and the other is in our infrastructure. That is a function our government is supposed to perform.
North Korea and Iran will continue their ballistic efforts, and I believe we must be able to counter those threats.

In its budget request for the year 2010, the administration proposed several funding cuts and eliminations impacting our national missile defense, including a $700 million reduction to GMD. I appreciate Chairman INOUYE and Ranking Member COCHRAN including an additional $50 million in the bill before the Senate for GMD, which will hopefully keep our GBI production line from going cold.

Yet the threat is not diminishing. We must have a plan for countering nations that threaten our security. We need to know the Missile Defense Agency’s plan for this fiscal year as well as the next year. Our enemies are still our enemies, and now so more than ever we should be cognizant of the fact that Iran and North Korea are working hard at technological advancement designed to destroy us and our allies.

Despite nearly unanimous opposition in the international community, Iran has pressed on with nuclear ambitions and has shown no intention that I have known of abandoning this reckless path. Every day, Iran continues to add to their uranium stockpile, already with an enrichment capabilities. I believe we need an integrated, layered national missile defense to deter this threat, and we need it now.

Moving forward, I hope that the Missile Defense Agency will ensure our Nation’s production line for ground-based interceptors and that their subsystems and components will not die on the vine if we ever have to meet this threat.

The ground-based midcourse defense system and the interceptors in particular are valuable national assets. And I will continue to work with Chairman INOUYE, Senator COCHRAN, and others on the Appropriations Defense Subcommittee to ensure that we have here in the United States a robust national missile defense system.

It is my understanding in talking to the chairman that this amendment has been agreed to by Senator INOUYE and Senator COCHRAN. I hope they will adopt it.

I yield the floor.

The PRESIDING OFFICER. If there is no further debate on the amendment, without objection, the amendment is agreed to.

The amendment (No. 2594) was agreed to.

The PRESIDING OFFICER. The Senator from Vermont.

AMENDMENT NO. 2617.

Mr. SANDERS. I ask unanimous consent to lay aside the pending amendment and call up my amendment No. 2617.

The PRESIDING OFFICER. Without objection, it is so ordered.
I come to the floor pretty often to share letters from people in my State. As the Presiding Officer receives letters from New Hampshire, I get letters from people in Ohio who are increasingly dissatisfied not with their health care from the doctor and hospital but with the insurance company. And what has happened to so many people who were generally satisfied with their insurance until they got sick and their insurance wasn’t as good as the insurance company had promised. I would like the Senate to think about what has happened to so many people in my State. Alan from Logan County in northwest Ohio, northwest Columbus, writes:

A few years ago, my 87-year-old diabetic sister was found in a diabetic coma by co-workers. She had “good” insurance and spent two weeks in the ICU and, thereafter, spent weeks in the regular hospital unit for the richest country in the world. It is hard for me to believe that anyone could not have received some basic care. And she was just the beginning. A few days after receiving her doctor’s care plan, I was notified by the hospital that my sister was being released the next day because the insurance company had payments due to the hospital. I drove to the hospital, wheeled her to my car, brought her home where she was bedridden for the next several months. She eventually recovered, but suffered nerve damage and is permanently disabled and unable to walk again.

Alan’s sister is another victim of a health care system where someone thought she had good insurance and got her very expensive illness and, as a result, her insurance was taken away. What that did was cost her her health because she didn’t get the rehabilitation her doctor knew she needed. That kind of tragedy should not happen in the richest country in the world. It should not happen when somebody such as Alan’s sister plays by the rules, works hard, and has decent insurance but not as good insurance as she thought she had.

One of the most important things our bill will do is enact insurance reform. No more denial of care for preexisting conditions, no more denial of care because it got too expensive when someone got sick and their policy was rescinded. “Rescission” is the technical term the insurance company uses. No more will someone be discriminated against because of gender or geography or disability. At the same time, we are introducing the public option in our legislation that will keep the insurance companies more honest, that will inject competition so people can choose the public option or they can choose CIGNA or Aetna or, in Ohio, Medical Mutual, any one of these, but the public option will keep the insurance companies a bit more honest.

One of the most important things our bill will do is enact insurance reform. No more denial of care for preexisting conditions, no more denial of care because it got too expensive when someone got sick and their policy was rescinded. “Rescission” is the technical term the insurance company uses. No more will someone be discriminated against because of gender or geography or disability. At the same time, we are introducing the public option in our legislation that will keep the insurance companies more honest, that will inject competition so people can choose the public option or they can choose CIGNA or Aetna or, in Ohio, Medical Mutual, any one of these, but the public option will keep the insurance companies a bit more honest.

Becky from Cincinnati on the Ohio River writes:

As a veteran, I get great health care through the VA system. But my story is not typical. I worked for a small company who pays for her family’s insurance. But their plan doesn’t cover emergency care and the yearly deductible is so high they might as well not have health insurance at all. They would like to have another child, but they don’t think they can afford the cost of pregnancy (because of inadequate insurance). I’m glad health care reform won’t take away my benefits with the VA, but what about my daughter and her family?

Becky is exactly right. The VA system has the lowest rate of medical errors in the country in any major health care system. The VA buys its prescription drugs at a third the cost of most of us have to pay because they use the market size of the purchasing pool of government to get much better deals from the drug companies. We have VA clinics in Ohio—in Zanesville and Mansfield and Parma and Lima and Findlay, all over the State—community-based outreach clinics that matter for people’s care. At the same time, what our legislation will do is help small business. Becky’s daughter’s employer probably won’t hire her and give her better coverage: emergency care, maternity care, pregnancy care. It doesn’t because it is a small business and can’t afford it. Our bill will give a tax credit to small business to allow small businesses to pool with other employers so one particularly sick patient or sick employee doesn’t shoot up prices so much that the insurance company with the small business can’t afford to provide insurance for their employees. That is why this legislation makes so much sense for small business.

Kristin from Cuyahoga County writes:

My mother has stage 4 cancer and my father is a diabetic. They have a $6,000 deductible; co-pays are $30-$50 a visit. Last December, my mother was pushing for more chemo before the first of the year. They met their deductible and she wanted to get any treatment she could get prior to the end of the year. Instead of her enjoying her limited time with us, she is worrying about the high deductible and funeral costs. I am a nurse and [I] see the stress of the high care costs and the impact it makes in a family’s financial situation is astounding. We need reform, reform, reform.

Think about that. Krishin is a nurse. Kristin knows health care from the inside out. Kristin’s mother has cancer. Her father is diabetic. A $6,000 deductible hardly counts as insurance. The mother wants to get all the expensive care in December before the end of the year because she has already paid the deductible, the $6,000 that year, but not any more. She can’t get it at the end of the year because she can’t afford another $6,000, not to mention the $30 to $50 out of pocket every visit.

My mother recently died in February. She had good health insurance. She had a family who loved her and was with her during hospice home care. I am sure Kristin’s family is the same, but I also know it was traumatic enough as a family for my 88-year-old mother who was sick to think about the financial costs and a high deductible. It is outrageous that this health care system doesn’t take care of people better than that.
Denise from Ashland, a town not far from my hometown of Mansfield in north-central Ohio, writes:

This past February, my husband was laid off from his job. At the end of March our insurance coverage was dropped, although he was able to keep the insurance through COBRA. But when you have COBRA, it is very expensive because you are paying your own part of the insurance that you paid as an employee and you are also paying the employer’s part of the insurance. It is a good program, but not many people can afford it. President Obama and all of us together in the stimulus bill passed earlier in the year provided some subsidies for people who use COBRA, but this will not last forever; as Denise pointed out. Under our legislation, people would not see their insurance run out. People, depending on their income, at a certain price will be able to buy insurance and keep that insurance regardless of whether they lose their job. Life is traumatic enough for people when the major breadwinner loses his or her job. Losing your insurance at the same time, with all the other problems that come—potential foreclosure, the stretching of the budget, generally—is so unfair for those who have worked so hard, paid taxes, been good citizens, and lived by the rules.

That is why I think our legislation is so important. I expect the bill will be voted out of the Finance Committee in the next week or so—maybe even this week. We will continue to fight for the public option, which certainly a majority of the Senate supports. A strong majority of the House of Representatives supports the public option. A survey of doctors recently showed 70 percent of them in the country support a public option. Two-thirds of the voters considering the mid-year election have supported a public option.

A public option will make the insurance companies more honest. It will inject competition into the system so people will have more choices, not fewer, as the Republican opponents of the public option want. They only want the insurance companies to be players in this, not any public agency that can compete in a Medicare-like program that can compete with insurance companies. It will help keep costs down so the insurance companies do not continue to cause the problems they do.

In addition, you are not going to see anybody denied who has a preexisting condition in the public option anymore than you are going to see somebody denied care because of a preexisting condition in Medicare. That is why this legislation is so important. That is why I will be voting out of the Senate in a Medicare competition into the system so people will have more choices, not fewer, as the Republican opponents of the public option want. Two-thirds of the voters in the country support a public option. Two-thirds of the voters in the country support a public option. Two-thirds of the voters in the country support a public option. Two-thirds of the voters in the country support a public option.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I ask unanimous consent to address the Senate for no more than 3 minutes as in morning business.

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

COMMENDING THE LAKE ERIE CRUSHERS

Mr. BROWN. Madam President, I rise to honor the Lake Erie Crushers, the 2009 Frontier League Champions. While it’s true I’m like the Cleveland Indians who will not be playing in October, the Lake Erie Crushers of Avon, OH, in which I live, will spend the month relishing their improbable run to the championship in just their first year in the Frontier League.

The Crushers clinched the championship with a come-from-behind, 13-to-10 victory over the home team River City Rascals of O’Fallon, MO.

Despite being down two games to none in the best-of-five series, the Crushers demonstrated their resilience and composure to win three straight games.

With clutch hitting from series MVP Andrew Davis, Arden McWilliams, Tyler Johnson, Todd Baldwin, and Eddie Tisdale, the Crushers put together a seven-run fifth inning outburst to help pitchers Paul Fagan and Cardoza Tucker clinch the championship.

During the celebration after the game, manager Joe Massaro said that “doing this in year one, building a championship [team] from scratch, that’s what made this so special.”

The Frontier League is made up of teams from across the heartland—in Kalamazoo, Waterford, and Traverse City, MI; Washington, PA; Evansville, IN; Florence, KY; and the team I mentioned in Missouri.

Players in their early to mid twenties travel from town to town, chasing the dream of one day playing in the Major Leagues.

My wife and I are season ticket holders of the Crushers, and we have enjoyed cheering on our hometown team during their inaugural season. We are proud our community is home to the Crushers, where fans from across northeast Ohio can travel down I-90 and Route 611 to root for a championship team.

I commend the dedicated fans, the outstanding players and coaches, and owner Steve Edelson for their commitment to our city—both on and off the field.
I am pleased to honor the 2009 Frontier League Champions, the Lake Erie Crushers from Avon, OH. I yield the floor.

Mr. BROWNBACK. Madam President, it is tough to follow that act, but I ask unanimous consent that the pending amendment be set aside and call up amendment No. 2598 and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

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

The amendment as follows:

(Purpose: To acknowledge a long history of official depredations and all ill-conceived policies by the Federal Government regarding Indian tribes and offer an apology to all Native Peoples on behalf of the United States)

At the appropriate place, insert the following:

SEC. 2. APOLOGY TO NATIVE PEOPLES OF THE UNITED STATES.

(a) 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) covenants 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) recognizes that, 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) urges the President to take every action 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.

(b) 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.

Mr. BROWNBACK. Madam President, this is an amendment for which the co-sponsors include the chairman of the committee and the chairman of the Indian Affairs Committee, Senator Dornan, as well. It is an amendment that has been cleared through the authorizing committee a multiple of times and it has been cleared through this body previously and we have cleared it on both sides of the aisle.

With the passage of this amendment, we officially apologize for the past ill-conceived policies by the U.S. Government toward the Native Peoples of this land and reaffirm our commitment toward healing wounds and working toward establishing better relationships rooted in reconciliation.

Apologies are often times difficult, but like treaties, go beyond mere words and usher in a true spirit of reconciling past difficulties and help to pave the way toward a united future. Perhaps Dr. King said it best when he stated, "The end is reconciliation, the end is redemption, the end is the creation of the beloved community." This is our goal, with this resolution today.

Native Americans have a vast and proud legacy on this continent. Long before 1776 and the establishment of the United States of America, Native peoples maintained and maintained a powerful physical and spiritual connection to it. In service to the Creator, Native peoples sowed the land, journeyed it, and protected it. The people from my State of Kansas have a similar strong attachment to the land.

Like many in my State, I was raised on the land. I grew up farming and caring for the land. I and many in my State established a connection to this land as well as our Nation and the land of our forefathers so greatly that we too are willing to serve and protect it, as faithful stewards of the creation with which God has blessed us. I believe without a doubt citizens across this great Nation share this sentiment and know its unifying power. Americans have stood side by side for centuries to defend this land we love.

Both the Founding Fathers of the United States and the indigenous tribes that lived here were attached to this land. Both sought to steward and protect it. There were several instances of collegiality and cooperation between our forefathers—for example, in Jamestown, VA, Plymouth, MA, and in aid to explorers Lewis and Clark. Yet, sadly, since the formation of the American Republic, numerous conflicts have ensued between our Government, the Federal Government, and many of these treaties.

With the passage of this amendment, we officially apologize for the past ill-conceived policies by the U.S. Government toward the Native Peoples of this land and reaffirm our commitment toward healing wounds and working toward establishing better relationships rooted in reconciliation.

Today we live up to this goal, today we right a wrong that has been committed in this nation.

Many treaties were made between the U.S. Government and Native peoples, but treaties are far more than just words on a page. Treaties represent our word, and they represent our bond. Unfortunately, again, too often the United States did not uphold its responsibilities as stated in its covenants with Native tribes.

I have read all of the treaties in my State between the tribes and the Federal Government that apply to Kansas. They generally came in tranches of three. First, there would be a big land grant to the tribe. Then there would be a much smaller one associated with some equipment and livestock, and then a much smaller one after that.

Too often, our Government broke its solemn oath to Native Americans. For too long, relations between the United States and Native people of this land have been in disrepair. For too much of our history, Federal tribal relations have been marked by broken treaties, mistreatment, and dishonorable dealings.

This amendment extends a formal apology from the United States to Tribal Governments and Native peoples nationwide—something we have never done before. It should have done years and years ago.

Further, this resolution will not resolve the many challenges still facing Native Americans, nor will it authorize, support or settle any claims against the United States. It doesn’t have anything to do with any property claims against the United States. That is specifically set aside and not in this bill. What this amendment does do is recognize and hold the United States responsible to Native Americans to this land and to the United States in the past and today and offers an official apology for the poor and painful path the U.S. Government sometimes made in relation to our Native brothers and sisters by disregarding our solemn word to Native peoples. It recognizes the negative impact of numerous destructive Federal acts and policies on Native Americans and their culture, and it begins—begins the effort of reconciliation.

President Ronald Reagan spoke of the importance of reconciliation many times throughout his Presidency. In a 1984 speech to mark the 40th anniversary of the day when the Allied armies joined in battle to free the European Continent from the grip of the Axis powers, Reagan implored the United States and Europe to “prepare to reach out in the spirit of reconciliation.”

Reconciliation is not a panacea, but perhaps it signals the beginning of the end of division and a faint first light and first fruits of reconciliation and the creation of beloved community Dr. King so eloquently described.

This is an apology and a resolution of reconciliation. It is a step toward healing the wounds that have divided our country for so long—a potential foundation for a new era of positive relationships between tribal governments and the Federal Government.

It is time, as I have stated, for us to heal our land of division, all divisions,
Mr. INOUYE. Madam President, I rise to oppose the Barrasso amendment No. 2567, which would ban funding to the CIA's new Center on Climate Change and National Security. I make these remarks as chairman of the Intelligence Committee and one who strongly supports the new Climate Change center at the CIA.

The Center on Climate Change and National Security that the CIA recently established is fully consistent with the intelligence community's mission of protecting the United States. It is important to note what the Center will not do. It will not do the science of climate change. It will not make judgments about how or whether the climate is changing. It will not make judgments about why the climate is changing. That work will be done where it belongs, with the scientific community.

The Center will have three tasks. One, it will continue the decade-long program of declassifying imagery for passage to climate change scientists. Let me give you an example of some of that imagery. It is here on my right, as shown in these photographs. This is Barrow, AK. This is Barrow. This is the Chukchi Sea. As shown here, this is July of 2006. In this picture, this is that same area in July of 2007. You see the decomposition of the ice. They point out its variation by time and, therefore, you can track the impact of the change brought about by global warming from our satellites. So our satellites are used to measure and predict change.

Here is another one. This is the Bering Sea in August of 2001. You see the melt ponds in the center, and you see the ice. You see it here—winter in August of 2007. This is from a satellite.

The third one is much more difficult to see, but it is the Bering Glacier in Alaska. Here it is in May of 2005. Here are the big chunks that have broken off. Here they are there. As shown here, this is another satellite photo of the Bering Glacier in Alaska.

The second task of the CIA Center on Climate Change and National Security will be to assess the plans and intentions of other countries and to help the administration design verification regimes for any climate change treaties so policymakers can negotiate from a position of strength. This is, in fact, a traditional role for the intelligence community on a wide range of foreign policy issues.

Thirdly, the Center on Climate Change and National Security will assess the national security implications of increased competition for resources, population shifts, water shortages, changes in crop yields, and the spread of climate-sensitive diseases such as malaria.

This is the work that the IC is better positioned than anyone else in the government to do and where CIA's contacts in the academic and think tank communities will pay big dividends.

On September 25, the CIA announced it was going to launch this new center and tackle the devastating long-term effects of climate change. It is time for us to recognize the threat that is present to our Nation's security. In other words, this will give the intelligence community the opportunity to collect information and predict how change is going to affect certain countries, the movement of populations, the devastation of crops, the disappearance of water supplies—to be able to anticipate what impact that will have on the Nation's policy and on our national security.

I have no doubt climate changes are going to have an impact on our Nation's security. I also have no doubt our satellites can give us a very positive—meaning in the sense of crisp and delineated—view of these changes as our satellites track climate change across the years.

I believe very strongly the Center on Climate Change is warranted. I believe it will produce intelligence dividends for the Nation, dividends that in entirely appropriate. Therefore, I would oppose the Barrasso amendment, which would effectively eliminate this new center.

I ask unanimous consent that the order of business be suspended, that I be permitted to take the Chair, and that the PRESIDING OFFICER yield the floor.

The PRESIDING OFFICER. The amendment (No. 2571) was agreed to.

The amendment is as follows:

Amendment No. 2571

Mr. INOUYE. Madam President, I rise to oppose the Barrasso amendment No. 2571, which would ban funding to the CIA’s new Center on Climate Change and National Security. I make these remarks as chairman of the Intelligence Committee and one who strongly supports the new Climate Change Center at the CIA.

The Center on Climate Change and National Security that the CIA recently established is fully consistent with the intelligence community’s mission of protecting the United States. It is important to note what the Center will not do. It will not do the science of climate change. It will not make judgments about how or whether the climate is changing. It will not make judgments about why the climate is changing. That work will be done where it belongs, with the scientific community.

The Center will have three tasks. One, it will continue the decade-long program of declassifying imagery for passage to climate change scientists. Let me give you an example of some of that imagery. It is here on my right, as shown in these photographs. This is Barrow, AK. This is Barrow. This is the Chukchi Sea. As shown here, this is July of 2006. In this picture, this is that same area in July of 2007. You see the decomposition of the ice. They point out its variation by time and, therefore, you can track the impact of the change brought about by global warming from our satellites. So our satellites are used to measure and predict change.

Here is another one. This is the Bering Sea in August of 2001. You see the melt ponds in the center, and you see the ice. You see it here—winter in August of 2007. This is from a satellite.

The third one is much more difficult to see, but it is the Bering Glacier in Alaska. Here it is in May of 2005. Here are the big chunks that have broken off. Here they are there. As shown here, this is another satellite photo of the Bering Glacier in Alaska.

The second task of the CIA Center on Climate Change and National Security will be to assess the plans and intentions of other countries and to help the administration design verification regimes for any climate change treaties so policymakers can negotiate from a position of strength. This is, in fact, a traditional role for the intelligence community on a wide range of foreign policy issues.

Thirdly, the Center on Climate Change and National Security will assess the national security implications of increased competition for resources, population shifts, water shortages, changes in crop yields, and the spread of climate-sensitive diseases such as malaria.

This is the work that the IC is better positioned than anyone else in the government to do and where CIA’s contacts in the academic and think tank communities will pay big dividends.

On September 25, the CIA announced it was going to launch this new center and tackle the devastating long-term effects of climate change. It is time for us to recognize the threat that is present to our Nation’s security. In other words, this will give the intelligence community the opportunity to collect information and predict how change is going to affect certain countries, the movement of populations, the devastation of crops, the disappearance of water supplies—to be able to anticipate what impact that will have on the Nation’s policy and on our national security.

I have no doubt climate changes are going to have an impact on our Nation’s security. I also have no doubt our satellites can give us a very positive—meaning in the sense of crisp and delineated—view of these changes as our satellites track climate change across the years.

I believe very strongly the Center on Climate Change is warranted. I believe it will produce intelligence dividends for the Nation, dividends that in entirely appropriate. Therefore, I would oppose the Barrasso amendment, which would effectively eliminate this new center.

I ask unanimous consent that the order of business be suspended, that I be permitted to take the Chair, and that the PRESIDING OFFICER yield the floor.

The PRESIDING OFFICER. The amendment (No. 2571) was agreed to.

The amendment is as follows:

Purpose: To require a report on the use by the Department of Defense of live primates in training programs relating to chemical and biological agents.

At the appropriate place, insert the following:

Sec. 4. Report on Use of Live Primates in Training Relating to Chemical and Biological Agents.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing a detailed description of the requirements for the use by the Department of Defense of live primates at the United States Army Medical Research Institute of Chemical Defense, and elsewhere, to demonstrate the effects of chemical or biological agents or chemical (such as physostigmine) or biological agent simulants in training programs.

(b) Elements.—The report required by subsection (a) shall include, at a minimum, the following:

(1) The number of live primates used in the training described in subsection (a).

(2) The average lifespan of primates from the point of introduction into such training programs.

(3) An explanation why the use of primates in such training is more advantageous and realistic than the use of human simulators or other alternatives.

(4) An estimate of the cost of converting from the use of primates to human simulators in such training.

Mr. INOUYE. Madam President, this amendment has been cleared by both sides, both leaders. It is a good amendment. I ask unanimous consent the amendment be agreed to.
believe will be very significant. This will include assessing the national security implications of increased competition for resources, population shifts, water shortages, changes in crop yields, and the spread of climate-sen
titive diseases such as malaria.

This center will not work on the science of climate change. That work will be done where it belongs—with the scientific community. This center will continue in the traditional role of the intelligence community to support pol
icy-makers with a wide range of foreign policy issues.

Therefore, I join my colleagues from California in urging my colleagues to oppose the Barrasso amendment.

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

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

Mr. INOUYE. Madam President, I would like to say a few words to a few of the contentious issues before us.

The administration requested $7.4 billion for the Afghanistan security forces fund in fiscal year 2010. This is an increase of $1.8 billion over fiscal year 2009 levels. This is to continue to train and equip the Afghan National Army and the Afghan National Police.

The committee was informed by officials of the Department of Defense that $1.8 billion of this request would not be spent until fiscal year 2011. I would like to repeat that. This amount will not be spent until 2011. And there was $1.9 billion remaining from the fiscal year 2009 appropriations.

At the same time, the committee was also aware of a validated urgent but unfunded requirement from the Department of Defense for additional all-terrain MRAP vehicles for our troops in Afghanistan, something that the military has been asking for with great ur

gercy.

Recognizing that these funds would not be obligated until fiscal year 2011— the funds I mentioned earlier—and were not required for long lead equipment of infrastructure projects, the committee transferred $500 million from the fiscal year 2009 security forces fund to the MRAP fund to pay for this urgent requirement.

The redirecting of funds was not an attempt to curtail our efforts to train and equip the Afghan security forces. It was solely based on the Department of Defense’s ability to execute the required resources during fiscal year 2010 and the urgent unfunded and validated requirement to procure additional all-terrain MRAPs for our troops in Af

ghanistan.

There is a tremendous amount of debate in both the Halls of Congress and the Pentagon over the size of the Afghan security forces—how fast they can be trained, equipped, and executing missions independent of coalition forces.

While many would like to grow the Afghan security forces beyond the current plan, the Department of Defense has stated that they can absorb additional resources in fiscal year 2010 or that they can source additional trainers to reach these new levels. This is a situation where, yes, we need the money, but we cannot spend it. We want you to appropriate it so we can lead equipment procurement and infrastructure projects that obligate over a 2-year period. The funds transferred from the Afghan security forces trust fund to meet the urgent operational requirement of additional all-terrain MRAPs for Afghanistan were taken from sustainment requirements of the Afghan National Army and the Afghan National Police which would have been obligated in fiscal year 2011 and do not require long lead appropriations. We took money they did not need or can use.

Areas funded through the sustainment program include fuels, salary, incentive pay, clothing, individual equipment, rental equipment—all of which do not require long lead time. Therefore, the fiscal year 2010 sustainment request for the Afghan National Army is a 45-percent increase over 2009 and a 108-percent increase over fiscal year 2009 for the Afghan National Police.

Even with the decrease in this fund, there is substantial flexibility and resources in the Afghan security forces fund to meet unanticipated requirements of the security forces and to expedithe the growth of the Afghan National Army and Afghan National Police.

Madam President, I decided to share these numbers with my colleagues to make certain they know the committee has acted on this very carefully. When we were convinced that the Department of Defense could not use that money, we decided to use it for something else more urgent purpose.

I should point out once again this bill was passed by the committee, made up of Democrats and Republicans, conservatives and liberals, by a vote of 30 to 0. Unanimous.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Madam President, I ask unanimous consent that Senators MCCASKILL and DEMPSEY be added as co

sponsors to amendment No. 2560 to H.R. 3326, the 2010 Department of Defense Appropriations Act.

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

The Senator from Illinois.

Mr. BURRIS. Madam President, I ask unanimous consent to speak in morn

ing business.

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

YOUTH VIOLENCE PANDEMIC

Mr. BURRIS. Madam President, last Thursday, just two weeks into the school year, an 8-year-old boy was taken from us. His name was Derrion Albert. There had been a shooting at the school earlier in the day. Afterwards, two rival groups of teens confronted each other on the street. Derrion was not a part of either group. He just happened to be passing in the area on his way home from school.

In the violent chaos of that confrontation, as other teenagers punched and kicked each other, young Derrion got caught in the middle. He was beaten to death with railroad ties.

The shocking murder was caught on video. It is extremely difficult, Madam President, if you have watched that film clip. But when you see this terrible scene unfold, you are struck by several things. No. 1, this did not happen in some distant country; it happened in our backyard, right outside of a community center on a populated street. It did not even happen at night. Derrion was murdered in broad daylight with people all around to witness the scene. And it did not happen to that child. It did not happen to someone unlike ourselves. It happened to us. Derrion Albert could have been anybody’s son, grandson, nephew, brother, or friend.

Just the other night, in a different Chicago neighborhood, another young boy was beaten within inches of his life. This violence is not confined to a single area or group of people. The problem is pervasive and it touches all of us.

It is tearing apart families, communities, and our own sense of security. These acts are committed against our community by our community. In the last school year alone, 36 Chicago students were shot to death. This number does not include the few who survived shootings in other violence. That statistic would be far higher.

In the wake of last year’s murders, the local government and Chicago police tried to put a stop to the terrible violence. So, only a few weeks into the new school year, another young boy has been taken from us.
I am thankful the suspects in Derriton’s murder have already been arrested and charged with the crime. I am proud of the job our local law enforcement officers have done to make sure justice is served. But that is not enough. That is just not enough. It will never be enough.

This problem is not unique to Chicago or Illinois. A national pandemic of violence has taken hold in every major city across the country. We can no longer stand by as an entire generation of boys and girls fall victim to these senseless crimes.

Government cannot do it all. Law enforcement can only do so much. That is why it is time for us to stand together as a community and as a nation to end youth violence. The old saying, “It takes a village to raise a child,” is very true. It takes a community to protect them. Our communities must take responsibility for our youngsters. We cannot tolerate violence. Our parents must take ownership of their children and shoulder the responsibility of steering them away from gangs and violence.

We cannot stand by and hope this problem resolves itself. We cannot expect someone else to find a solution. It is time to join with one voice and say: Enough is enough. This cannot stand. This cannot continue.

It is time to take back our streets, our schools, our community centers, and our children. It is time for parents, teachers, neighbors, and friends to join with community leaders to put an end to the violence. It means after-school programs to keep kids involved and off the streets. It means seeking opportunities for youth who are at risk. It means being present in young peoples’ lives. Ask if your son’s homework is done. See which school subject your daughter enjoys the most. Encourage kids to continue their education, to play sports, or to go out and get a part-time job if they can find it. Be a good role model for your children and your neighbor’s children. Be involved, but do not settle for the status quo. Do not let the young people of America continue to cut each other down in the streets.

This will not go away on its own, and it is not someone else’s problem. This youth violence that has gone on in our country is our problem, our future, and we must work together to solve it. This is why we are going to solve it. It is working together and recognizing that across this country there is a problem with our young people, and we can no longer tolerate that.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Madam President, at this moment—and I repeat, at this moment—there are 10 amendments ready for voting. I have been advised that most of them will require rollcall votes. So may I advise my colleagues to prepare themselves for a long evening.

In addition to that, there are 10 other amendments that we are in the process of discussing and negotiating which may require rollcall votes. So this may be a long night.

The leadership has advised me that voting should begin in about 15 minutes, at 5:30. Since we have some time, and in anticipation that one of the amendments would be the one from the Senator from Oklahoma, I wish to say a few words about that.

AMENDMENT NO. 259

Madam President, I rise to oppose the amendment of the Senator from Oklahoma which seeks to increase the operation and maintenance funding by $294 million in the Department of Defense bill by reducing the funds available for research and development activities by that same amount. I understand the Senator incorrectly assumes that the operation and maintenance account is underfunded due to a change in current year inflation.

Economic recovery means that projected inflation is now higher than anticipated a few months ago. My colleagues are correct that inflation assumptions have changed. However, the budget adjustment the Senator finds objectionable does not only correct for the current year inflation; in fact, the committee reviews the historical price growth embedded in the budget baseline. Due to the recession, inflation in fiscal years 2008 and 2009 was below the levels built into the budget. Therefore, the fiscal year 2010 budget base was inflated over actual experience. The bill before us adjusts for that baseline error.

The operation and maintenance title is fully funded to meet the Department’s needs. There is no shortage. Let me repeat that: The O&M account—or the operation and maintenance account—is fully funded. The committee is deeply concerned that the critical pay for operational personnel, sailors, airmen, and marines is financed. We want to be certain that every member has the equipment, gear, training and support they need. The bill meets these needs. And we fully fund family support programs, base operations, and major equipment maintenance.

The proposed amendment would add $294 million in unneeded funds, an action that could promote waste and expenditures on low priority programs. I note that the amendment does not specify what program is underfunded or would benefit from this transfer. This amendment would move funds for unidentified purposes, which undermines the careful program-by-program review which the committee accomplishes.

On the other hand, it unreasonably penalizes the resource and development activities of the Department. The R&D title is already below the President’s requested funding level. Research and development is the seed corn for the future and is the basis of all the technological improvements that have proved invaluable in making our fighting forces the most capable in the world.

This blunt axe approach to cut funds and undermine the future is uninformed, unexplained, and targeted. Therefore, I urge my colleagues to oppose this measure.

I yield the floor.

Mr. COBURN. Madam President, I have been advised that the statement I made that we may begin voting at 5:30 has slightly changed. We will now begin voting about 6 o’clock.

So may I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. COBURN. Madam President, I think the leadership has been working on some amendments. I don’t think any of our amendments are going to come up for votes tonight, but I did want to take a couple of moments talking about several of them.

AMENDMENT NO. 2560

One is a McCain amendment I am a cosponsor of amendment No. 2560, on competitive bidding.

Every time we bring this amendment to the floor we get a side-by-side amendment so everybody on the other side who does not want us to competitively bid on earmarks is going to say they voted for competitive bidding. The fact is, in this bill are directed earmarks that are not competitively bid to individuals and companies out there, for specialization of what one Senator may want in their home State.

There is nothing wrong with wanting to help your home State. What is wrong is to not competitively bid. If it is something we need, why shouldn’t we use a competitive bidding process to get the best quality and the best value for all this money we are going to spend?

We are going to see again on the McCain amendment the competitive bidding amendment—I have offered this on many of the appropriations bills we have—a side by side. America should not be fooled. If you do not vote for the McCain amendment and you vote for the side by side, what you are saying is you still want your earmarks that are not competitively bid. That is what it says.

I have another amendment that addresses earmarks. The problem with earmarks is it takes our eye off the ball. It is not they are not good ideas, but we vote on bills on the basis of having earmarks that are not competitively bid.

The competitive bidding amendment, when it has the side by side, what you are going to see is you are going to see the true competitive bidding amendment defeated and the false competitive bidding amendment win. That is
because if you count the number of Senators who actually have earmarks that are not competitively bid, you get the majority of the Chamber. That is true on every appropriations bill. So we will not ever pass it until the Members have a better understanding of what is going on and what is best for the country, rather than what is best for them. I thought that explanation needed to be made.

**AMENDMENT NO. 2565**

I also want to discuss for a moment an amendment. Amendment No. 2565, a very simple amendment. We know the National Guard has gotten short-changed a lot of times in terms of equipment. I don’t think there is anything wrong with setting aside money for the National Guard. But the bill is written is the chain of command in the U.S. Government, in terms of our military, will be excluded from the decisions made on how to spend this $1.5 billion.

The Secretary of Defense, who is ultimately responsible for the defense of the Nation—even though we use National Guard, and part of this money is going to be used for our Army Reserve, a very important—of course is not going to be able to have any input. The only people who are going to have input is the Appropriations Committee.

What that says is the American people are not going to get to know, we are not going to have the judgment of the people with the best experience to comment on it. I am not even saying they have to veto it. What we are saying is they have to be aware of it, they have to be part of the process. Yet they are not. So the more concern I have with our amendment the more concern I have about what is happening with this $1.5 billion. My hope is we will eventually find out. We may not find out until after the $1.5 billion will have been spent. But the problem is will it be spent efficiently and properly for the National Guard and the Reserve? The secrecy that shrouts this process is somewhat concerning, and also the reaction that we would offer an amendment that says we don’t want somebody in the chain of command to be involved in this, outside just the Appropriations Committee and the individual guard units.

**AMENDMENT NO. 2562**

On another amendment, amendment No. 2562, other than national security issues, why should not every report in this bill be made available to every American? It is a real straightforward amendment. If we want transparency in our Government, then the reports that do not have anything to do with anything that would be a national security risk, for example, ought to be made available to the other Senators in the Chamber and the body as well as the American people. That is a pretty hard amendment. I don’t say don’t because there is not a good defense to that if it is not related to a national security concern, and, Americans—43 cents out of every dollar we are spending we are borrowing from our grandkids. We ought to be proud to let them see what we are doing with the money.

**AMENDMENT NO. 2569**

Finally, I have an amendment that is a prohibition. We have this operation and maintenance account that has been robbed of earmarks. I know I will never win the battle on earmarks. But should not we say it comes from somewhere else, other than to fund the actual day-to-day operation and maintenance of our military? We have already cut into the amount of money that is in the operation and maintenance account by cause we are using a false inflation number, to the tune of about $300 some odd million—$294 million. Shouldn’t we say, if we are going to take that, let’s take it from somewhere else in the military rather than operations and maintenance? What is a greater priority than making sure the troops on the ground have what they need on a timely basis?

It was just last year that the Navy ran out of O&M. They restricted flight training. They restricted training on the ships. We had to pass an emergency supplemental because we did not authorize them enough money to adequately operate and maintain their force structure. Yet we have all this money, including other money that is related to other amendments, that comes out of their operation and maintenance account. If we want to do something that is outside the scope and outside what the military wants to have done, let’s not make two wrongs. Let’s not take the money from O&M. What this amendment would do is simply prohibit any directed earmark from coming from O&M funds.

Our military has to be efficient. I think overall on this bill the appropriations have done a good job. I think there is tons of waste we could get out of the Defense Department. I think it is about $50 billion a year that we could actually squeeze, which would make sure we are not taking advantage of the military. It wouldn’t hurt operation and maintenance, yet we will not have the oversight, we will not do the things that are necessary to lessen the waste that is in the military. My hope is, as we come back next week—I notice we are going to have a couple of votes here in a little while; not on these amendments. No. 1, my hope is the American people will let us know about priorities and what we ought to be doing. I think these are straightforward amendments. I yield the floor and suggest the absence of a quorum.

**The PRESIDING OFFICER.** The clerk will call the roll.

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

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

---

**AMENDMENT NO. 2621, AS MODIFIED**

Mr. CHAMBLISS. Madam President. I ask the pending amendment be set aside and that my amendment No. 2621, as modified, at the desk, be called up, please.

**The PRESIDING OFFICER.** Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

The Senator from Georgia [Mr. CHAMBLISS] proposes an amendment numbered 2621, as modified.

The amendment is as follows:

(Purpose: To express the Sense of the Senate on Joint STARS re-engining)

At the appropriate place, insert the following:

Sec. (a) Findings—The Senate makes the following findings:

(1) Real time intelligence, surveillance, and reconnaissance (ISR) is critical to our warfighters in fighting the ongoing wars in Iraq and Afghanistan.

(2) Secretary of Defense Gates and the military leadership of the United States have highlighted the importance of collecting and disseminating timely, intelligence and battlefield information to our troops on the ground in Iraq and Afghanistan.

(3) The Chief of Staff of the Air Force, General Norton Schwartz, has stated that the Air Force is “all-in” for the joint fight.

(4) One of the most effective and heavily tasked intelligence, surveillance, and reconnaissance assets operating today is the Air Force’s E-8C Joint Surveillance Target Attack Radar System, also known as Joint STARS.

(5) Commanders in the field rely on Joint STARS to give them a long range view of the battlefield and detect moving targets in all weather conditions as well as tactical support to Brigade Combat Teams, Joint Tactical Air Controllers and Special Operations Forces convoy overwatch.

(6) Joint STARS is a joint platform, flown by a mix of active duty Air Force and Air National Guard personnel and operated by a joint staff. Air Force, Army, and Air National Guard personnel support missions for all the Armed Forces.

(7) With a limited number of airframes, Joint STARS has flown over 55,000 combat hours and 900 sorties in Afghanistan and directly contributed to the discovery of hundreds of Improvised Explosive Devices.

(8) The current engines greatly limit the performance of Joint STARS aircraft and are the highest cause of maintenance problems and mission aborts.

(9) There is no other current or programmed aircraft or weapon system that can provide the detailed, broad-area ground moving target indicator (GMTI) and airborne battle management that Joint STARS provides.

(10) With the significant operational savings that new engines will bring to the Joint STARS, re-engining Joint STARS will pay for itself by 2017 due to reduced operations, sustainment, and fuel costs.

(11) In December 2002, a JSTARS re-engining study determined that re-engining provided significant benefits and cost savings. However, delays in executing the re-engining program continue to result in increased costs for the re-engining effort.

(12) The budget request for the Department of Defense for fiscal year 2010 included $205,000,000 in Aircraft Procurement, Air Force and $16,000,000 in Research, Development, Test, and Evaluation, Air Force for Joint STARS re-engining.
The Chief of Staff of the Air Force, GEN Norton Schwartz, has stated that the Air Force is “all-in” for the joint fight. JSTARS is truly a joint platform. Flown by a mixed active-duty Air Force/Air Guard unit, it operates with an Army and Air Force mission commander in an Air Force E-8C, with a Marine. It also supports missions of all the military services.

With over 55,000 combat hours and 900 sorties flown by only a handful of airplanes over Iraq and Afghanistan, JSTARS has contributed to the discovery of hundreds of IEDs. Having flown with the 116th Air Control Wing out of Robins Air Force Base in Warner Robins, GA, I have seen firsthand the remarkable capability that JSTARS can bring to the battlefield in support of our warfighters. Although developed and built to fight the Cold War for tracking Soviet troop movements, JSTARS is an integral part of today’s battlefield and will be even more relevant in the near future. JSTARS is being modified with new engines to keep this critical asset available to better support our soldiers. Air Force studies show the airplane is sound and will be useful well beyond 2050. JSTARS faces limitations in operational restrictions because the engines are the original 1960s-era engines. They have never been replaced. They are old and expensive to operate and maintain. Replacing them is a safety issue as well as an operational necessity.

What this sense-of-the-Senate resolution does is to emphasize the importance of funding the re-engining of the JSTARS weapons system.

And it is my hope that in conference, the chairman and the ranking member will do what they can to make sure this funding is available. I have talked with Senator INOUYE as well as Senator COCHRAN about this. They are well aware of the value of this weapons system. It has been funded in the House Appropriations Committee, and I hope during this sense-of-the-Senate amendment, it sends a strong message for the congress to do everything possible to make sure the appropriate funding will be available when this conference report returns to the Senate.

The PRESIDING OFFICER. The bill clerk read as follows:

Mr. CASEY. Madam President, I ask unanimous consent that the pending objection, it is so ordered.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 2621), as modified, was agreed to, by the Yeas and Nays:

Mr. CASEY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2992, AS MODIFIED

Mr. CASEY. Madam President, I ask unanimous consent that the pending amendment be set aside.

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

Mr. CASEY. Madam President, I ask unanimous consent to call up amendment No. 2992, which is at the desk and has modifications at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Pennsylvania [Mr. CASEY], for himself and Mr. DURBIN, Mr. KASSEY, and Mr. NELSON of Florida, proposes an amendment numbered 2992, as modified.

Mr. CASEY. I ask unanimous consent that the reading of the amendment be dispensed with.

The amendment, as modified, is as follows:

AMENDMENT NO. 2992, AS MODIFIED

(Purpose: To ensure that work under contracts under the Logistics Civil Augmentation Program complies with certain standards)

At the appropriate place, insert the following:

SEC. 4. (a) LIMITATION ON AVAILABILITY OF FUNDS FOR EXECUTION OF CONTRACTS UNDER LOGCAP.—No later than 90 days after enactment of this Act none of the funds appropriated or otherwise made available by this Act may be obligated or expended for the execution of a contract under the Logistics Civil Augmentation Program (LOGCAP) unless the Secretary of the Army determines that the contract explicitly requires the contractor—

(a) to inspect and immediately correct deficiencies that present an imminent threat of death or serious bodily injury so as to ensure compliance with generally accepted electrical standards as determined by the Secretary of Defense in work under the contract;

(b) to inspect and immediately correct deficiencies that present an imminent threat of death or serious bodily injury so as to ensure compliance with generally accepted electrical standards as determined by the Secretary of Defense in work under the contract;
Mr. CASEY. I rise to speak about an amendment Senator DURBIN, the assistant major leader, and I have worked on, as well as getting support and co-sponsorship by the majority leader, Senator REID, and by Senator KERRY and Senator NELSON of Florida. It has three fundamental goals. The first is to deal with the horrific situation our troops have faced where they have a number of troops who have died in Iraq, not as a result of enemy fire or in combat but in a circumstance in which they should have a reasonable expectation of safety. In the case of one of my constituents, SSG Ryan Maseth, Ryan was from the city of Shaler, PA, in western Pennsylvania. He was taking a shower in Iraq, in his barracks, and was killed, was electrocuted because of shoddy electrical work. So the first part of this amendment speaks to that fundamental problem we still have today. The second part of the amendment ensures that our brave fighting men and women serving in war zones have clean water. Thirdly, this amendment would establish strict standards for preventing and prosecuting sexual assaults on American troops.

These are all commonsense reforms. I will focus principally in my remarks—I know we have limited time—on the issue of electrocution.

As I mentioned, SSG Ryan Maseth died on January 2, 2008. He was electrocuted in his barracks in Iraq. Unfortunately for his family, who have been seeking answers to why he was killed in that way, the nightmare has not ended, nor for a lot of other families. Families from Georgia, Nevada, Oregon, Hawaii, Minnesota, and Pennsylvania, all of those States, have been affected by these deaths.

It continues into last month. On September 1 of this year, Adam Hermanson, who grew up in San Diego and Las Vegas, served three tours of duty in Iraq with the Air Force and then went back to work for a contractor. He, too, lost his life in a horrific way, by electrocution. His wife Janine and his family and his mother Cheryl Harris and I think of Mr. Hermanson and his family, his wife Janine, we are not just thinking about some far-off concept here, we are talking about a real problem that is not yet corrected and still threatens our fighting men and women.

Let me conclude my remarks by saying, in addition to urging my colleagues to support this amendment, which I think is so fundamental it does not require a lot of explanation, our troops ought to be able to take a shower or engage in other activities of daily life in Iraq or Afghanistan or anywhere around the world with that reasonable expectation that they can’t guarantee that right now, unfortunately. This amendment will take a step in that direction.

Obviously, the other parts, the other two elements in the amendment are that our troops should have the ability to drink clean water and, finally, that no women serving in the military should ever fear the potential or the threat of sexual assault.

All of those parts of this amendment are vitally important. I don’t understand why anyone would not support it.

I have already submitted for the RECORD earlier the Associated Press story about the death by electrocution of Adam Hermanson. I wanted to cite two statements, two reflections by Adam’s wife and his mother. His wife said, when talking about their plans to move back to Pennsylvania:

He was supposed to come back and we had a lot of plans.

After three tours of duty in Iraq as a soldier and then another tour as a contractor, they were looking forward to his coming back to the United States and, in this case, coming back to Pennsylvania. They had a set of plans. Those plans were completely destroyed. His life was ended because of a fundamental problem in our system of how we ground electrical outlets, how we install showers in Iraq and threaten troops in the process. You have to correct it for Adam in his memory and for Ryan and so many others, as well as for those they left behind; in this case, Adam’s wife Janine.

I will conclude with what his mother Patricia said, as she was reflecting on what happened to Adam. She said everyone in their family was struggling to understand how he could survive four war tours—three as a soldier, one as a contractor—to a combat zone in a seemingly safe place.

We should make sure, by way of this amendment and anything else we can do, that our troops are at least safe when taking a shower or in a barracks or living in a situation where they are away from the battlefield, away from a fire fight, away from the threat of enemy fire. That is the least we can do for legislators. I urge my colleagues to support this amendment, hoping we can deal with this amendment in the next hour or so.

I yield the floor.

Mr. DURBIN. Madam President, it is time to address some serious problems that have plagued the LOGCAP contract that the Army uses to supply our troops in Iraq and Afghanistan.

For years, this work has been managed by the former subsidiary of Halliburton, KBR.

The controversies surrounding these two companies are many. Senator CASEY and I have offered an amendment to help deal with some of the worst issues that require protecting the safety of our troops and others.

The amendment would prevent the Army from spending funds on a LOGCAP contract unless the Army Secretary determines that the contract explicitly requires the contractor to ensure safe electrical work, ensure safe and sanitary water, and establish and enforce strict sexual assault prevention policies. It also allows the Secretary an opportunity to waive the restriction, if that is necessary to the provision of essential services.

In 2001, the Army awarded a sole-source contract to Halliburton-KBR to provide housing, meals, water, trash collection, and other support services for American troops abroad.

By the start of this year, the Army had paid KBR more than $31 billion under the contract, known as LOGCAP. This is necessary to the provision of essential services.

In October 2003, at least 16 service members and 3 contractors have been killed by electrocution in our own facilities in Iraq.

It wasn’t a problem that was hidden for years and then suddenly emerged as a surprise. As early as 2004, Army experts warned that negligent electrical work created potentially hazardous conditions for American personnel.
While we don’t whether every single one of those deaths was the fault of KBR, we do know that KBR has been given major contracts involving wiring facilities for our troops in Iraq.

We know that in 2006, 94 troops stationed in Iraq, Afghanistan or other Central Command countries sought medical treatment for electric shock, according to Defense Department health data.

And we know from military records that KBR’s database lists 231 electric shock incidents in the facilities where the company runs in Iraq.

So we know that our soldiers are being injured and sometimes killed as a direct result of KBR’s shoddy electrical work in our facilities.

This is clearly a problem that needs some tough questions answered. How does it come to pass that we put our personnel in unnecessary harm’s way so often?

The DOD inspector general sought to answer this question and looked at a particular case I would like to share with my colleagues. The case is that of Sergeant Maseth.

In January 2006, Sergeant Maseth was killed in Iraq. This decorated service member was not killed by the bullets or bombs of Iraqi insurgents. He became another victim of contractor negligence when he was electrocuted in a shower at a U.S. base in Baghdad that once was one of Saddam Hussein’s palaces.

On July 24 of this year, the DOD inspector general released a scathing report describing the negligence of KBR that contributed to Sergeant Maseth’s senseless death. The IG catalogued a distressing litany of KBR negligence and malfeasance. It found that ‘‘KBR did not ground equipment during installation or repair improperly grounded equipment identified during routine maintenance’’; ‘‘KBR did not have standard operating procedures for the technical inspection of facilities’’; KBR personnel failed to identify electrical problems; and ‘‘operations and maintenance contractor facility maintenance records were incomplete and lacked specificity, precluding the identification and correction of systemic maintenance problems’’.

We have paid KBR billions and billions of dollars, and this is what they have given us in return.

It is tragic. It is wrong. And it has to stop.

In March of this year, DOD launched an emergency effort to examine every facility in Iraq to determine the scope of the problem.

The results of those inspections are disturbing. According to Task Force Safety Actions for Fire and Electricity, SAFE, of the 20,340 facilities maintained by KBR and inspected immediately, 6,933 failed the government inspection and required major electrical repairs.

Think about that for a moment. For years, KBR has been making money hand over fist in Iraq, providing maintenance and support for what grew to a portfolio of almost 90,000 facilities. Yet nearly one-third of the facilities included in this emergency inspection failed the inspection.

So our brave service members have used these facilities, expecting that they were safe, expecting that the billions of dollars we were spending on war support was devoted to their safety. Little did they know that—thanks to KBR’s gross negligence—they were really doing was playing ‘‘Russian roulette’’ every time they stepped into a shower.

You don’t have to take my word for the level of incompetence demonstrated by KBR. Listen to the experts.

Listen to Jim Childs, a master electrician hired by the Army to review KBR’s electrical work with Task Force SAFE. He called KBR’s work ‘‘the most hazardous, worst quality work’’ he’d ever seen.

Mr. Childs found that even when KBR tried to fix problems, they couldn’t—that the rewiring work done in buildings that were previously safe resulted in the electrical system becoming unsafe.

Or listen to Eric Peters, a master electrician who worked for KBR in Iraq as recently as this year. Mr. Peters testified that 50 percent of the KBR-managed buildings he saw were not properly wired. Mr. Peters estimated that at least half the electricians hired by KBR would not have been hired to work in the United States because they were not trained to meet U.S. or U.K. electrical standards.

He characterized KBR managers as ‘‘completely unqualified.’’

American soldiers—and their loved ones back home—placed themselves—placed their loved ones—in the hands of what was then a subsidiary of Halliburton known by the acronym KBR, and this is what they received.

Shock. Electrocution. And in some cases death.

Why? Because of a careless disregard for the safety of our troops.

We must stop the negligence and ensure that U.S. contracts keep our soldiers safe.

The irony is not much better when it comes to the water KBR has provided to our troops.

Here in America, we tend to take clean water for granted. We turn on the tap and, with rare exceptions, clean drinking water flows out.

It is not that simple in a war zone. The Federal Government entrusted to Halliburton subsidiary KBR the job of providing our troops with clean, safe drinking water.

What the company supplied to our troops, instead, was unsafe, unhealthy, and potentially dangerous water.

A basic necessity of life, a critical commodity in the desert heat of the Middle East. In 2007, KBR failed to get it right, even though we were paying them top dollar for the privilege of serving our troops in harm’s way.

According to a Department of Defense inspector general report, dozens of soldiers fell sick between January 2004 and February 2006 due to ‘‘unmonitored and potentially unsafe’’ water supplied by Halliburton-KBR to fulfill its contract with the Department of Defense.

Water used for washing, bathing, shaving, and cleaning did not meet minimum safety standards set forth in military regulations.

KBR reportedly failed to perform quality control tests, resulting in the use of unsafe water by our troops.

DOD noted that KBR’s failure to do its job may have caused soldiers suffering skin abscesses, cellulitis, skin infections, diarrhea, and other illnesses.

I do not understand how a company could demonstrate such a callous disregard for the health and welfare of our troops in Iraq. But that is what they did, time and time again.

If it weren’t for a whistleblower, we might not know about Halliburton-KBR’s mishandling of the water contract. But Ben Carter, a former Halliburton employee and water purification specialist, blew the whistle on KBR’s malfeasance.

In January 2006, Mr. Carter testified about his experiences working at Camp Ar Ramdi, home to 5,000 to 7,000 U.S. troops.

Mr. Carter was appalled by what he found there. According to Mr. Carter’s testimony: KBR [had] exposed the entire camp to water twice as contaminated as raw water from the Euphrates River. KBR was apparently taking the waste water . . . which should have been dumped back in to the river, and using that as the non-potable water supply. Such problems had been happening for years . . . No trained specialist could claim that the water was fit for human consumption.

KBR’s response to Mr. Carter’s discovery of this substandard, potentially life-threatening situation? Employees of KBR instructed Mr. Carter to keep it quiet. Thank goodness he didn’t.

This dirty water problem was not limited to Camp Ar Ramdi. Another whistleblower, Wil Granger, KBR’s overall water quality manager for Iraq, reported that there were deficiencies in providing safe water in camps across Iraq.

For example, Granger reported that water used for showering was not being disinfected. According to Mr. Granger, ‘‘This caused an unknown population to be exposed to potentially harmful water for an undetermined amount of time.’’

Mr. Carter says it best: Our men and women overseas deserve the best our taxpayer dollars can buy, and it saddens me to report that we’re falling short on something as simple and essential as providing them with clean, safe water.

If only KBR had seen it that way. But our troops did not receive the clean water supplies they deserved, even though KBR made its profits off of those contracts.

Rape has long been outlawed as an instrument of warfare. But for Halliburton subsidiary KBR, it has become
an all too common occurrence. Too often, KBR employees have been the accused perpetrators, while the victims have been pressured to keep silent.

Dawn Leamon is one of my constituents. She is a 42-year-old paramedic who hails from Lena, IL. She has two sons who have served as soldiers in war zones.

On February 3, 2008, she was working for Service Employees International, Inc., a foreign subsidiary of KBR. She was assigned to ramp Harper, a remote military base near Basra, Iraq. That night she was brutally raped and sodomized by a U.S. soldier and a KBR colleague.

After she reported the attack to KBR employees, she was discouraged from reporting it to the authorities. She was told to keep quiet.

Later, when she spoke out, KBR asked her to sign a non disclosure agreement.

She proudly testified at a Senate hearing in April of last year, telling the story of this awful incident and the terrible treatment she suffered at the hands of KBR after the attack.

Dawn testified at the hearing:

I hope that by telling my story here today, I can keep what happened to me from happening to anyone else.

Mary Beth Keniston testified at that same hearing in April 2008. Ms. Keniston worked as a truck driver for KBR, also in Iraq. She testified about being raped in the cab of her truck by a coworker who was the driver of a vehicle that was parked behind her tanker as they waited one night to fill up with water from the Tigris River.

Ms. Keniston reported the attack immediately. But no one at KBR suggested an investigation, referred her for medical treatment, or even offered to escort her back through the dark to her quarters that night.

As Ms. Keniston testified at the hearing:

I am in a war zone—and, I have to worry about being attacked by my coworkers.

When Jamie Leigh Jones went to Iraq in 2005, she surely did not expect that the most serious threat she would face would come from Halliburton-KBR coworkers. But that is exactly the threat she faced in Iraq in July 2005.

This young woman from Texas was drugged and then brutally gang raped by KBR employees while she was unconscious.

Rather than support her after she reported the attack, KBR put her under guard in a shipping container with a bed, and warned her that if she left Iraq for medical treatment, she would be out of a job.

Ms. Jones has formed a nonprofit organization to support the many other women with similar stories. She reports that she has spoken to more than 40 women like herself, like Mary Beth Keniston, like Dawn Leamon. She says:

Part of the reason I am going forward with this case is to change the system. Who knows how many of us rape victims are out there?

certainly the perpetrators of these violent crimes should be held accountable for their criminal actions. These women deserve justice. But KBR should not escape accountability for its actions. These women were brutally violated by KBR employees—by people whom KBR placed in their orbit.

Rather than taking some measure of responsibility to help prosecute the crimes and comfort the women who had been attacked, it looks like KBR attempted to hide the offenses and punish the women for wanting to report them. Instead of being a champion for its employees, KBR perpetuated the nightmare for each one of these women.

It is time to hold this contractor accountable and demand reforms to ensure employees are protected. That is why Senator Casey and I offered this amendment. I urge the Senate to adopt it.

The PRESIDING OFFICER (Mr. Begich). The Senator from Vermont.

AMENDMENT NO. 2617

Mr. Sanders. Let me congratulate Senator Casey for that very good amendment. I look forward to supporting it.

Mr. President, I wish to say a few words on amendment No. 2617, which is pending, and talk about why I offered it.

This is a very important amendment. Everybody in the country is concerned that we have today a $12 trillion national debt. Everybody is concerned that this year we will run up the largest deficit in the history of the country. What that means is the taxpayers rightfully and absolutely want to know that the money we spend, whether it is for defense, which is what we are discussing this evening, whether it is for housing, education, any other purpose, they want to know that every nickel of Federal dollars is expended as wisely and as cost-effectively as possible. They also want to know that the corporations and the institutions and the individuals who receive that Federal funding are honest and trustworthy in terms of how they can expend those Federal dollars. That is what the people want, and they certainly have every right to those expectations.

Several weeks ago, the Senate voted to prohibit any funding going to an organization called ACORN. That decision was largely motivated by a videotape which showed employees of ACORN involved in an outrageous and absurd discussion with actors who were posing as a prostitute and a pimp. Those employees, appropriately enough, were fired for their outrageous behavior. My understanding is that over a period of 15 years, ACORN received about $33 million to promote affordable housing, encourage voter registration, and other things. I voted against the ACORN resolution, not because I condoned the behavior of these employees or other problems associated with the organization over the years. I don't. I opposed it because we need a process to determine what the criteria are in terms of defunding an organization engaged in improper or illegal behavior.

Frankly, I don't think a videotape on TV is good enough justification. We need a process, and that is what this amendment is about.

The sad truth is, virtually every major defense contractor has, for many years, been engaged in systemic illegal and fraudulent behavior while receiving hundreds and hundreds of billions of dollars of taxpayer money. We are not talking here about the $53 million that ACORN received over 15 years. We are talking about defense contractors that have received many billions of dollars in defense contracts and, year after year, time after time, have violated the law, ripping off the taxpayers big time.

In some instances, these contractors have done more than steal money from taxpayers. In some instances, they have actually endangered the lives and well-being of the men and women who serve our country in the Armed Forces.

Let me cite a few examples. According to the Project on Government Oversight, a nonprofit, widely respected organization focusing on government waste, the three largest government defense contractors, Lockheed Martin, Boeing, and Northrop Grumman, all have a history riddled with fraud and other illegal behavior. Combined, these companies have engaged in 109 instances of misconduct since 1995. This is going back to 1995, 109 instances of misconduct, and have paid fees and settlements for this misconduct totaling $2.9 billion.

Let me repeat that. These three companies—Lockheed Martin, Boeing, and Northrop Grumman—have engaged in 109 instances of misconduct since 1995 and have paid fees and settlements for this misconduct totaling $2.9 billion. Here is the kicker: Despite violating the law time after time after time, despite being fined time after time after time, guess what the penalty has been. Here is what the penalty is. It is a pretty harsh penalty. In 2007, their punishment was $77 billion in government contracts. That is a pretty steep penalty, I have to admit, $77 billion. This is not ACORN. They were defunded immediately because of a 2-minute videotape. These are guys who time after time after time violated the law, ripped off the taxpayers, and their punishment was in 2007, 1 year alone, not $53 million over 15 years but $77 billion in 1 year.

Based on a video on TV, we took away funding for ACORN. What are we going to do with the major defense contractors who have been found guilty in courts of law, not on a videotape, time after time?

Let me give a few specifics so we know what we are talking about. Lockheed Martin, the largest defense contractor in the country, has engaged in
50 instances of misconduct since 1995, paying fines and settlements totaling $577 million. Yet it received $34 billion in government contracts in 2007. That is telling them who is boss. That is sticking it to them for violating the law.

Here is the type of behavior we are talking about. According to the U.S. Attorney’s Office, in 2008, Lockheed Martin’s Space Systems Company paid $10.5 million to settle charges that it defrauded the government by submitting false invoices for payment on a multibillion-dollar contract connected to the Titan IV space launch vehicle program. According to the Department of Justice, in 2003, Lockheed Martin paid $30 million for alleged that it fraudulently inflated the cost of performing several Air Force contracts for the purchase of navigation and targeting pads for military jets.

In 2001, Lockheed Martin paid $9.5 million to plead guilty charges that it lied about its costs when negotiating contracts for the repair and restoration of radar pedestals installed in U.S. warships.

But in fairness to Lockheed Martin, we should be clear that they are not the only defense contractors involved in fraud. Frankly, it is endemic in the industry. Boeing is the world’s largest aerospace company and the largest manufacturer of commercial jetliners and military aircraft. Since 1995, Boeing has either been found guilty, liable, or reached settlements in 31 instances of misconduct and, as a result, paid $1.5 billion in fines, judgments, and settlements. I am talking about real money.

In 2000, according to the Department of Justice, Boeing agreed to pay $54 million to settle charges that it placed defective gears in more than 140 CH–47D Chinook helicopters and then sold defective helicopters to the U.S. Army. When one of the gears failed in flight, it caused an Army Chinook helicopter to crash and burn while on a mission in Honduras, and five servicemen were killed. We are not just talking about fraud; we are talking about activities which resulted in the death of U.S. servicemen.

In a report made public this past Tuesday, the DOD inspector reported that Boeing may have recovered $27 million in “unallowable costs” from the government. That is this last Tuesday. Still, Boeing received $24 billion in Federal contracts in 2007.

Pamela S. Grumman, the third largest contractor, has a similar history, with 27 instances of misconduct totaling $750 million over the past 15 years. It is not just the big three. On June 9, 2004, KBR overbilled the government by at least 29 percent, according to KBR’s own studies, and it could be as high as 36 percent. As reported in its 2005 10-K, the government eventually agreed to withhold $55 million from KBR.

United Technologies reached a settlement amounting to over $50 million.

A few weeks ago the Senate voted to strip funding from an organization called ACORN which received $53 million in Federal funds for a period of 15 years. What do we do with some of the largest defense contractors that have time after time after time been involved with fraud? I think it is telling that we have not let the government know that these companies have been caught doing it. We do not know what these companies have done in which they have not been caught.

The time is long overdue for us to get to the bottom of this situation. We owe that not only to the taxpayers of the country but to the men and women in our Armed Forces.

For that reason, I am proposing an amendment today under which the Secretary of Defense would calculate the total amount of money that goes to companies that have engaged in fraud. Then, the Secretary could then be required to make recommendations about how to penalize repeat offenders. In other words, they have to be held accountable. It is absurd that year after year these companies continue doing the same thing. They are fraudulently inflating the cost of contracts and then selling them to the United States.

I hope that this study will receive strong bipartisan support and will be a first step in moving us forward to cleaning up the world of defense contracting.

Mr. President, with that, I yield the floor.

THE PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Mr. President, I ask unanimous consent to speak as in making business.

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

HONDURAS

Mr. DEMINT. Mr. President, I want to take a few moments in the middle of the debate on the defense appropriations bill to talk about a situation in Honduras and, maybe equally important, a situation here in the Senate.

Honduras has come to the attention of many Americans because of the change in government there and the actions of Congress. Honduras has been historically a constitutional government. I had arranged a trip, along with a few House Members, to go to Honduras and meet with officials and find out more about the situation. Unfortunately, I found out this afternoon that the chairman of the Foreign Relations Committee was blocking my trip, along with the State Department.

It is very concerning since no Member of the Senate has taken the time to go to Honduras, which is a very close ally to this country, where we have a military base. And they certainly depend on our support. I have a growing concern of what appears to be intimidation and bullying from our administration, and I wanted to have a fact-finding trip. This body normally accords fellow Members the courtesy, and this was very disturbing that we would use politics to block a trip such as this. But I wish to give a little bit of background on Honduras. Since so many other things are going on, many people here in the Senate seem to even be aware of the situation.

On June 28, then-President Manuel Zelaya was removed from office and arrested by the Honduran military, on orders from the Honduran Supreme Court, and in accordance with the Honduran Constitution.

Charged with crimes of both public corruption and abuse of power, President Zelaya was attempting to subvert the Honduran Constitution and install himself as a dictator in the mold of his close friend Hugo Chavez.

Within hours, the Obama administration made an uninformed decision to call this constitutional process a “coup,” despite the fact that the White House administration, the Department of Justice, the United States, and the Western Hemisphere’s most corrupt and the law.

Instead, we simply follow the lead of the Western Hemisphere’s most corrupt dictators and support tyrants such as Fidel Castro of Cuba, Daniel Ortega of Nicaragua, and Hugo Chavez of Venezuela. The President sided with these thugs and against Honduras—a poor, loyal, and democratic friend of the United States.

To date, I am unaware of any provision in the Honduran Constitution that was violated in Zelaya’s removal from office, except perhaps removing him from the country instead of putting him in jail.

The Congress, of Zelaya’s party, the Supreme Court, the Attorney General, the Supreme Electoral Tribunal, and the vast majority of the Honduran people support Zelaya’s removal. The Honduran military has remained at all times under civilian control. The November 29 elections remain on schedule. Interim President Roberto Micheletti is not on the ballot. The nominees for the major political parties are campaigning, and the country’s citizens are preparing for a free, fair, and transparent election.

If that does not sound like a coup to you, you are not alone. Last month, a thorough report—and I have it here—by the Congressional Research Service found that the removal of Zelaya and the actions of the Congress and Supreme Court were both legal and constitutional—a very detailed evaluation which apparently the administration has not taken the time to see. There was no coup. But the Obama administration, nevertheless, has cut off Honduran aid from millions of dollars of badly needed United States aid.

The trip I planned—which is tomorrow—and with three Members of the House of Representatives was to get to the bottom of this so we could report back to the Senate and the House as to what was going on.
Our trip met every necessary criteria. I have scheduled meetings with President Micheletti, the Supreme Court, and the leading candidates in next month's Presidential election. I was going to meet with the business and civil leaders.

This afternoon, I was informed that the Senator from Massachusetts, Senator KERRY, chairman of the Foreign Relations Committee, was blocking the trip. No reason was given, except that there were concerns at the State Department about the safety of the Obama State Department. I would have concerns too, concerns the American people might find out the truth about what we are doing to the Honduran people.

To date, not a single Member of the Senate has assessed the situation in Honduras firsthand, and the Obama administration refuses to allow Honduran leaders and even private citizens to come here to talk to us. What are they afraid of? Are they afraid of the world discovering that their policy is based on a lie concocted by Hugo Chavez and the Castro brothers? That we are backing a corrupt would-be tyrant? This administration is only too anxious to avoid even an acknowledgment of a corrupt would-be tyrant on Earth, but not even Members of Congress may visit a loyal ally. 3 hours away.

I want to take this opportunity to thank the Republican leader, Senator Mccain, for stepping in and authorizing the trip. He would like to get to the bottom of this as well.

The trip is back on, and I look forward to reporting back to the Senate next week after my return. But this is an outrage, if not a surprise. For 8 months, President Obama has circled the globe, apologizing for America, appeasing our enemies, and insulting our friends. Meanwhile, the President has spent more time lobbying for the Olympics and appearing on late-night comedy shows than meeting with his advisers about the troop surge in Afghanistan.

Apparently, the administration is upset with me because I am asking for a debate and vote on two nominations they want for the State Department. Indeed, I was told today if I lifted my holds, the trip would be authorized by the Foreign Relations Committee.

The two nominees are Thomas Shannon, newly appointed by Secretary of State for Latin America, President Obama's nominee to be Ambassador to Brazil, and Arturo Valenzuela, currently an academic nominated to replace Shannon at the Latin American desk.

I am asking for debate and a vote on Mr. Shannon’s nomination because he has supposedly been behind our policy in Latin America in recent years. Our mistakes in Honduras occurred on his watch, and with his advice. He was Bush appointed, but I have a lot of questions about what is going on in Honduras. He supports the Obama aid cutoff and the “coup” classification.

He hardly deserves now to represent America in the largest country in Latin America, at least without a debate and a vote.

Mr. Valenzuela shares these positions, even though he admitted at his confirmation hearing he was not up to date on the Senate.

Unless and until the Obama administration reverses its ill-informed and baseless claim that Zelaya’s removal was a coup and also restores American aid, I will continue to ask for a debate and vote on the nominees so we can discuss the issue openly on the floor of the Senate.

This country also needs to recognize the upcoming election, which has been going on. The campaign is open and transparent, but the Obama administration is threatening not to recognize the election, which is destabilizing the country and threatening to do more harm not only in Honduras but throughout Latin America. This policy is continued by Hugo Chavez. It certainly is not confirming a constitutional form of government.

I look forward to reporting back to my fellow Members what I find in Honduras. I again thank MITCH MCCONNELL and the other Members what I find in Honduras. I again thank MITCH MCCONNELL and the other Members who are our allies in this region and the world. Everyone pleads for a political solution, but there are no signals from the Obama administration that they want for the State Department. I will continue to ask for a debate and a vote.

Mr. INOUYE. Mr. President, I suggest unanimous consent that the quorum call be rescinded.

The PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDENT. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I was concerned to learn on September 17 of the President’s decision to forgo the deployment of 10 long-range, ground-based interceptors in Poland and a radar site in the Czech Republic which was designed for the defense of Europe and the United States against long-range Iranian ballistic missiles.

Just a few days ago, the Iranians demonstrated their determination, even after they agreed to meet with the United States, to deploy such a system by launching their top mid-range missile. That is not long from, of course, a long-range missile. The Senate Armed Services Committee held a full committee hearing on the subject last week, and it did little to quiet my initial concerns and has, in fact, added apprehension about the lack of specifics in the plan we are hearing will now be employed. More important, the geopolitical implications of reneging on prior U.S. commitments to key allies should not be underestimated.

With respect to the so-called “Phased Adaptive” approach, President Obama would have us believe that “this new approach will provide capabilities sooner, build on proven systems, and offer greater defenses against the threat of missile attack than the 2007 European Missile Defense Program.” I will add, parenthetically that the Europeans did agree and NATO did agree to the deployment of ground-based interceptors in Poland and the radar in the Czech Republic.

The reality is more complicated than the President indicates. I have to say, frankly, first, it is not clear this new approach will provide capabilities sooner. In fact, it does not appear to.

Under the first phase of this new plan, which is essentially underway, the United States would defend our allies against short-range threats by providing “SM–3 Block IA capable warships when necessary for the protection of parts of Southern Europe.” That would mean we would deploy an Aegis cruiser armed with SM–3 missiles. But this is no different from what the previous administration planned. To say that this is some new plan is inaccurate. To be sure, even today, we have AEGIS ships with SM–3 missiles plying the waters of the Mediterranean, and Patriot units deployed in and around Europe for our defense against short-range missiles.

In phase 2 of this new plan, which is, we are told, going to be completed by 2015, a more advanced version of the theater SM–3, the IB, would be deployed at sea and on land. Likewise, under the old plan, the IB missile would be deployed and fielded by 2015, though perhaps not on land. But it had been discussed. In fact, the last budget prepared by the previous administration called for an inventory of THAAD and SM–3 missiles to over 440 missiles in the European area by 2015, 2016.

I have not seen any inventory projection for this new plan, but I would be surprised to learn their numbers are significantly greater than what was previously planned. In fact, the administration has not gotten off to a good start in this respect, as the fiscal year 2010 budget request includes no funding for new SM–3 or THAAD purchases.

This is the only budget year request we have been presented by the administration, and they are not requesting any new THAAD or any new SM–3 missiles.

The administration’s request funds previous purchases of missiles but requests not a single new interceptor that would be deployed. By 2018, in the third phase of the new plan—2018, over $8 billion is requested for an improved SM–3 block IIA missile would be added to the inventory to protect all of Europe against intermediate-range Iranian missiles—the kind of intermediate range the Iranians just tested Monday. This is by 2018.

Under the old plan, the plan we have been working on for quite a number of years, this SM–3 IIA capability was meant to complement the deployment of 10 ground-based interceptors in Poland and the Aegis warships which will provide protection for most of Europe and the United States against long-range Iranian missiles in the 2015 timeframe. In
other words, these 10 interceptors would have been capable of protecting all of Europe and the United States. If a missile were launched from Iran aimed at hitting the United States, it would fly basically over Poland and Central Europe. As a result, this would be a prime place to deploy a new missile system. The ground-based interceptor that would have been used would have essentially been the same missile we currently have deployed in Alaska. Our Presiding Officer, Senator Bingaman, was very much engaged in that, and I know we both are concerned to see the number of interceptors planned for that site being reduced. The key difference in the missiles is that our interceptors in Alaska and California are three-stage missiles, while two-stage missiles would be used to fit our needs in Europe.

Finally, the new plan would call for the development of IIB missiles by 2020, which would “further augment the defense of our homeland from potential ICBM threats.” That is what they are telling us would happen. But I have been around here a while, and we don’t have this SM-3 IIB missile even on the drawing board. They just conjured up this idea a few days ago—at least that is the first I have heard about it. So we have to build this new missile—not build on the one we have already deployed in Alaska and are building now, but build a whole new missile. That will take 10 years. And who is to say the Congress will be faithful to this 10-year plan? I will tell you one thing: President Obama will not spend a dime of his money on it. This is in the distant future. That worries me because my experience is that plans like this don’t always come to fruition. When my experience is that plans like this are reliably coming in from North Korea.

While I have confidence in the ability of the SM-3 missile to eventually evolve into an ICBM interceptor, I would note that the two-stage GBI intended for Poland is also based on proven technology of the three-stage GBI now deployed in Alaska and California, which, according to General Cartwright, has a 90-percent probability of intercepting a rogue missile—presumably coming in from North Korea. This is a great system. We have invested decades of effort in it, over 20 years. Thirty-plus years have gone into developing an antimissile system. We have finally got it so that we have a 90-percent chance of having one of these interceptors—knockdown, hit-to-kill technology—in space over the Pacific Ocean to obliterate an incoming missile. We have the radar system designed to pick up these missiles on launch, to track them, and guide the missile into that kill system. It is certainly questionable to me whether the SM-3 block II variant, which requires new boosters and a new kill vehicle, is less technologically risky than a two-stage GBI, which is scheduled for flight testing in the coming years.

Finally, the President contends that his approach would offer greater defense than the previous approach. Here he assumed the old approach included only 10 ground-based interceptors in Poland and that his new approach would provide more theater defense on land and on sea. I would note that this bothers me because that has never been our plan. Our plan always has been to replace ICBMs or theater missiles in Europe, as well as the 10 interceptors in Poland that would protect us from a rogue attack from a country like Iran, which seems determined to do this.

So this is where we have been. And I am pleased to see my colleague, Senator LIEBERMAN, who throughout his time in the Senate has maintained a superb understanding of national missile defense as part of his duties on the Senate Armed Services Committee. He is probably the most knowledgeable person in the Senate on that issue, and I think he shares some of my concerns.

I thank the Senator for coming, and I would be pleased to join with him in an amendment that could improve our situation today. I will be glad to yield to my colleague. The only thing I need to say is that this plan is the abandonment of the Polish site, the ground-based interceptor, which indeed is capable of knocking down a missile from Iran.

Mr. President, I yield the floor, and I would be pleased to hear Senator LIEBERMAN share some of his thoughts.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. I thank the Chair, and I thank Senator Sessions, my colleague from Alabama, for his statement he made and for his leadership on this issue. I am proud to join with him and a number of Senators—Senators BAYH, MCCAIN, INHOFE, VITTER, KYL, and BENNETT—to introduce this amendment.

Mr. President, has the amendment actually been called up?

The PRESIDING OFFICER. It has not.

AMENDMENT NO. 2361

Mr. LIEBERMAN. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 2361.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN], for himself, and Mr. Sessions, proposes an amendment numbered 2616.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that further reading of the amendment be waived.

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

The amendment is as follows:

(Purpose: Relating to the two-stage ground-based interceptor missile)

At the appropriate place, insert the following:

SEC. 3. (a) FUNDING FOR TWO-STAGE GROUND-BASED INTERCEPTOR MISSILE.—Of the amounts appropriated or otherwise made available by this Act for a long-range missile defense system in Europe, or appropriated or otherwise made available for the Department of Defense for a long-range missile defense system in Europe from the Consolidated Appropriations Act, 2009, and Continuing Appropriations Act of 2009 (Public Law 110–329) and available for obligation, $151,000,000 shall be available for research, development, test, and evaluation of the two-stage ground-based interceptor missile.

(b) PROHIBITION ON DIVERSION OF FUNDS.—Funds appropriated or otherwise made available by this Act for the Missile Defense Agency for the purpose of research, development, and testing of the two-stage ground based interceptor missile shall be utilized solely for that purpose and not be reprogrammed or otherwise utilized for any other purpose.

October 1, 2009
Mr. LIEBERMAN. Mr. President, this bipartisan amendment is both a response to the administration's decision to cancel the ground-based midcourse missile defense system that was going to be in Poland and the Czech Republic and the subsequent decision of our friends and colleagues on the Appropriations Defense Subcommittee to withdraw a significant amount of money. The administration has said it still wanted to be preserved for the ground-based interceptors; that is, the interceptors that would have been launched from Poland at a missile presumably from Iran headed toward Europe, the Middle East, or particularly toward the United States.

Let me explain some background here as quickly as I can.

I was disappointed by the administration's decision to cancel the planned deployment of this missile defense system to Poland and the Czech Republic. This system would have provided our European allies and others with a first line of defense against short- and medium-range ballistic missiles fired from Iran already possesses and could fire at our allies in the region and in Europe. But the point I want to focus on is here that the—I am going to call it the GMD—it is the ground-based midcourse missile defense system, the GMD for Poland and the Czech Republic would also have provided a layer of what the military missile experts call redundancy for the defense of the United States against an intercontinental ballistic missile fired from Iran at us. This is not just sort of pie-in-the-sky kind of hyperanxiety, imagination. We know that Iranians are developing long-range ballistic missiles and, as I will mention in a moment, experts predict they will have that capacity by the middle of the next decade, 2015.

The Polish-Czech system would have provided, in addition to a defense of Europe, a redundant defense of the United States. What does redundancy mean in this case? It means we have more than one line of defense to protect. The idea of redundancy is that if one element breaks down, there are two or three other elements that will keep it going for the protection of our American military inside that helicopter.

In the same way, if an intercontinental ballistic missile fired in 2015 toward the United States of America, we have one line of defense.

My friend from Mississippi, Senator Cochran, is here. I remember so well when he and I in the decade of the 1990s were trying to convince our colleagues to invest some money in developing a ballistic missile defense system. People said two things: No. 1, we were getting carried away with our fears and, No. 2, even if it was something to be concerned about, that was too expensive to develop a ballistic missile defense system. I remember people said we are talking about trying to hit a bullet with a bullet.

Well, but good, American military, American innovation, American enterprise, American manufacturing have done it. We now have two ground-based missile defense systems, one in Alaska, one in California, to protect the American homeland from ballistic missile attack.

But we need redundancy. Just like the pilot and the crew in that Sikorsky helicopter need redundancy in that helicopter in case one of the lead systems goes, we want to know they have backup. If a missile is headed—we will leverage the development and testing of the two-stage intercontinental ballistic missile defense systems, one in Alaska, one in California, to protect the American homeland from ballistic missile attack.

The ideal here, according to the people who think about this, is to have what they call a “shoot look and shoot” defense. A missile is fired from Iran. We gauge that it is heading toward the United States. The plan for the ground-based system in Poland and Czechoslovakia is we have our first shot at that missile heading toward us from Poland. Then we look. If we gauge there is a second opportunity to knock it down from California or Alaska.

Unfortunately, the alternative system the administration has chosen, which has many positive aspects to it for the defense of Europe and the Middle East, from Iranian short- and medium-range missiles, leaves most of the United States without that second shot at that incoming missile.

I do not have pictures with me from a report that the Congressional Budget Office has done it, but the eastern part of the United States would have a redundant defense but everything pretty much west of the Mississippi would not. That is serious stuff. That is why I am disappointed by the decision that was made.

I want to explain a little more about how the administration has dealt with that concern about America’s homeland and what I think about it. They have proposed—there is a lot of technical language here; let’s see if I can do it without confusing everybody—that they would eventually develop—they have this SM–3 missile defense system that is one of the alternatives to the Polish-Czech defense, and that will be good for Europe and the Middle East. But the administration knows it leaves America without that second line of defense to a missile attack. So they are proposing to build block IIA and Block IIB interceptors as part of this so-called SM–3, advanced developments of that system which, they argue, could protect the United States of America from a long-range missile fired from Iran.

The Block IIA and IIB of this SM–3 missile do not exist. They are on paper. General Cartwright acknowledged so much in testimony to us. The ground-based interceptor that was going to go into Poland exists. It has been manufactured and scheduled to go into testing this year. In the proposal the administration has made, they say the SM–3 Block IIA, the first one that could possibly defend the United States, will not be available until 2018, at the latest. The Block IIB, even more sophisticated, will be available in 2020 at the earliest.

Let me try to explain through a quote what worries me about that. Earlier this year, in testimony before the Armed Services Committee, the then-commander of our European Command, the Supreme Allied Commander in Europe, Bantz Craddock, stated this:

By 2015 Iran may also deploy an intercontinental ballistic missile capable of reaching all Europe and parts of the United States.

I know that is not a hard prediction, but that is the range that most people in the intelligence community, the military community, give, that some time in the middle of the next decade, maybe a little later, the Iranians will have a long-range ballistic missile that can hit the United States of America. Look, they can do better than that and may surprise us. We have been surprised before by the ballistic missile capabilities of our adversaries. The North Korean Taepodong test of 1998 comes to mind, of course, an unfortunate instance in which the North Korean Government tested a long-range missile 7 days after our intelligence community concluded that North Korea was 3 years away from having that capability.

One of the reasons the administration has given for this change to the SM–3 defense is that it provides a quicker, better defense for Europe and the Middle East to short- and medium-range missiles, and the administration concludes the Iranians are making more progress more quickly on those
two, short- and medium-range missiles, than we thought they would. If they are making progress on the short- and medium-range missiles more quickly than we thought they would, they might also make progress more quickly on an Iranian long-range missile that could hit the United States of America.

Here is what I am worried about. I understand these are not exact numbers. By 2015, according to General Craddock, Iran may have a long-range ballistic missile that could hit the United States of America. At the earliest the SM-3 Block IIA missile, to give some protection, second line of defense to that missile, will not be available until 2018 at the earliest. Remember, this is now a paper missile. It has not been built, let alone tested. You have 3 years there, and probably more, where there will be a ballistic missile defense gap in which Iran could fire at and only have to get by the ground-based missile defense systems in Alaska and California.

I think the administration, as testimony went on, understood our concern about that. In fact, when the Secretary of Defense Gates and General Cartwright rolled out the administration’s new architecture for missile defense, canceling the Polish-Czech program and going to the new system, one of the points General Cartwright emphasized was the administration would continue to develop the two-stage ground-based interceptor, the one that was supposed to go in Poland. He continued:

Those tests are funded, and will continue, so we will have two ways to address this threat.

The following week Under Secretary of Defense for Policy Michele Flournoy testified before the Senate Armed Services Committee and she also expressed the administration’s desire to continue to develop this two-stage ground-based interceptor. Presumably the thought is it could be located at another site in Europe or perhaps somewhere on the east coast of the United States of America, to give us that second line of defense to our entire country.

Secretary Flournoy said when they were discussing the canceling of the European missile defense program, Senator Sessions had “had to be convinced of a couple of things.” Those are her words, namely that “we could still” — I am quoting Secretary Flournoy — Secretary Gates wanted to know that: we could still defend the United States homeland and an Iranian ICBM threat develop earlier than what was predicted (and) that we should have technical options should the development of later Blocks . . . of SM-3 missile, either fail or be delayed.

That is exactly what we have been talking about.

In response to these requirements, Secretary Gates told his staff — again I quote Secretary Flournoy: we are going to continue the development of the 2-stage ground-based interceptor as a technological hedge — against the failure to adequately develop these alternative long-range systems, the missile defense systems against an Iranian threat.

Here is the problem. Despite this administration’s statements of support for continued development and testing of the two-stage ground-based interceptor, the Defense appropriations bill before us has reduced funding for that program by $151 million.

I gather the Department of Defense has already appealed this reduction, arguing that it would force the cancellation of the planned pair of two-stage GBI tests soon, and that losing this funding could render the entire ground-based mid-course defense system less effective.

Now comes the amendment Senator Sessions and I and our cosponsors have offered, which would restore the funding by allowing the Missile Defense Agency to access no less than $50 million and up to the original $151 million of funds provided in fiscal year 2009–2010 Defense Appropriations Act for a long-range missile defense system and use those funds to support the continued development and testing of the two-stage ground-based interceptor. The amendment would also fence funding for the two-stage program to protect it from being reprogrammed and require a report detailing specific options for how the two-stage GBI can be used to enhance the defense of the United States against the emerging threat of Iranian long-range missiles.

Bottom line on my part the disappointment at the decision the administration has made. It doesn’t try to turn it around, but says OK, under the new administration program we are going to do at least as good, maybe a little better, at protecting Europe and the Middle East, but we are going to do worse at protecting the United States of America from a long-range missile, which the Iranians particularly are working so hard to develop. And not least keep testing this missile we have got, the ground-based interceptor, as a hedge so we are ready in case these other alternatives don’t work, to put it in the ground in Europe or perhaps in the east coast of the United States to give the American people the two lines of defense they deserve against an Iranian long-range missile, and thereby close what will now be a ballistic missile defense gap for the United States of America that will otherwise develop in the middle of the decade, and go on, in my opinion, for at least 3 years.

Again, I thank Senator Sessions. It is always a pleasure to work with him. This is complicated stuff. But it is the heart of our national security in the next decade. I hope my colleagues will support our amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. PRESIDENT, I would like to say how much I have enjoyed the clarity and integrity with which Senator LIEBERMAN has stated the situation in which we find ourselves. It comes from great experience over a number of years, both on the technical matters of missile defense and on the geopolitical threats this Nation faces. I certainly value his opinion.

I would share one thought with my colleagues. I hope my colleagues will understand this. What happened in this year’s budget request was a major shift from a very long lead plan to develop a very robust missile defense system.

We can disagree about some of the details of this or that. But let me give some examples of what has occurred: In this year’s budget request President canceled the Kinetic Energy Interceptor, the KEI. It was a high-speed missile that would be less expensive and have great capability, particularly in the ascent-phase of an attack against the United States. The president’s budget zeroed that out. We have been working on that for quite a number of years.

They also are working toward and doing research on an MKV, a Multi Kill Vehicle, in which you can put on a single ground-based interceptor booster three or more kill vehicles, that could knock down multiple missiles or decoys. The budget zeroed that out.

We had a plan we have been developing for a number of years to develop an airborne laser, have a laser on an airplane that can fly in an area where you may expect a launch to occur. It does not have to be very close but in the region. They catch a missile in the boost phase. The laser can hit it and knock it out of the sky. It is a remarkable capability. That has been debated, I will admit, but it has been funded for a number of years. It will be tested this year.

The Defense Department expects that test to be successful. We did have enough money, or there was enough money in the bill to at least test it. But after that, zeroed out. No funding for ABL.

So what about our ground-based interceptors and GMD system that we have been working on for 30-plus years, spent over $20 billion on, that was planned to implant 44 interceptors in Alaska—most of them in Alaska and some in California? That has been cut from 44 to 30.

What about the plan to deploy 10 in Poland and Europe to give us redundancy and protect Europe? Zeroed out.

So this is not just a little nibbling away in missile defense. This is an erroneous policy that makes me nervous. Because we have a system that is ready to go forward. We stop it. We promise you may expect a launch to occur. It does not have to be very close but in the region. They catch a missile in the boost phase. The laser can hit it and knock it out of the sky. It is a remarkable capability. That has been debated, I will admit, but it has been funded for a number of years. It will be tested this year.

They also are working toward and doing research on an MKV, a Multi Kill Vehicle, in which you can put on a single ground-based interceptor booster three or more kill vehicles, that could knock down multiple missiles or decoys. The budget zeroed that out.

We had a plan we have been developing for a number of years to develop an airborne laser, have a laser on an airplane that can fly in an area where you may expect a launch to occur. It does not have to be very close but in the region. They catch a missile in the boost phase. The laser can hit it and knock it out of the sky. It is a remarkable capability. That has been debated, I will admit, but it has been funded for a number of years. It will be tested this year.

The Defense Department expects that test to be successful. We did have enough money, or there was enough money in the bill to at least test it. But after that, zeroed out. No funding for ABL.

So what about our ground-based interceptors and GMD system that we have been working on for 30-plus years, spent over $20 billion on, that was planned to implant 44 interceptors in Alaska—most of them in Alaska and some in California? That has been cut from 44 to 30.

What about the plan to deploy 10 in Poland and Europe to give us redundancy and protect Europe? Zeroed out.

So this is not just a little nibbling away in missile defense. This is an erroneous policy that makes me nervous. Because we have a system that is ready to go forward. We stop it. We promise you may expect a launch to occur. It does not have to be very close but in the region. They catch a missile in the boost phase. The laser can hit it and knock it out of the sky. It is a remarkable capability. That has been debated, I will admit, but it has been funded for a number of years. It will be tested this year.

The Defense Department expects that test to be successful. We did have enough money, or there was enough money in the bill to at least test it. But after that, zeroed out. No funding for ABL.

So what about our ground-based interceptors and GMD system that we have been working on for 30-plus years, spent over $20 billion on, that was planned to implant 44 interceptors in Alaska—most of them in Alaska and some in California? That has been cut from 44 to 30.

What about the plan to deploy 10 in Poland and Europe to give us redundancy and protect Europe? Zeroed out.

So this is not just a little nibbling away in missile defense. This is an erroneous policy that makes me nervous. Because we have a system that is ready to go forward. We stop it. We promise you may expect a launch to occur. It does not have to be very close but in the region. They catch a missile in the boost phase. The laser can hit it and knock it out of the sky. It is a remarkable capability. That has been debated, I will admit, but it has been funded for a number of years. It will be tested this year.

The Defense Department expects that test to be successful. We did have enough money, or there was enough money in the bill to at least test it. But after that, zeroed out. No funding for ABL.

So what about our ground-based interceptors and GMD system that we have been working on for 30-plus years, spent over $20 billion on, that was planned to implant 44 interceptors in Alaska—most of them in Alaska and some in California? That has been cut from 44 to 30.
defense system in Europe. They requested that that money be used for research and development and testing of this two-stage system.

This amendment that Senator Lieberman and I have proposed would prohibit the diversion of that away from the Army and the Office of the Secretary if the administration initially requested and to require it to be spent on the two-stage GBI, including options for deployment in Europe and elsewhere. So why is it necessary? Well, the mark we are dealing with on the Senate bill today cuts the $151 billion from the BMD test and targets program element, and, though the language itself does not expressly target this cut against testing for the two-stage GBI, the Missile Defense Agency understands this is what the Senate Appropriations Committee intends. Hence, they have submitted to us an appeal letter and asked us not to do it.

MDA argues this cut will require cancellation of fiscal year 2010 testing activities in two planned two-stage GBI flight and intercept tests. We have proven the technology of the three-stage interceptor. Therefore, it is simpler to have a two-stage one. We have to test it and develop it.

Second, as occurs in this bill, will also impact data collection applicable to the three-stage GBI requiring further testing in the future at additional costs.

Reduced funding would increase risk, and delay the proving out of the two-stage GBI avionics capabilities required for the European component and future three-stage avionics capabilities. Slowing the development and testing of the two-stage GBI is inconsistent with the administration’s intent to continue such development as a hedge against developmental problems for the SM3 Block IIa and IIB, the ones that are intended in the distant future for Europe.

So General Cartwright, our commander in Europe, has indicated, by 2015, this would be a potential threat against the United States. That is why we have offered this language. I believe it is the right thing to do, to keep this program at least ongoing and not to waste the effort we have expended so far and complete the testing of the GBI, which can also be used in the United States as part of a layered defense against incoming missiles also.

In the appeal submitted to the committee from the Department of Defense, they note this language:

Cancelling fiscal year 2010 activities for these tests would have a major impact on the test program and on data collection applicable to the two-stage and three-stage ground-based interceptors and associated M&S.

So they say it would have a major impact on the project and the administration has asked us to keep it. That is the purpose of this amendment. I was hopeful we could reach some sort of accord so we could work on with the committee. I am not sure we have been able to do that at this stage. But the matter is important. I hate to have to come to the floor and offer this amendment. I like to respect our committees. It is important. However, the concerns Senator Lieberman and I have explained today are why we feel it necessary to do so.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I am pleased to say to my friend from Alabama that the leadership, the manager of the bill, Senator Inouye, has agreed, if we modify the amendment as the Chairman and the Ranking Member have agreed, which I very much hope they do, that any funds provided to the Department of Defense for research, development, test, and evaluation of the two-stage ground-based interceptor missile, that the committee would accept our amendment by voice vote—if that is OK with my friend from Alabama.

Mr. SESSIONS. I thank Senator Lieberman. I have confidence in the chairman and the ranking member on that committee. Of course, it is not much different from the mark is today. It is below what President Obama requested. I think he has unwisely cut too much already from Defense. So I am uneasy about it.

But I am being a practical person, and knowing my colleagues would like to go home, Senator Lieberman, I think that is maybe something I would agree to. Perhaps you and I could talk briefly if we have a quorum call.

Mr. LIEBERMAN. I am glad to do that. But at this point I ask unanimous consent that we modify our amendment with the changes that I believe are at the desk at this time.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 2616), as modified, is as follows:

AMENDMENT NO. 2616, AS MODIFIED
At the appropriate place, insert the following:

SEC. 2. (a) FUNDING FOR TWO-STAGE GROUND-BASED INTERCEPTOR—Of the amounts appropriated or otherwise made available by this Act for a long-range missile defense system in Europe, or appropriated or otherwise made available by the Department of Defense for a long-range missile defense system in Europe from the Consolidated Security Disaster Assistance, and Continuing Appropriations Act of 2009 (Public Law 111-329) and available for obligation, $151,000,000 shall be available for research, development, test, and evaluation of the two-stage ground-based interceptor missile, $151,000,000 shall be available for research, development, test, and evaluation of the two-stage ground-based interceptor missile, and $151,000,000 shall be available for research, development, test, and evaluation of the two-stage ground-based interceptor missile.

(b) PROHIBITION ON DIVERSION OF FUNDS.—Funds appropriated or otherwise made available by this Act for the Missile Defense Agency shall not be used to support or fund any research, development, and testing of the ground-based interceptor missile, and testing of the two-stage ground-based interceptor missile shall be utilized solely for that purpose, and may not be reprogrammed or otherwise utilized for any other purpose.

(c) REPORT.—Not later than February 1, 2010, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report setting forth the following:

(1) A comprehensive plan for the continued development and testing of the two-stage ground-based interceptor missile, including a description how the Missile Defense Agency will leverage the development and testing of such missile to modernize the Ground-based Midcourse Defense component of the ballistic missile defense system.

Options for deploying an additional Ground-based Midcourse Defense Site in Europe or the United States to provide enhanced defense in response to future long-range missile threats and a description of how such a site may be made interoperable with the planned missile defense architecture for Europe and the United States.

Mr. LIEBERMAN. I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. I seek unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Bennett). Without objection, it is so ordered.

Mr. CASEY. Mr. President, I ask unanimous consent to speak as in morning business.

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

AFGHANISTAN AND PAKISTAN

Mr. CASEY. I rose tonight, as we continue work on this Defense appropriations bill, to talk about the challenges we face in Afghanistan and Pakistan, and I will share some thoughts tonight which I know are consistent with a lot of the concerns that have been expressed over the last couple days and weeks and months about the policy going forward and what we confront as a country when it comes to both the strategy going forward with Afghanistan and Pakistan.

As we do in any conflict, with any threat, we face the grave question of war and what will happen to our military strategy, what we will ask of the American people, both in terms of our blood and treasure, as well as what is the strategy going forward.

I think when we confront the grave question of war, we have to get it right. I believe the stakes are higher with regard to Afghanistan and Pakistan than they were even in the conflict we waged in Iraq. I believe the stakes are higher for our national security. So we have no choice but to get it right. And when I say “right,” I think there is a lot of discussion, debate, and focus on President Obama and his administration. That is appropriate because he is the Commander in Chief.

But there is probably not enough discussion about what the Congress is going to do, what this Congress should do or not do and, in this case, what the Senate should do or should not do. I think we would be better off spending our time focusing on a substantive and thorough debate in the Senate rather than pointing a finger at the President, the administration, and saying: They have to do this or the President must do this.
It is important, when we talk about getting this policy right, that the Senate gets it right. If the Senate puts the time in to debate and discuss these critical issues—and there is a lot to do in a rather short amount of time—I believe that President should be given a reasonable amount of time to review this policy.

As we know, he set forward a strategy this past spring. In March, our policy with regard to both Afghanistan and Pakistan. If you remember how he articulated the mission, he talked about defeating al-Qaeda, disabling and dismantling al-Qaeda, and he talked a lot in his remarks about Pakistan, about what would happen with regard to our strategy in Pakistan.

But I believe there has not been today in the Senate anything approaching a full and robust and thorough and substantive debate about what we are going to do going forward in Afghanistan and Pakistan. I have seen people on both sides of the aisle when we begin this debate—we have done some of it; we need to do a lot more—that we don’t just dust off talking points from the war in Iraq, that we don’t just dust off or employ sound bites. There is a time and a place for those sound bites. But if we are going to get this policy right, it is not going to be a Democratic solution or strategy only, and it will not be a Republican solution or strategy only. We have to do it as well—in the Senate is get to know the facts. That means that we have to do a lot better than we did when it came to the debate before and during the war in Iraq, which is still a conflict that is ongoing, even as we draw down troops. We have to have a much better debate in the Senate on Afghanistan and Pakistan than took place here with regard to Iraq. That is an understatement. Sound bites will not do it. Political rhetoric and positioning will not do it because that is not a way to do it.

In short, what we have to do—the administration has to do it, but we have to do it as well—the Senate is got the strategy right and debate the strategy before we have a long debate about resources. That is critically important. I know there are a lot of people in Washington who want to focus on one or two issues and make it simple—you are either for or against this or that. We have a long way to go. We have not had a strategy, we have not had a lot of discussion and coverage of resources, be they troops or other resources, military or nonmilitary. We have not had a discussion about the strategy. We have to do that first—strategy before resources.

I had the great fortune, as many of our colleagues did in the summer, in August, to go to both Afghanistan and Pakistan for a limited period. But even in a short amount of time, one can learn a lot—let’s say a day in Afghanistan, 1 day in Pakistan. One of the highlights of my trip to Afghanistan, after having been there in May of 2008, was the briefing from General McChrystal, a tremendous and thorough overview of what is happening on the ground, the threat to our national security as he sees it, also a review not only of the military strategy and the military challenges but the nonmilitary as well. I agree with the same thing with General McConnell, I talked a lot about distinctions Americans who are serving us in nonmilitary capacities—the Department of State, the USAID, the Department of Agriculture, all kinds of help from various Federal agencies and agencies that involve the other part of counterinsurgency, not only the military campaign. Obviously, we have to do more than that. General McChrystal, like many of his predecessors, is doing everything he can to get this right.

I, like others, have reviewed his classified report. We have heard him give a summary of the strategy. It is very important that we weigh those considerations and weigh that assessment seriously. I think General McChrystal’s report is one of the things we have to weigh. We have to weigh a lot of other things as well. We have to listen to experts within our government and outside, experts within the administration, experts in the Congress, experts outside of Congress. There are many Senators who have long records on foreign policy as well as national security and making sure we get this right. Some are Democrats, some are Republicans, and some are Independents. That is what we should do. We should listen carefully to their experience. I will talk more about that in a moment.

One thing stressed by General McChrystal—and it has been stressed by President Obama and the administration and should be stressed by us—is this policy, this strategy going forward in Afghanistan has to involve a couple of basic elements. It obviously has to involve and be focused on security. That is essential, obviously. But in addition, the military and the security challenge, we also have to be concerned about governance. And we are concerned about the results of the election. We are concerned about whether President Karzai is doing what he needs to do to govern his country, to have a strong judiciary, to deliver services to his people, to make sure the people of Afghanistan have confidence in his leadership.

So we have to be concerned about security, we have to be concerned about governance. And we are concerned about the results of the election. We are concerned about whether President Karzai is doing what he needs to do to govern his country, to have a strong judiciary, to deliver services to his people, to make sure the people of Afghanistan have confidence in his leadership.

We have to be concerned about security, we have to be concerned about governance, and we are concerned about the results of the election. We are concerned about whether President Karzai is doing what he needs to do to govern his country, to have a strong judiciary, to deliver services to his people, to make sure the people of Afghanistan have confidence in his leadership.

We have to be concerned about security, we have to be concerned about governance, and we are concerned about the results of the election. We are concerned about whether President Karzai is doing what he needs to do to govern his country, to have a strong judiciary, to deliver services to his people, to make sure the people of Afghanistan have confidence in his leadership.

We have to be concerned about security, we have to be concerned about governance, and we are concerned about the results of the election. We are concerned about whether President Karzai is doing what he needs to do to govern his country, to have a strong judiciary, to deliver services to his people, to make sure the people of Afghanistan have confidence in his leadership.

We have to be concerned about security, we have to be concerned about governance, and we are concerned about the results of the election. We are concerned about whether President Karzai is doing what he needs to do to govern his country, to have a strong judiciary, to deliver services to his people, to make sure the people of Afghanistan have confidence in his leadership.

We have to be concerned about security, we have to be concerned about governance, and we are concerned about the results of the election. We are concerned about whether President Karzai is doing what he needs to do to govern his country, to have a strong judiciary, to deliver services to his people, to make sure the people of Afghanistan have confidence in his leadership.

We have to be concerned about security, we have to be concerned about governance, and we are concerned about the results of the election. We are concerned about whether President Karzai is doing what he needs to do to govern his country, to have a strong judiciary, to deliver services to his people, to make sure the people of Afghanistan have confidence in his leadership.

We have to be concerned about security, we have to be concerned about governance, and we are concerned about the results of the election. We are concerned about whether President Karzai is doing what he needs to do to govern his country, to have a strong judiciary, to deliver services to his people, to make sure the people of Afghanistan have confidence in his leadership.

We have to be concerned about security, we have to be concerned about governance, and we are concerned about the results of the election. We are concerned about whether President Karzai is doing what he needs to do to govern his country, to have a strong judiciary, to deliver services to his people, to make sure the people of Afghanistan have confidence in his leadership.

We have to be concerned about security, we have to be concerned about governance, and we are concerned about the results of the election. We are concerned about whether President Karzai is doing what he needs to do to govern his country, to have a strong judiciary, to deliver services to his people, to make sure the people of Afghanistan have confidence in his leadership.
discussions and briefings with various experts who come before us, and to thoroughly question and ask the tough questions of the administration.

I was glad we voted today on a list of administration officials we want to come before us after the President makes fundamental determinations about this policy. Once he has made a decision, then we should have a series of hearings where we can cross-examine not only General McChrystal and the underpinnings of his policy but so many others in the administration. A very strong administration, I would argue, on foreign policy and national security. I will not go through all the names tonight that would give evidence to that.

Finally, if we are going to get this right for the fighting men and women we send out on the battlefield, if we are going to get this right for taxpayers who will be financing this effort, whether it is military or nonmilitary, we do it right. One thing we have to bear in mind is, when we send troops out to fight a battle, we have to make sure the policy that undergirds their fight that the strategy that leads to a discussion about what the resources are to give them all the resources they need to fight a battle, whether it is very wide or very narrow in focus, whatever it is, we have to make sure what we do here is worthy of their sacrifice; that what we do in the Senate on strategy or policy is worthy of their lives. They are asking them to do on the battlefield. We haven’t done that yet. We are a long way from doing it.

I hope in the next couple of weeks, even as the President is asking tough questions and making determinations about policy, that we do our job in the Senate to ask those tough questions, to have that important debate, and make sure it is substantive and not political; make sure it is about strategy and not just the politics which will sound bites of the moment. To be worthy of their valor, those fighting men and women, and to be worthy of their sacrifice, we have to do our job in the Senate. That has not happened yet. We have to make sure we do that in short order.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENTS Nos. 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569; and 2615

Mr. INOUYE. Mr. President, I ask unanimous consent that the Senate proceed to consider the following list of amendments that I will identify, if not pending, then once this agreement is made, the amendment be considered called up for consideration; and that the amendments be agreed to and the motions to reconsider be considered made and laid upon the table on bloc that no amendments be in order to the amendments included in this agreement; further, that if there are modifications to any of the listed amendments, then the amendment be modified and agreed to, as modified: Nos. 2563, 2565, 2566, 2567, 2568, 2569, 2614, and 2615; and further that amendment No. 2569 be withdrawn.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments (Nos. 2563, 2565, 2617, and 2559) were agreed to.

The amendments (Nos. 2562, as modified; 2568; 2614; and 2615) were agreed to, as follows:

AMENDMENT NO. 2562, AS MODIFIED

(Purpose: To express the sense of Congress, and to require a report, on expanding the mission of the Nevada Test Site)

On page 245, between lines 8 and 9, insert the following:

SEC. 8114. (a) It is the sense of Congress that—

(1) All of the National Nuclear Security Administration Sites, including the Nevada Test Site, can and should play an essential role in developing and demonstrating—

(A) innovative and effective methods for treaty verification and the detection of nuclear weapons materials; and

(B) related threat reduction technologies;

and

(2) the Administrator for Nuclear Security should expand the mission of the Nevada Test Site to carry out the role described in paragraph (1), including by—

(A) fully utilizing the inherent capabilities and unique location of the Nevada Test Site;

(B) continuing to support the Nation’s nuclear weapons program and other national security programs; and

(C) renaming the Site to reflect the expanded mission of the Site.

(b) Not later than one year after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a plan for improving the infrastructure of the Nevada Test Site of the National Nuclear Security Administration and, if the Administrator deems appropriate, all other Sites under the jurisdiction of the National Nuclear Security Administration—

(1) to fulfill the expanded mission of the Site described in subsection (a); and

(2) to make the Site available to support the threat reduction programs of the entire national security community, including threat reduction programs of the National Nuclear Security Administration, the Defense Threat Reduction Agency, the Department of Homeland Security, and other agencies as appropriate.

AMENDMENT NO. 2568

(Purpose: To make available from amounts available for the Office of the Secretary of Defense $250,000,000 for the declassification of the 2001 nuclear posture review)

At the appropriate place, insert the following:

SEC. 8104. Of the amounts appropriated or otherwise made available by the Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–79), none of the funds appropriated or otherwise made available by this Act may be used to dispose of claims filed regarding water contamination at Camp Lejeune, North Carolina, until the Authority for Toxic Substances and Disease Registry (ATSDR) fully completes all current, ongoing epidemiological and water modeling studies pending as of the date of the enactment of this Act.

Mr. INOUYE. I thank you, Mr. President.

Mr. COCHRAN. Mr. President, I want to congratulate the chairman of the committee for helping work out this agreement. We appreciate the cooperation of all Senators.

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

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

AMENDMENT NO. 2592, AS MODIFIED

Mr. CASEY. Mr. President, Senator Durbin and I have an amendment, amendment No. 2592, and I ask that it be made pending.

The PRESIDING OFFICER. Without objection, the amendment is now pending.

Is there further debate on the amendment?

If not, the question is on agreeing to the amendment, as modified.

The amendment (No. 2592) as modified, was agreed to.

Mr. COCHRAN. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

SCAR PROGRAM FUNDING

Mr. GRAHAM. Mr. President, I would like to engage in a brief colloquy with
the esteemed Senator from Hawaii, the chairman of the Defense Appropriations Subcommittee, Senator INOUYE.

The bill before us includes a significant cut of $9 million from U.S. SOCOM’s SCAR Program—special operations combat rifle. The SCAR was selected in a fair and open competition and has undergone some of the most rigorous testing of any small arms program in U.S. history. It is widely regarded as one of the best and most versatile weapons in the world. While this weapon has passed all tests, the only issue now is what mix of versatility—7.62mm models or 5.56mm models—they want to have at the ODA level operational detachment alpha—that is the Special Forces A team level which is as close to the ground level fight as you can get.

I understand there are recent concerns regarding contracting delays and the ability to obligate these funds. I have this issue is fully answered by SOCOM that they will be able to spend all funds requested within the appropriate timeframe. The Special Forces is intensely engaged in combat operations all over the world including Afghanistan and they need the versatility and capability this unique weapon system. The President’s Budget included $9.746 million for this program. The House passed version of this bill fully funds the President’s request. I would encourage the chairman to ensure this program is fully funded. The Senate passed this bill as requested in the President’s budget.

Mr. INOUYE. I thank the Senator from South Carolina for his comments. I assure him that the reductions to the program were taken without prejudice, and the committee supports providing this capable series of rifles to Special Operations Command. His points on the importance of this program will be fully and carefully considered when this issue is addressed in conference on this bill.

TACTICAL WHEELED VEHICLE FUNDING

Mrs. HUTCHISON. Mr. Chairman, I request to enter into a colloquy concerning appropriations for the Army’s medium tactical vehicle fleet.

Mr. INOUYE. I am pleased to engage the senior Senator from Texas in a colloquy.

Mrs. HUTCHISON. Mr. Chairman, the Army has recently announced its decision on the future contract for the family of medium tactical vehicles, a major acquisition program in the Army’s tactical wheeled vehicle fleet. Several Senators—some who may join us in this colloquy—are deeply concerned about the Army’s decision. However, since the Army’s announcement came after the committee finished its work on this bill, Members of the committee had no opportunity to express their concern or to question the Army. Consequently, I have asked the Government Accountability Office to conduct a review of the Army’s tactical wheeled vehicle strategy. I would therefore like the chairman’s commitment to having the Defense Subcommittee focus on this issue at the earliest possible opportunity.

Mr. INOUYE. I would say to the Senator from Texas that I know she is greatly interested in how the Army’s tactical wheeled vehicle program is spent. I hope that we will be informed by the GAO review that she has requested, and I can pledge that the subcommittee will review this issue thoroughly as we go forward.

Mrs. HUTCHISON. I thank the Chairman for his leadership on this important issue.

Mr. KOHL. I appreciate the comments of the chairman and respect the work of the Senator from Texas on this issue. The Army’s decision impacts both of our States, but it is imperative that GAO is allowed to conduct its investigation free of individual prejudices. The taxpayers and men and women of the Armed Forces deserve an objective look. I look forward to working with the Chairman and all my colleagues on this issue.

IN SUPPORT OF THE NCADE PROGRAM

Mr. TESTER. Mr. President, I rise to engage in a colloquy with the chairman and with my colleague Senator BAUCUS about the importance for missile defense. It is my understanding that in testimony before the Senate Armed Services Committee earlier this year, Lieutenant General O’Reilly told the committee that the Missile Defense Agency’s budget request for the long-range ballistic missile defense is $9 million from U.S. SOCOM to continue development of NCADE, consistent with the allocation of funds to the Missile Defense Element, NCADE. It is my further understanding that the committee does not, at this point, have concerns with the allocation of funds to the NCADE program. Is that correct?

Mr. INOUYE. The gentleman is correct. The bill before the Senate provides $104.8 million for research, development, testing and evaluation of ballistic missile defense technology, which is the appropriate account for NCADE funding.

Mr. BAUCUS. Mr. President, NCADE is a missile defense concept that uses a modified AIM–9X seeker launched from an aircraft to intercept a boosting missile target. I am aware that the Missile Defense Agency has conducted several tests of this system and it continues to show progress. I believe it is important that the Missile Defense Agency continue to develop this technology. Short- and medium-range ballistic missiles pose a significant threat to the United States, our Armed Forces, and our allies around the world. Could the chairman clarify that the Missile Defense Agency could use funds provided in this bill for the continued development of NCADE, consistent with the budget request?

Mr. INOUYE. Under the Senate bill, the MDA could continue to work on this interesting technology.

Mr. TESTER. I want to echo the observations of my colleague. Work on the NCADE project is done in part in Montana and that work provides valuable employment opportunities in a part of the State where the unemployment rate is in double digits.

Ms. COLLINS, Ms. President, I rise today in support of the Fiscal Year 2010 National Defense Appropriations Act. Let me begin by thanking the committee’s distinguished chairman, Senator INOUYE, and ranking member, Senator COCHRAN, for their leadership in crafting this bill and for their strong commitment to our Nation’s Armed Forces.

This legislation will provide funding for essential training, equipment, and support to our troops as they bravely and skillfully engage in national security efforts at home and abroad. This is a critical time in our Nation’s history and the committee has, once again, demonstrated its strong support of our service men and women and our allies around the world. This legislation also will fund critical force protection and health care initiatives for our troops, while continuing development of important technologies and acquisition programs to better existing and emerging threats.

The legislation before us includes a strong commitment to strengthening Navy shipbuilding. Our Nation needs a strong and modern naval fleet allowing us to project power globally and to respond to threats. This bill authorizes $1 billion in funding for construction of the third DDG–1000, a priority mine. The Pentagon’s decision to have Bath Iron Works, BIW, build all three of the DDG–1000s demonstrates well-deserved confidence in BIW and will help ensure a stable work load for the shipyard and more stable production costs for the Navy.

In addition, this legislation authorizes $1.5 billion for continuing the DDG–51 procurement and nearly $150 million for the DDG–51 modernization program. The lessons and technologies developed in the design of the DDG–1000 can be incorporated into the DDG–51 program to reduce crew size and to improve capabilities.

The legislation fully funds the F–35 Joint Strike Fighter request for both the Navy and the Air Force. This aircraft, powered by the superb engines made by Pratt & Whitney, will enable our service men and women to continue to maintain our air superiority.

An additional $1.5 billion is included for the National Guard and Reserve equipment account, which should help maintain critical equipment such as combat vehicles, aircraft, and weapons. This funding should directly benefit the Maine National Guard’s readiness posture as additional units prepare to deploy to Iraq and Afghanistan in the upcoming year.

At the request of Senator SNowe and myself, the committee provides $20 million for humvee maintenance to be performed at Maine Military
Authority’s, MMA, Army National Guard Readiness Sustainment Site, RSMS, located in Limestone, ME. For nearly 13 years, the Army National Guard has relied on Maine Military Authority to provide a dependable service to our Nation’s warfighters. The dedicated men and women professionals at MMA have demonstrated their value to the Army and to the Nation and consistently have performed humvee refurbishment at a lower cost than the Army’s own depots. This funding will help ensure that MMA and the workforce and high quality product remain a national asset supporting the defense of our country.

The bill also provides $240 million for cancer research through the Defense Health Programs with $150 for the Breast Cancer Research Program, $80 million for Prostate Cancer Research Program, and $10 million for the Ovarian Cancer Research Program. I believe that there is simply no investment that will yield greater returns for America than its investment in biomedical research. These research programs at the Department of Defense are important to our Nation’s efforts to treat and prevent these devastating diseases that affect our veterans and service members.

The bill provides $307 million to address the Tricare private sector shortfall in fiscal year 2010 as identified by the Department of Defense. I know Tricare funding is vital to so many Maine veterans. We must continue to support robust funding for this important program and limit increases in Tricare premiums and copayments.

I strongly support the additional $15.6 million to strengthen the Office of the Inspector General in order to keep pace with the growth in the size of the defense budget and the number of defense contractors. More vigorous oversight of defense contracts to prevent wastefulness and abuse of taxpayer dollars will complement the procurement reforms we approved earlier this year.

The Senate’s fiscal 2010 Defense Appropriations bill also includes funding for other defense-related projects that would benefit Maine and our national security. Funding is provided, for example, to Saco Defense in Saco, ME, to enable the company to continue manufacturing weapons that are vital to the Army and to the Nation.

In addition, at my urging, the legislation appropriates $3.6 million for the University of Maine. This funding would support the development of LGX high temperature acoustic wave sensors and allow the University of Maine to continue to investigate fundamental sensor materials and design concepts as well as demonstrate functional prototypes of acoustic wave sensors that will be tested under extreme temperature environments. The funding for the university will also provide for woody biomass conversion to JP-8 fuel, which will provide affordable alternative sources for military aviation fuel.

The appropriations bill provides the vital resources that our troops need and recognizes the enormous contributions made by the State of Maine to our national security. From the Portsmouth Naval Shipyard in Kittery to the Pratt and Whitney engine plant in North Berwick to BIW’s shipbuilders to the University of Maine’s engineers to the Maine Military Authority in Aroostook, Mainers all over our State are leading the way to a stronger national defense.

Mr. REID. Mr. President, there has been a tremendous amount of work going into getting us to where we are now. It is long and tedious and one of the most complicated bills we do. It is the most complicated appropriations bill we do. So I very much appreciate the work done by Senators COCHRAN and INOUYE. They are both experienced and terrific individuals and great Senators, their staffs, and all the floor staff.

Mr. President, I ask unanimous consent that when the Senate resumes consideration of H.R. 3326 on Tuesday, October 6, the following list of first-degree amendments be the only amendments to H.R. 3326, other than any other pending amendments, if not listed, and the committee substitute amendment; that no second-degree amendment or side-by-side amendment be in order to any of the listed amendments, except as provided below:

- Franken amendment No. 2568
- Barrasso amendment No. 2567
- Bond amendment No. 2596
- Coburn amendment No. 2565
- Coburn amendment No. 2566
- Kyl amendment No. 2606
- that once agreement is entered into, it will be withdrawn; Sanders amendment No. 2601
- Inhofe amendment No. 2618
- McCain amendment No. 2580
- McCain amendment No. 2584
- McCain amendment No. 2583: Inouye side-by-side amendment in order and would be voted prior to the vote in relation to amendment No. 2566; McCain amendment No. 2583; Lieberman-Sessions amendment No. 2616, as modified; that it be in order for the managers to offer managers’ amendments, which have been cleared by managers and leaders, and that if offered, the amendments be considered and agreed to and the motion to reconsider be made on the table; that in the case in which the managers are agreeable with a modification of a listed amendment, then the amendment be so modified with the changes agreed upon; that upon disposition of the listed amendments, the committee-reported substitute, as amended, be agreed to, and the motion to reconsider be made on the table; that the bill, as amended, be read the third time, and the Senate then proceed to vote on passage of the bill, as amended; that upon passage, the Senate insist on its amendment, request a conference with the House of Representatives, and notify the two Houses and the Chair be authorized to appoint conference on the part of the Senate, with the sub-committee appointed as conferences; provided further that if a point of order is raised and sustained against the substitute amendment, then it be in order for a new substitute to be offered, minus the offending provision; that the new substitute be considered and agreed to, no further amendments be in order, with provisions in this agreement listed after adoption of the original substitute amendment remaining in effect; that the vote sequence with respect to the listed amendments be entered into, debate time remaining is 2 minutes, equally divided in the usual form, prior to each vote; and that on any sequenced votes, the vote time be limited to 10 minutes each after the first vote; further, that the cloture motions be withdrawn.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that at 4 p.m., Monday, October 5, the Senate proceed to the consideration of Calendar No. 87, H.R. 2847, the Commerce, Justice Appropriations Act; and that once the bill is reported, there be debate only, with no amendments in order except the committee-reported substitute.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak therein for up to 10 minutes each.

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

Mr. REID. Mr. President, I rise today in recognition of National Disability Employment Awareness Month. This annual observance is an opportunity for us to celebrate the achievements of people with disabilities, whose contributions to the workforce have strengthened our Nation.

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

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak therein for up to 10 minutes each.

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

Mr. REID. Mr. President, I rise today in recognition of National Disability Employment Awareness Month. This annual observance is an opportunity for us to celebrate the achievements of people with disabilities, whose contributions to the workforce have strengthened our Nation.
an important opportunity to mark the progress we have made and the steps forward yet to be taken.

Today, more people with disabilities than ever are graduating from school, participating in their communities, and succeeding in the labor market. For the millions of millions living in the United States with a disability, realizing the American dream is a real possibility that often did not exist a generation ago. I am especially heartened by the growing recognition that tapping individuals’ talent, character, and hard work is as important to the Nation’s future as it is to theirs.

At the same time, we must acknowledge the sobering reality that faces too many people with disabilities, including our brave servicemembers and veterans returning from war with severe injuries and conditions. While people with disabilities have long experienced far higher unemployment rates, they are also particularly hard hit by the current economic downturn. Physical, financial, and social barriers to employment remain, as well as the discrimination and prejudice that keep some from competing in the American economy on equal footing as everyone else. Moreover, many individuals with disabilities struggle to afford good, continuous health care coverage, a hardship given their intensive health care needs.

Clearly, we have much work ahead of us in order to fulfill the promise of the Americans with Disabilities Act. Both our country and our economy are better because of Jim, and Congress is continuing to work toward this priority, most recently with the enactment of the ADA Amendments Act and the Higher Education Opportunity Act. On behalf of all Nevadans, I look forward to building on these successes in the 111th Congress.

TRIBUTE TO JOHN C. HOUBOLT

Mr. DURBIN. Mr. President, on July 20, 2009, we celebrated the 40th anniversary of the first man to set foot on the Moon. On that day 40 years ago, an estimated 500 million people around the world watched as the crew of Apollo 11, Neil Armstrong, Michael Collins, and Edwin “Buzz” Aldrin, made history. It was a remarkable accomplishment, the magnitude of which has not diminished over the years.

As part of the anniversary festivities, Congress awarded John Glenn, the first American to orbit the Earth, and the crew of Apollo 11 the Congressional Gold Medal. I cosponsored the legislation and am pleased that they were recognized with it.

More recently, I had the chance to meet two Illinoisan astronauts, Scott Altman and John Grunsfeld, whom earlier this year successfully completed the last service mission of the Hubble Telescope. We will be able to explore even deeper into the mysteries of our universe in coming years to come because of their incredible work.

Today, I wish to recognize Dr. John C. Houbolt, a scientist born and raised in Joliet, IL, who has received far less acclaim, but who deserves our Nation’s gratitude for making the Moon landing possible.

One of the most important and hotly debated technical decisions during the Apollo Program was how to land on the Moon and return reliably to Earth. Amid many ideas and obstacles, Dr. Houbolt recognized that the most efficient way to execute the Moon landing was with a lunar-orbit rendezvous plan.

His concept involved a mother craft that would one day carry a smaller, lighter craft descended from it to the surface of the Moon carrying some of the astronauts. Eventually, the smaller aircraft would lift off and rendezvous with the mother ship.

For many years NASA’s leadership favored other concepts to reach the lunar surface. But, Dr. Houbolt’s determination, persistence, and perseverance moved this innovative concept forward. As former NASA Deputy Director George Low noted, without Dr. Houbolt’s efforts, NASA “might not have chosen the Lunar Orbit Rendezvous Mode” and “had the Lunar Orbit Rendezvous Mode not been chosen, Apollo would not have succeeded.”

On the 40th anniversary of the lunar landing, we are celebrating with the crew of Apollo 11 in Washington, DC, a new exhibit aptly named “The Soaring Achievements of John C. Houbolt” opened at the Joliet Area Historical Museum. I encourage my fellow Illini and especially students, to visit this exhibit.

Dr. Houbolt’s inspiring story, like the stories of Neil Armstrong, Michael Collins, Buzz Aldrin, and John Glenn, is a testament to what we can achieve with persistence and the passion to reach for new heights.

ADDITIONAL STATEMENTS

REMEMBERING JAMES D. RANGE

Mr. ALEXANDER. Mr. President, earlier this year, we lost a great Tennessean and champion of the great American outdoors. James D. Range was a lifelong outdoorsman who loved America’s wild spaces. He grew up in Johnson City, TN, hunting and fishing in the backwoods of the Appalachian Mountains. It was in those early years that Jim—who was also an Eagle Scout—became passionate about preserving our outdoors for future generations.

He became a passionate advocate for the country’s fish and wildlife and their habitats, and a true champion of natural resource conservation.

Jim was a trusted advisor and counsel to Senate majority leader Howard Baker and the Senate Environment and Public Works Committee, where he served with integrity and distinction. His knowledge and experience were instrumental in the drafting and passage of a string of landmark laws, including the Clean Water Act.

After Jim left the Senate, he continued to pursue his love for the outdoors by cofounding and serving as chairman of the Theodore Roosevelt Conservation Partnership, an organization that is dedicated to the stewardship of America’s natural landscapes, helping to expand fish and wildlife habitat, and increasing public access to quality hunting and fishing.

Jim didn’t stop there. He furthered his commitment to the cause of conservation through service on the boards of directors for Teton Unlimited, Ducks Unlimited, the Wetlands America Trust, the Recreational Boating and Fishing Foundation, the American Sportfishing Association, the American Bird Conservancy, the Pacific Forest Trust, the Yellowstone Park Foundation, the Bonefish and Tarpon Trust, the National Fish and Wildlife Foundation, the Interstate Commission on the Potomac River Basin, the Sportfishing and Boating Leadership Council, and the Valles Caldera Trust.

Jim was so instrumental in the conservation movement in this country that he was awarded the U.S. Department of the Interior’s Great Blue Heron Award, was named Conservationist of the Year in 2003 by Outdoor Life magazine and received the Norville Prosser Lifetime Achievement Award from the American Sportfishing Association.

Both our natural and political environments are better because of Jim Range. Tennesseans, and all Americans, owe Jim a great debt of gratitude. His leadership serves as a great example to all of us.

TRIBUTE TO CECIL EYESTONE

Mr. BROWNBACK. Mr. President, today I recognize a great Kansan for his long service to the youth of the State of Kansas.

“Teaching by example,” was Cecil Eyestone’s philosophy in his 31-year Kansas 4-H career. He served 12 years as a Montgomery County club agent and 19 years as a State 4-H specialist. He was a pioneer for leadership opportunities for teens. Cecil initiated the first junior leaders club for the teens in Montgomery County. His determined attitude for developing teen leaders through hands-on experiences resulted in 300 counselors for the National 4-H Roundup and the concept. A State Junior Leadership Camp was held in 1959 at Rock Springs 4-H Center that continued for 15 years with annual participation of 200-300 youth. Cecil and his brother Norville Prosser Lifetime Achievement Award for 24 years.

Cecil was College 4-H Club adviser for 16 years, reaching over 4,000 students. He organized eight collegiate clubs at other Kansas universities and colleges. Cecil guided the animal science 4-H program and helped develop horse, dog and rabbit projects. He created the Horse Panorama to teach horse care and judging.
Retired in 1977, Cecil volunteers for the Governor's Mental Health Advisory, National Active and Retired Federal Employees, Sertoma, Riley County Flint Hills AMI, Methodist's Men and First United Methodist Church, Flint Hills Community Coalition, and Inter-County Cooperative Publishing Association. He stays busy with his family, but finds time to judge 4 to 10 county fairs annually.

Last year, Cecil was inducted into the National 4-H Hall of Fame. This Sunday, October 4, 2009, Cecil will be honored at a special reunion of the 4-Hers he mentored during his time as the Montgomery County 4-H agent. During this reunion, the first two recipients of a scholarship named in Cecil’s honor will be announced. These scholarships were made possible by donations from the 1946–1957 Montgomery County 4-H alumni.

As a former 4-H member myself during Cecil’s tenure as the State 4-H specialist, it is an honor for me to speak on behalf of thousands of Kansas 4-Hers who were touched by Cecil’s commitment to the Kansas 4-H program. It is a privilege for me to honor this fine Kansan for his leadership and service and to join in congratulating him on his induction into the National 4-H Hall of Fame.

REMEMBERING HARVEY STOWER

- Mr. FEINGOLD. Mr. President, it is with great sadness that I pay tribute to a dear friend and a great Wisconsinite who passed away earlier this week. Harvey Stower was an extraordinary man; he was a deeply principled legislator, a dedicated mayor, and a beloved friend to those of us lucky enough to know him. I was honored to serve with Harvey in the Wisconsin Legislature, where he worked tirelessly for the progressive values he held dear. His commitment to re-creating the family farms and protecting the environment were an inspiration to countless Wisconsinites.

He then served as the mayor of Amery, where he and his wife Marilyn, who sadly passed away in 2008, were pillars of the community. Harvey was such a wonderful mayor because he understood the strength of our small towns, and cherished the sense of community they create.

Harvey was also an ordained United Methodist minister, and an active member of his community in countless ways, both through his work as mayor and through many community organizations.

He also remained active on issues on a statewide level, through his service on the Wisconsin Land & Water Conservation Board and the boards of the Wisconsin Federation of Cooperatives, the Western Wisconsin Intergovernmental Collaborative, Wisconsin Chapter of the United Methodist Church and Inter-County Cooperative Publishing Association.

Harvey’s passing is an immeasurable loss for his family, for the people of Amery, and for our State. He was truly one of the nicest people I have come across in many years in public life. I respected Harvey so much, and I will always think of him as someone who represented the very best of Wisconsin. I join people throughout the State in remembering him today and honoring the many contributions he made to his State and his community.

TRIBUTE TO MARY PAPPEY

- Mr. KERRY. Mr. President, all of us in public life have been privileged to have very special people come into our public lives who dedicate their time, energy, and passion to helping us serve, but even among these special people, there are those who stand out. I am speaking today of just such a person—my friend, Mary Pappey. And I am speaking today because it is a special day for this special person—it is her 85th birthday.

Mary has served on my staff in Boston since 1988, longer than just about anybody who has ever worked with me. It is often said that when God closes one door, He opens another. And that is how Mary came to us. She was a homemaker who was making ends meet when her husband Nicholas passed away in 1988. To help fill the void, she asked if she could volunteer in our office a couple of days a week. And she has been there ever since.

It is hard to remember a time that Mary hasn’t been there in my Boston office, whether answering phones, handling mail, or just making sure everyone is OK doing whatever had to be done. She is an incredible mother to her children; in so many ways she has also been a mother to our Boston office family. And always, she has been a calming presence in what can be a hectic environment. It helps, too, that she bakes a mean baklava that can bring some needed sweetness to the most frenetic of work days.

But that isn’t all. Far from it. Mary has had a very special job in my Boston office. Since joining my staff, she has advanced all the applications we have received from students seeking appointments to the military service academies. She has made sure the applications are complete, all deadlines are met and, when necessary, held the hands of anxious applicants and even their parents of applicants. For 21 years, Mary has handled this job with special skills and sensitivities. And, in fact, she has shepherded through an entire generation of service academy appointees from Massachusetts.

Mary’s grandchildren, the joys of her life, call her “Yaya,” which is Greek for grandmother. I think we could all call her that, because she has been a kind of grandmother to all of us—someone who offers reassurance when it is needed, especially who puts her heart and soul into everything she does, someone to watch over all of us, with kindness and affection. I can’t recall a time I didn’t get a huge hug from Mary whenever I came by the office.

I should also mention that Mary has a special way with words, or rather, with one word in particular the word “dear.” At some point, she has referred to everyone in the office as “dear,” especially when they are having a rough day. That is not surprising. But what is surprising is how, when she is helping with the phones, Mary often addresses the caller as “dear.” Again, that is not surprising, except when you consider that sometimes it is an anonymous caller, someone so frustrated by what they just saw on television or by the run around they are getting from Federal bureaucracies that can at times seem unreasonably cold, that they don’t want to identify themselves. But it is hard for them to stay mad with Mary calling them “dear.” She brings out the very best in all of us.

So, I want to thank “dear” Mary for her devotion to the people of Massachusetts, for all her years of service on my staff and for being such a wonderful, generous friend. And I especially want to wish “dear” Mary all of my best and hope that this will be a very happy birthday.

- Mr. LIEBERMAN. Mr. President, I ask to have printed in the RECORD a poem written by Mr. Albert Carey Caswell. Mr. Caswell is a valued tour guide of the U.S. Capitol whose great enthusiasm and love of our country has inspired him to compose over 500 poems. Mr. Caswell wrote this poem in tribute to the remarkable life and work of our beloved late colleague Senator Ted Kennedy.

The information follows.

UPON THIS FLOOR

Upon this floor...

From our forefathers so bare...a dream, for all our futures to ensure...

Now in history, the world's greatest of all democracies...

Upon this floor...

For as the years have played out...The United States Senate would so tout!

Some of the greatest, from Clay, Calhoun to Webster no doubt...

Men of conscience and of faith, who would so debate...

Who but in their hands, were but put our nation's future fate...

Upon this floor...

Who all but for the greater good, did all but all could...

Giants one and all, who but heard our nation's call...

Her call to public service, upon this floor...

And now as the years have gone by...

A new great, a new giant has so arrived...

A name we now so utter with tear in eye...

Edward M. Kennedy, who upon this floor...

The most effective Senator, as John McCain expressed this!

For legislation can be a blood sport...for only those of great heart and courage, will like lions roar...

And yet, in all that heat...it takes a leader...who can make minds meet!

As was this man, so charming and sweet!

And leave their most hallowed marks upon...
One of the greatest who's who!

∑

ward M. Kennedy—Albert Carey Caswell.

Motivating women and men, with but his heart of a champion .

Time and time again, upon this floor .

Ted, you not forgotten.

For history and heaven so holds a place, for the champions of the downtrodden!

For artists, who know how to so create .

Whether, with a voice of a lion making the Senate quake!

Or like a fine surgeon, so delicately legislating.

Yea, Teddy . . . Daniel Webster ain't got nothing on you!

In the Senate reception room . . .

And in this floor, my son . . . history will you so view!

One of the greatest who's who!

Now, up in Heaven . . . it's the greatest of debates between Daniel and you!

In honor of and in memory of Senator Edward M. Kennedy—Albert Carey Caswell.

TRIBUTE TO KEVORK S. HOVNANIAN

• Mr. MENENDEZ. Mr. President, I wish to pay tribute to the memory of Kevork S. Hovnanian, a friend and New Jersey businessman and community leader. A hard working Armenian immigrant, Mr. Hovnanian embodied the American dream. Already the owner of a successful construction company in Iraq in 1959, Mr. Hovnanian was forced to flee Iraq and arrived in New Jersey to rebuild his life, and rebuild it he did.

He started another construction company with his brothers, committed himself to making affordable housing available to young families and first-time home buyers—first in New Jersey, then nationwide. He built a successful business and, at the same time, gave something back to the community, to New Jersey, and to the Nation. Through his chosen profession, he shared his realization of the American dream by helping others establish themselves in their own homes and took pride in having helped. As his business grew, Mr. Hovnanian never forgot his adopted community and generously supported numerous charities and organizations. His philanthropy touched the lives of all of us in New Jersey. Every child who enters the K. Hovnanian Children's Hospital at Jersey Shore University Medical Center benefits from his generosity. Every worshipper who enters St. Stepanos Armenian Church in Elberon, New Jersey knows Kevork Hovnanian generously supported its construction in memory of his mother. He remained committed to bringing the Armenian genocide to light and supporting Armenian autonomy. He was a man who worked hard, accomplished his dreams, but always believed in the concept of community, each of us working together for the betterment of all.

As we celebrate Kevork Hovnanian's life and memory, our heartfelt thoughts and prayers are with his family and friends, his beloved wife Sirwat, and his sons, daughters, and grandchildren who will miss his love and laughter. May he rest in peace.

RECOGNIZING SMRT

• Ms. SNOWE. Mr. President, on Thursday, October 8, citizens of the city of Portland will gather at the steps of City Hall to witness the proclamation of John Calvin Stevens Day on the 154th anniversary of his birth. The most renowned architect in Maine's history, Mr. Stevens’ distinctive style is recognizable in numerous structures throughout the region. Today, I rise to acknowledge the memory of John Calvin Stevens Day.

SMRT’s founder, John Calvin Stevens, was born in Boston in 1855, and moved with his family to Portland 2 years later. On July 4, 1866, Mr. Stevens witnessed the devastating Great Fire of Portland, which was responsible for 1,800 buildings burning to the ground, as well as the subsequent re-construction of the city. After completing high school, he joined Francis H. Fassett’s architectural firm, which did much of the work to rebuild the city in the fire’s aftermath.

Following a decade at the Fassett firm, Mr. Stevens founded his own one-man architectural firm, John Calvin Stevens Architects, in 1884 in Portland. Mr. Stevens ran this business until his death in 1940, during which time he received over 300 commissions to design or update a variety of structures on the Portland peninsula alone, from government buildings to churches to residential houses. The Stevens family remains involved in the company’s day-to-day operations, as Mr. Stevens’ great-grandson, Paul Stratton Stevens, is one of the company’s principals.

Above all other techniques, John Calvin Stevens is known as a pioneer and promoter of the quintessentially New England “shingle” style. Most often associated with the Maine coast and the character of the Boston area, this is essentially an adaptation of the Victorian-era Queen Anne architectural style with the additional of shingles. The cottage-like houses built in the style frequently feature wide porches, broad gables, graceful and distinct profiles, and, of course, wooden shingles lining the roofs and sides. Because of Mr. Stevens’ diligent efforts, this style became a mainstay of seaside and residential homes across the region.

As the continuation of Mr. Stevens’ multi-disciplinary firm, SMRT—previously known as Stevens Morton Rose & Thompson to represent the last names of the company’s partners—is a widely recognized expert in the areas of architecture, engineering, planning, and interior design. SMRT designs and constructs functional spaces and aesthetically pleasing edifices for its plentiful clientele. The company now has additional locations in Manchester, NH; Andover, MA; and Albany, NY.

Throughout its lengthy history, SMRT has been responsible for designing, building, altering, or restoring countless landmark buildings across the State of Maine. SMRT lent its architectural talents to the new Burroughs Walker Bush Pavilion at Southern Maine Medical Center in Biddeford, as well as the Eastern Maine Medical Center pediatrics wing in Bangor. The company has also had a hand in a diverse range of interior design projects at Bowdoin College in Brunswick, Fairchild Semiconductor in Portland, and the Burton M. Cross State Office Building in the State capital of Augusta. Additionally, the firm has completed projects for other companies in a variety of industries, including biotechnology and healthcare, food and beverage, as well as clean manufacturing and electronics.

One area where SMRT has distinguished itself is in green design, particularly as a member of the U.S. Green Building Council, which oversees the Leadership in Energy and Environmental Design, LEED, accreditation process. The LEED, green building certification system aims to provide energy savings through building design that reduces carbon dioxide emissions and improves overall indoor environmental quality. SMRT offers its clients the opportunity to engage in the LEED certification process, and consistently keeps energy concerns at the forefront when planning new buildings by utilizing natural daylight and employing cutting-edge technologies. In fact, the Maine General Medical Center’s Harold Alfond Center for Cancer Care in Augusta, which was designed by SMRT, recently received a LEED silver certification, and is the first health care facility in Maine to achieve the status.

In short, John Calvin Stevens is responsible for much of the way Portland looks today—from the Old Port to the houses of the Western Promenade—and his legacy is carried on today in the company he founded, SMRT, and the intricate and stunning work they do. I am proud that John Calvin Stevens saw it fitting to choose Portland for his company’s home 125 years ago, and I am delighted that it has remained a bedrock of our State’s architectural heritage through all of these years. Congratulations to everyone at SMRT on this monumental anniversary, and best wishes for continued success.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.
EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:56 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 1707. An act to authorize appropriations for fiscal year 2010 through 2014 to promote an enhanced strategic partnership with Pakistan and its people, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1053. An act to require the Office of Management and Budget to prepare a cross-cut budget for restoration activities in the Chesapeake Bay Watershed, to require the Environmental Protection Agency to develop a national adaptive management plan, and for other purposes.
H.R. 1333. An act to amend chapter 40 of title 18, United States Code, to exempt the transportation, receipt, or impartation of explosive materials for delivery to a federally recognized Indian tribe or agency of such a tribe from various Federal criminal prohibitions relating to explosives.
H.R. 1727. An act to establish a national criminal arsonist and criminal bomber registry program and establish guidelines and incentives for States, territories and tribes to participate in such program.
H.R. 1771. An act to reauthorize the Chesapeake Bay Office of National Oceanic and Atmospheric Administration, and for other purposes.
H.R. 3663. An act to amend title XVIII of the Social Security Act to delay the date on which Medicare Certified Hospice agencies that are not accredited by Medicare Program applies to suppliers of durable medical equipment that are pharmacies.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:


At 11:48 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, with amendments, in which it requests the concurrence of the Senate:

S. Con. Res. 41. Concurrent resolution providing for the acceptance of a statue of Helen Keller, presented by the people of Alabama.

At 1:30 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the bill (H.R. 2892) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes, and agreed to the conference asked by the Senate on the part of the two Houses thereon, and appoints the following Members as managers of the conference on the part of the House: Mr. PRICE of North Carolina, Mr. SERRANO, Mr. RODRIGUEZ, Mr. RUPPERSBERGER, Mr. MOLLER, Mr. LOWEY, Ms. ROYBAL-ALLARD, Mr. FAHR, Mr. ROTHMAN, Mr. OBEY, Mr. ROGERS of Kentucky, Mr. CARTER, Mr. CULBerson, Mr. KIRK, Mr. CALVERT, and Mr. LEWIS of California.

At 2:47 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:


The message also announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3163) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3194. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed agreement for the export of defense articles or services to Saudi Arabia relative to the maintenance of the S-92A helicopter, SA-92 Ground Based Trainer, and night vision goggles in the amount of $100,000 or more; to the Committee on Foreign Relations.
EC-3195. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the assembly in Canada of 25mm HEI-T and TP-T Ammunition; to the Committee on Foreign Relations.
EC-3196. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the assembly in Canada of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles or services to the United States; to the Committee on Foreign Relations.
EC-3197. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed assistance agreement for the transfer of defense articles, including, technical data, and defense services to the Republic of Korea relative to the manufacture of AH-64D fuselages and fuselage parts in the amount of $100,000,000 or more; to the Committee on Foreign Relations.
EC-3198. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the transfer of defense articles, including, technical data, and defense services relative to the manufacture of the Miniature Aerial Reconnaissance Vehicle (MAR-V) Large Aircraft Infrared Countermeasure System for end-use by the U.S. Department of Defense in the amount of $100,000,000 or more; to the Committee on Foreign Relations.
EC-3200. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Japan relative to the manufacture of the J79 engine parts in the amount of $100,000,000 or more; to the Committee on Foreign Relations.
EC-3201. A communication from the Assistant Secretary, Bureau of Legislative Affairs,
Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services relative to the manufacture of sixteen CH–47F Chinook Helicopters for the Italian Ministry of Defense in the amount of $100,000,000; to the Committee on Foreign Relations.

EC–3202. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services relative to the manufacture of the W7 Commercial Communications Satellite from the Baikonur Cosmodrome in Kazakhstan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–3203. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services relative to the manufacture of the new Dawn commercial communication satellite in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–3204. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, including, technical data, and defense services relative to the manufacture of the EC–3208 Commercial Communications Satellite from the Baikonur Cosmodrome in Kazakhstan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–3205. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, including, technical data, and defense services relative to the manufacture of the EC–3211 Commercial Communications Satellite from the Baikonur Cosmodrome in Kazakhstan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–3206. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services relative to the manufacture of the EC–3213 Commercial Communications Satellite from the Baikonur Cosmodrome in Kazakhstan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–3207. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the proposed removal from the U.S. Munitions List of a particular valve regulated, sealed lead acid aircraft battery; to the Committee on Foreign Relations.

EC–3208. A communication from the General Counsel of the Department of Defense, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed licensing agreement for the transfer of certain naval vessels by grant and by sale; to the Committee on Foreign Relations.

EC–3210. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services relative to the manufacture of the EC–3212 Turbo Engines and Parts in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–3211. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services relative to the manufacture of the EC–3213 Turbo Engines and Parts in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–3212. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, including, technical data, and defense services relative to the manufacture of the EC–3213 Turbo Engines and Parts in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–3213. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled “User Fees for Agricultural Quarantine and Inspection Services” (Docket No. APHIS–2009–0018) received in the Office of the President of the Senate on September 28, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3214. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Thiametoxam; Pesticide Tolerances” (Docket No. EPA–F–09–GD79) received in the Office of the President of the Senate on October 1, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3215. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “User Fees for Agricultural Quarantine and Inspection Services” (Docket No. APHIS–2009–0018) received in the Office of the President of the Senate on September 28, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3216. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “User Fees for Agricultural Quarantine and Inspection Services” (Docket No. APHIS–2009–0018) received in the Office of the President of the Senate on September 28, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3217. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “User Fees for Agricultural Quarantine and Inspection Services” (Docket No. APHIS–2009–0018) received in the Office of the President of the Senate on September 28, 2009; to the Committee on Agriculture, Nutrition, and Forestry.


EC–3219. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting a report entitled “Lead Dust Hazard Standards and Definition of Lead-Based Paint; TSCA Section 21 Petition; Notice of Final Rule; Report Required to the Committee on Environment and Public Works.”
EC-3228. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Update to Materials Incorporated by Reference” (FRL No. 8959-8) received in the Office of the President of the Senate on September 28, 2009; to the Committee on Environment and Public Works.

EC-3229. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review Consideration of Inclusion of Fugitive Emissions” (FRL No. 8957-8) received in the Office of the President of the Senate on September 28, 2009; to the Committee on Environment and Public Works.

EC-3230. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Execution of Air Quality Implementation Plans” (FRL No. 8959-8) received in the Office of the President of the Senate on September 28, 2009; to the Committee on Environment and Public Works.

EC-3231. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval of Fugitive Emissions” (FRL No. 8957-8) received in the Office of the President of the Senate on September 28, 2009; to the Committee on Environment and Public Works.

EC-3232. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Legal Considerations of Fugitive Emissions” (FRL No. 8957-8) received in the Office of the President of the Senate on September 28, 2009; to the Committee on Environment and Public Works.

EC-3233. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “TD-9455—Determination of Interest Expense Deduction for Foreign Corporations” (RIN1545-BF71) received in the Office of the President of the Senate on September 28, 2009; to the Committee on Finance.

EC-3234. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Extension of Replacement Period for Livestock Sold on Account of Drought in Specified Counties” (Notice 2009-81) received in the Office of the President of the Senate on September 28, 2009; to the Committee on Finance.

EC-3235. A communication from the Federal Law Enforcement Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Extension of Final Control Period for Roll-Off Container Tobacco and Pipe Tobacco (2009R-368P)” (RIN1533-A375) received in the Office of the President of the Senate on September 28, 2009; to the Committee on Finance.

EC-3236. A communication from the Chairman of the U.S. International Trade Commission, transmitting, pursuant to law, the bill entitled “The Impact of the Caribbean Basin Economic Recovery Act”; to the Committee on Finance.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-84. A joint resolution adopted by the General Assembly of the State of Tennessee urging the Department of Veterans Affairs (VA) to accept the reutilization of its old hospital building, facilities, and campus to the VA and to utilize such building, facilities, and campus to locate a VA medical facility at such site; to the Committee on Veterans’ Affairs.

HOUSE JOURNEY RESOLUTION NO. 546

A Resolution relative to the location of a U.S. Department of Veterans Affairs medical facility in Rhea County.

Whereas, East Tennessee is in great need of a medical facility to serve its brave veterans; and

Whereas, because of Rhea County’s central location, the location of a U.S. Department of Veterans Affairs (VA) hospital there would serve approximately 30,000 veterans from East Tennessee, North Georgia, and Northern Alabama; and

Whereas, presently, veterans living in East Tennessee must travel 150 miles to the Alvin C. York VA facility in Murfreesboro for medical treatment; this extensive travel creates a hardship for most of these veterans; and

Whereas, Rhea County has recently opened a new hospital and has generously offered to donate its old hospital building, facilities, and campus to the VA for the express purpose of locating a much needed medical facility there to serve the veterans of East Tennessee; and

Whereas, the Old Rhea County Medical Center building could be easily modified to house 150 beds, and the building is still equipped with modern technology and modern operational systems; and

Whereas, easily accessible from U.S. Highway 27, the old Rhea County hospital property includes 132 vacant acres that could be utilized for expansion in the future; and

Whereas, in addition to serving the medical needs of our East Tennessee veterans, the location of a VA medical facility in Rhea County would create new jobs in the area; and

Whereas, our veterans have sacrificed a great deal in defending and protecting our Nation, and the State of Tennessee and the Federal Government should work together to adequately provide for the medical needs of these valiant citizens; Now, therefore, be it Resolved by the General Assembly of the State of Tennessee, the Senate concurring, That the General Assembly urges and encourages the U.S. Department of Veterans Affairs to accept Rhea County’s proposed donation of its old hospital building, facilities, and campus to the VA and to utilize such building, facilities, and campus to locate a VA medical facility at such site. Be it further Resolved, That this General Assembly urges each member of Tennessee’s Congressional delegation to use the full measure of his or her power to facilitate the location of a VA medical facility at the old Rhea County hospital campus; and be it further Resolved, That an enrolled copy of this resolution be transmitted to the Honorable Brack Obama, President of the United States; the Secretary of Veterans Affairs; the Speaker and the Clerk of the U.S. House of Representatives; the President and the Secretary of the U.S. Senate; each member of Tennessee’s Congressional delegation; and the Honorable Phil Bredesen, Governor of Tennessee.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary:


EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary:

Joseph A. Greenaway, Jr., of New Jersey, to be United States Circuit Judge for the Third Circuit.

Robert A. Lange, of South Dakota, to be United States District Judge for the District of South Dakota.

Irene Cornelia Berger, of West Virginia, to be United States District Judge for the Southern District of West Virginia.

Charlene Edwards Honeywell, of Florida, to be United States District Judge for the Middle District of Florida.

David Lyle CarriIi, Jr., of New Hampshire, to be United States Marshal for the District of New Hampshire for the term of four years.

Timothy J. Heapgy, of Virginia, to be United States Attorney for the Western District of Virginia for the term of four years.

(Nominations without an asterisk were recommended with the agreement that they be confirmed.)

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. BURR (for himself and Mrs. HAGAN):

S. 1735. A bill to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes; to the Committee on Indian Affairs.

By Mr. LAUTENBERG (for himself, Mr. BROWNBACK, Mr. LIEBERMAN, Ms. LANDRUM, Mr. LANDRUM, Mr. FEN GLOD, Mr. SCHUMER, MRS. GILLIBRAND, and Mr. REID):

S. 1736. A bill to provide the spouses and children of alien veterans who perished in the September 11 terrorist attacks an opportunity to adjust their status to that of an alien lawfully admitted for permanent residence, to the Committee on the Judiciary.

By Mr. FRANKEN (for himself, Ms. MURkowski, and Mr. BINGAMAN):

S. 1737. A bill to amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to increase the number of children eligible for free school meals, and to provide for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. CANTWELL (for herself, Mr. BINGAMAN, Mrs. FEINSTEIN, Mr. LIEBERMAN, Mr. CARDIN, Mr. KAUF MAN, Mr. DURBIN, Mr. WEBB, Mr. MURKOWSKI, Mr. BOXER, Mr. WHITEHOUSE, Mr. KERRY, Mr. SCHUMER, Mr. LAUTENBERG, Mr. AKAKA, Mr. DODD, Mr. BURRIS, Mr. MENENDEZ, Mr. HARKIN, Mr. WARNER, Mr. REED, Mrs. MURRAY, MRS. HAGAN, Mr. BROWN, and Mrs. GILLIBRAND):

S. 1738. A bill to provide lasting protection for the endangered habitat of the spotted owl, to be titled the Northern Forest System; to the Committee on Energy and Natural Resources.
By Mr. DODD:
S. 1739. A bill to promote freedom of the press around the world; to the Committee on Foreign Relations.

By Mrs. MURRAY (for herself, Mr. BROWN, and Mr. DODD):
S. 1740. A bill to promote the economic security and safety of victims of domestic violence, dating violence, sexual assault, or stalking, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND:
S. 1741. A bill to authorize States or political subdivisions thereof to regulate fuel economy and emissions standards for taxicabs; to the Committee on Commerce, Science, and Transportation.

By Mr. WHITEHOUSE (for himself, Mr. CANTWELL, and Mr. SPECTER):
S. 1742. A bill to amend the Public Health Service Act to provide assistance for graduate medical education funding for women's hospitals; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. LINCOLN (for herself and Ms. ANONYMOUS):
S. 1743. A bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes; to the Committee on Finance.

By Mr. INOUYE:
S. 1744. A bill to require the Administrator of the Federal Aviation Administration to prescribe regulations to ensure that all crewmembers on air carriers have proper qualifications and experience, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. MCCASKILL:
S. 1745. A bill to expand whistleblower protection to non-Federal employees whose disclosures involve misuse of Federal funds; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DODGE:
S. 1746. A bill to amend title XVIII of the Social Security Act to exempt small pharmacies from certain Medicare accreditation requirements for the purpose of providing dibutyl testing strips under part B; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 1747. A bill for the relief of Javier Lopez-Ureña and Maria Leticia Arenas; to the Committee on the Judiciary.

By Mr. BOXER:
S. 1748. A bill to establish a program of research, recovery, and other activities to provide for the recovery of the southern sea otter; to the Committee on Commerce, Science, and Transportation.

By Mr. SHELBY (for himself, Mr. VITTER, and Mr. ROBERTS):
S. Res. 20. A joint resolution proposing an amendment to the Constitution of the United States which requires (except during war and subject to suspension by Congress) that a specified amount of money expended by the United States during any fiscal year not exceed the amount of certain revenue received by the United States during such fiscal year and not exceed 20 percent of the gross national product of the United States during the previous calendar year; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS
The following concurrent resolutions and Senate resolutions were read, and referred to or acted upon, as indicated:

By Mr. WEBB:
S. Res. 297. A resolution to recognize the Dyke Marsh Wildlife Preserve as a unique and precious ecosystem; to the Committee on Energy and Natural Resources.

By Mr. REID (for himself, Ms. CANTWELL, Mr. AKaka, Mr. ENSENHAUSER, Mrs. INOUYE, and Mr. SPECTER):
S. Res. 298. A resolution recognizing Filipino American History Month in October 2009; considered and agreed to.

By Mr. CARDIN (for himself and Mr. BURR):
S. Res. 299. A resolution expressing support for the goals and ideals of National Infant Mortality Awareness Month 2009; considered and agreed to.

By Ms. COLLINS (for herself, Mr. CARPER, Mr. DODD, Mr. MCCAIN, and Mr. LIEBERMAN):
S. Res. 300. A resolution supporting the goals and ideals of Fire Prevention Week and the work of firefighting in educating and protecting the communities of this Nation; considered and agreed to.

By Mr. SESSIONS (for himself and Mr. SHELBY):
S. Con. Res. 42. A concurrent resolution providing for the acceptance of a statue of Helen Keller, presented by the people of Alabama; considered and agreed to.

By Mr. MCCONNELL (for himself and Mr. REID):
S. Con. Res. 53. A concurrent resolution authorizing the use of the rotunda of the Capitol for the presentation of the Congressional Gold Medal to former Senator Edward Brooke; considered and agreed to.

ADDITIONAL COSPONSORS
S. 254.
At the request of Mrs. LINCOLN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 254, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home infusion therapy under the Medicare Program.

S. 456.
At the request of Mr. DODD, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 456, a bill to direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop guidelines to be used on a voluntary basis to develop plans to manage the risk of food allergy and anaphylaxis in schools and early childhood education programs, to establish school-based food allergy management grants, and for other purposes.

S. 493.
At the request of Mr. CASEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a co-sponsor of S. 493, a bill to amend the Internal Revenue Code of 1986 to provide for the establishment of ABLE accounts for the care of family members with disabilities, and for other purposes.

S. 524.
At the request of Mr. FEINGOLD, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 524, a bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority.

S. 604.
At the request of Mr. SANDERS, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 604, a bill to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is appointed by the Comptroller General of the United States and the manner in which such audits are reported, and for other purposes.

At the request of Mr. KERRY, the name of the Senator from South Dakota (Ms. JOHNSON) was added as a co-sponsor of S. 850, a bill to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnus-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

At the request of Mrs. LINCOLN, the name of the Senator from Michigan (Ms. STABENOW) was added as a co-sponsor of S. 870, a bill to amend the Internal Revenue Code of 1986 to expand the credit for renewable electricity production to include electricity produced from biomass for on-site use and to modify the credit period for certain facilities producing electricity from open-loop biomass.

At the request of Mr. KERRY, the name of the Senator from Missouri (Ms. MCCASKILL) was added as a co-sponsor of S. 883, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the Medal of Honor in 1861, America’s highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Services of the United States, to honor the American military men and women who have been recipients of the Medal of Honor, and to promote awareness of what the Medal of Honor represents and how ordinary Americans, through courage, sacrifice, selfless service and patriotism, can challenge fate and change the course of history.

At the request of Mr. INHOFE, the name of the Senator from Oklahoma (Mr. COBURN) was added as a co-sponsor of S. 991, a bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress’ powers to provide for the general welfare of the United States and to establish a rule of naturalization under article I, section 8, of the Constitution.

At the request of Mr. BOXER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a co-sponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 42nd Regimental Combat Team, United States Army, in recognition of
their dedicated service during World War II.

S. 1215

At the request of Mr. Casey, the name of the Senator from New York (Mrs. Gillibrand) was added as a cosponsor of S. 1215, a bill to amend the Safe喝 fracking Act of 2015, to repeal a certain exemption for hydraulic fracturing, and for other purposes.

S. 1275

At the request of Mr. Roberts, the name of the Senator from Wisconsin (Mr. Feingold) was added as a cosponsor of S. 1275, a bill to amend the Agricultural Credit Act of 1987 to reauthorize State mediation programs.

S. 1379

At the request of Mr. Whitehouse, the name of the Senator from Colorado (Mr. Udall) was added as a cosponsor of S. 1379, a bill to encourage energy efficiency and conservation and development of renewable energy sources for housing, commercial structures, and other buildings, and to create sustainable communities.

S. 1532

At the request of Mrs. Murray, the name of the Senator from Rhode Island (Mr. Reed) was added as a cosponsor of S. 1532, a bill to establish partnerships to create or enhance educational and skills development pathways to 21st century careers, and for other purposes.

S. 1652

At the request of Mr. Harkin, the name of the Senator from New Jersey (Mr. Menendez) was added as a cosponsor of S. 1652, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. 1683

At the request of Mr. Bennett, the name of the Senator from Montana (Mr. Tester) was added as a cosponsor of S. 1683, a bill to apply recaptured taxpayer investments toward reducing the national debt.

S. 1692

At the request of Mr. Leahy, the names of the Senator from California (Mrs. Feinstein), the Senator from Rhode Island (Mr. Whitehouse) and the Senator from Minnesota (Ms. Klobuchar) were added as cosponsors of S. 1692, a bill to extend the sunset of certain provisions of the USA PATRIOT Act and the authority to issue national security letters, and for other purposes.

S. 1709

At the request of Ms. Stabenow, the name of the Senator from Indiana (Mr. Bayh) was added as a cosponsor of S. 1709, 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.

S. Res. 206

At the request of Mr. Bayh, the names of the Senator from Montana (Mr. Tester) and the Senator from Connecticut (Mr. Dodd) were added as cosponsors of S. Res. 206, a resolution designating May 13, 2009, as "National Metastatic Breast Cancer Awareness Day".

S. Res. 256

At the request of Mrs. Lincoln, the names of the Senator from Maine (Ms. Collins) and the Senator from Connecticut (Mr. Dodd) were added as cosponsors of S. Res. 256, a resolution designating October 2009 as "National Work and Family Month".

AMENDMENT NO. 2555

At the request of Mr. Specter, his name was added as a cosponsor of amendment No. 2555 proposed to H.R. 3326, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes.

AMENDMENT NO. 2560

At the request of Mr. Cochran, the names of the Senator from Missouri (Mrs. McCaskill) and the Senator from South Carolina (Mr. DeMint) were added as cosponsors of amendment No. 2560 intended to be proposed to H.R. 3326, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes.

AMENDMENT NO. 2561

At the request of Mr. Menendez, the name of the Senator from Minnesota (Ms. Klobuchar) was added as a cosponsor of amendment No. 2561 intended to be proposed to H.R. 3326, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes.

AMENDMENT NO. 2562

At the request of Mr. Casey, the name of the Senator from Minnesota (Ms. Klobuchar) was added as a cosponsor of amendment No. 2562 proposed to H.R. 3326, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes.

AMENDMENT NO. 2563

At the request of Mr. Ensign, his name was added as a cosponsor of amendment No. 2563 proposed to H.R. 3326, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes.

AMENDMENT NO. 2564

At the request of Mr. Menendez, the name of the Senator from California (Mrs. Feinstein) was added as a cosponsor of amendment No. 2564 intended to be proposed to H.R. 3326, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. Franken (for himself, Mr. Murkowski, and Mr. Bingaman):

S. 1737. A bill to amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to increase the number of children eligible for free school meals, with a phased-in transition period; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. Franken. Mr. President, in a country as wealthy as ours, it is shameful to let any child go hungry. That is why today, Senator Murkowski and I are introducing the Expand School Meals Act. By eliminating the reduced price meal category and replacing it with the free meal program, this legislation will ensure that low-income children are not denied nutritious food during the school day if their family can’t afford to pay for it.

It is important to remember that this will improve student readiness for school. Parents have long known, and recent studies confirm, that children cannot learn on empty stomachs. Hungry children perform worse on achievement tests, have trouble concentrating, and are more likely to act out in school. Securing access to healthy foods for low-income children is therefore not only a means of reducing child hunger, but also an important strategy for narrowing the achievement gap.

There are 3.1 million low-income children across the Nation, and 34,000 children in Minnesota are eligible for reduced-price school meals. This means that the families of these children pay part of their children’s school meals. Currently, these families must pay 40 cents for each lunch and 30 cents for each breakfast their children eat at school. While this may not sound like a lot of money to members of Congress, to a family that is barely scraping by, especially in today’s economy, the cost can be prohibitive.

In this tough economy, a growing number of these families simply can no longer afford to pay. Children in Minnesota and across the country are increasingly being turned away from school lunch counters because they don’t have enough money in their meal accounts. In some districts, children whose reduced-price meal program are humiliated when they are forced to pay small fees in front of their peers, or when they are handed cheese sand- wiches instead of regular meals on the days they cannot afford to pay. It then becomes abundantly clear to all of their peers in the lunchroom that they are in the reduced price program. Teachers in Minnesota and elsewhere have reported that many children choose to avoid this stigma by just skipping meals.

The prevalence of turning away children from the school lunch counter becomes all too evident when one hears the stories of the food service workers and teachers who have to confront these children directly. In the Roseville, Minnesota, school district, for example, schools recently reported that parents with health problems showed up at the district office unable to pay for reduced-price lunch. The families,
however, had too much income to qualify for the free lunch program. The district policy is that children who cannot pay for school lunches can receive cheese sandwiches for three days, and then must be turned away. Roseville cashiers and service managers have been using their own money to cover children who they know cannot pay.

This situation is entirely unacceptable. It is not only because we are allowing children to go hungry today, but also because we know the impact of this hunger on their future. We know that insufficient access to food will negatively affect their achievement, as well as their educational outcomes, which together will have a lasting impact on their ability to reach their potential.

Recent studies show just how devastating the impact of food insecurity is on the educational outcomes of school children. For example, researchers at Cornell and the University of Michigan found that children ages 6 to 11 who lacked sufficient food had significantly lower arithmetic scores, and were four times more likely to have remediation needs than their peers. Furthermore, they found that teenagers who lacked sufficient food were almost three times as likely to have been suspended from school. Similarly, researchers at Harvard Medical School, and Massachusetts General Hospital found that children who, according to their parents, were experiencing hunger, were two to four times more likely than other children to repeat a grade, access special education services, or receive mental health counseling.

Based on this research, it is clear that child hunger must be one of the factors that we address. If we are serious about closing the achievement gap and giving every child in America a genuine opportunity to succeed.

I would like to conclude by commending my colleagues on both sides of the aisle for their leadership in advocating for expansion of free school meals to children of the working poor. These efforts began with Senator Elizabeth Dole, who in 2003 introduced a bill that would have also phased out the reduced price meals category. And in 2004, Senator Dole advocated for a provision to be included in the Child Nutrition and WIC Reauthorization Act that authorized a 5 State pilot project to test the feasibility of eliminating the reduced price category. Funding for this project, unfortunately, was never appropriated.

Some States and districts therefore decided to take matters into their own hands. I am proud to represent a State that decided to eliminate the reduced price category for school breakfasts. Based on the experience of these localities, we have learned that expanding eligibility for free meals to children in the reduced price category significantly increases their participation in school breakfast and lunch programs.

In light of the experiences of these localities, and the difficult economic times, I am hopeful that this will be the year that we expand eligibility for free school meals. I urge all of my colleagues to join us in this endeavor and do right by our children.

By Mrs. FEINSTEIN:
S. 1747. A bill for the relief of Javier Lopez-Urenda and Maria Leticia Arenas; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am introducing a private relief bill on behalf of Javier Lopez-Urenda and his wife, Maria Leticia Arenas. Mr. Lopez-Urenda and his wife are Mexican nationals living in Fremont, California, and the loving parents of three U.S. citizen children, Bryan, age 16, Ashley, age 12, and Nancy, age 6.

I have decided to introduce this private bill to ensure that this family stays together because they have demonstrated an extraordinary commitment to each other and the greater community in the Bay area. I believe Mr. Lopez-Urenda and Ms. Arenas merit consideration for such an extraordinary form of relief as a private bill.

Javier Lopez-Urenda was born in Michoacán, Mexico. When he was 19 his father was stabbed and murdered while working as a cab driver. In 1990, at the age of 23, Mr. Lopez-Urenda came to the United States to find a higher paying job to support his extended family. Leticia Arenas came to the U.S. at the age of 17 to care for her mother who died of cancer. Mr. Lopez-Urenda and Ms. Arenas have now been living in the United States for almost 20 years.

Mr. Lopez-Urenda is the sole financier for his wife and three U.S. citizen children and owns his own home. For over 17 years, Mr. Lopez-Urenda has worked at Full Bloom Baking Company, a commercial bakery in San Mateo, California, and was the second employee hired. With Mr. Lopez-Urenda’s help, the company grew to one of the largest commercial bakeries in the Bay Area, which currently employs approximately 365 people in the bay area.

Full Bloom Baking Company has stated:

Javier is critical to the operation of our business. . . . He holds a tremendous amount of ‘institutional knowledge’ that can never be replaced. He mentors and develops Team members, conducts training classes, and has deep understanding of complex industrial baking equipment support to how to produce wonderful artisan quality products from the intricate interactions of formula, people and equipment.

Mr. Lopez-Urenda’s coworkers have also written this value to the company. Coleen Donnelly writes:

I am lucky enough to have worked with Javier briefly at the bakery he helped build from the ground up. I always knew he was in the room before I saw him. His presence is such a positive force. He has the natural ability to manage and lead people and make it all seem like play, not work. Without his work ethic and guidance, the lives of hundreds of people will change.

With the encouragement of his employer, Mr. Lopez-Urenda sought legal advice in 1996 in an attempt to legalize his status. However, the enactment of the Illegal Immigration Reform and Immigration Responsibility Act, IIRIRA, eliminated his ability to apply for suspension of deportation.

Mr. Lopez-Urenda attempted to legalize through his employer, but the labor certification remained unadjudicated for nearly three years. Once the Department of Labor granted his labor certification, Mr. Lopez-Urenda would have been granted legal status but for the fact that his removal case had already been resolved against him due to the change in law.

When the Ninth Circuit Court denied his appeal, the Company acknowledged the compelling circumstances of Mr. Lopez-Urenda’s case. The court stated:

We are not unmindful of the unique and extremely sympathetic circumstances of this case. By all accounts, Petitioner has been an exemplary father, employee, and member of his local community. If he were to be deported, he would be separated from his wife, three U.S. citizen children, and the lives he has worked so hard to build over the past seventeen years. In light of the unfortunate sequence of events leading up this juncture, Petitioner’s positive contributions to society. Petition may very well be deserving of prosecutorial grace.

Unfortunately, Mr. Lopez-Urenda faces deportation today despite his sympathetic circumstances and the significant positive contributions that he and his family have made to society.

These contributions to the San Mateo and Fremont communities have truly been exceptional. He is an active volunteer for the Women’s Foundation of California, Lance Armstrong’s Livestrong Foundation, the Saint Patrick Proto Cathedral Parish, the American Red Cross, and just last year he was one of the key organizers of California AIDS Ride.

Ms. Arenas has also volunteered in the community as a religious school teacher at Our Lady of the Rosary Church, a health promoter at the Tiburcio Vasquez Health Center, and a sexual assault counselor at Bay Area Woman Against Rape.

My office has received 46 letters of support on behalf of this family staying together in the community that they have helped build. Below are a few notable excerpts from the letters I have received, reflecting the impact of this family on the community:

Patricia W. Change, CEO of Feed the Hunger Foundation, former President/CEO of the Women’s Foundation of California, and a prior San Francisco Commissioner and U.S. Commissioner writes:

Mr. Urenda has always operated with the highest integrity. Asking Mr. Urenda to leave the United States would deprive him of the chance to raise his family in the United States, the country of his birth. If the illegal immigration reform act, IIRIRA, eliminated Mr. Urenda’s ability to apply for suspension of deportation, it was only fair to give him the opportunity to perfect his case...

The Bay Area Women Against Rape believes that Leticia has been “successful, available, [and] committed to the cause of breaking the silence of sexual abuse in our community.”
Judy Patrick, President/CEO of the Women’s Foundation of California, writes:

Javier Urenda is fulfilling tremendous needs within his community. He is a model participant in this society.

Christine Bozini, a friend and former coworker of Mr. Lopez-Urenda, writes:

Javier strives to create a meaningful and rewarding life with his children, focusing on supporting them in their studies, as well as a variety of volunteer projects and personal interests. For example, over the last few years he has taken great pride in traveling to various U.S. monuments in order to teach his children about the birth of their country.

One of the other compelling reasons for permitting these parents to remain in the United States is the impact that deportation would have on their three U.S. citizen minor children, Bryan, Ashley, and Nancy.

All too often, U.S. citizen children face the loss of a parent through deportation. A January 2009 report by the Department of Homeland Security Office of the Inspector General found that over the last 10 years, 105,434 immigrant parents of U.S. citizen children were removed from this country.

A separate report completed this year by Dorsey & Whitney LLP for the Urban Institute affirms what many of us know—the deportation of a parent is deeply traumatic and causes long-lasting harm to U.S. citizen children.

Mr. John Arthur Balano, Head Coach and Faculty Instructor at the City College of San Francisco, has known Mr. Lopez-Urenda through his volunteer work at Washington High School in Fremont, California. He has stated that Mr. Lopez-Urenda “actively participates in the daily life of his children. Be it school, domestic, or extra-curricular activities, socialization and citizenship, Javier is always furthering their growth.”

In addition, Ms. Marlene Davis, the Principal of the first school that Mr. Lopez-Urenda attended in Fremont, California, has stated that Mr. Lopez-Urenda and his wife are very involved in their children’s lives and school work. They were not the children would not be doing as well as they are. I think without his presence, the children would definitely fare very poorly indeed both as a result of the psychological shock of having their father taken away but also academically because their mother would not be as deeply involved in their education as their father taken away but also academically because their mother would not be as deeply involved in their education as their father would have been. Javier, his wife and their three U.S. citizen children, Bryan who is sixteen, Ashley who is twelve, and Nancy, twenty, have grown from an idea in 1989 to a run rate of $250 million, serving more than 19 years, and has never departed the U.S. since his first entry. He has worked at FullBloom for the past 17 years where he is now the Production Process Manager, managing the transition of recipes from the R&D bench top prototypes to fully scaled up production runs. He supervises four line supervisors and up to 210 production employees in the company’s daily production of more than 36,000 pieces of artisan organic and natural beverages that are sold in a wide range of grocery stores & cafes including FullBloom’s largest client, Starbucks Coffee Company (Nationally). Javier is critical to the operation of our business which has grown from an idea in 1989 to a run rate of over $55MM/year in gross revenue. He holds a tremendous amount of “institutional memory” that cannot be replaced. He mentors and develops Team members, conducts training classes, has deep understanding of complex equipment and is an expert on how to produce wonderful artisan quality products from the intricate interactions of formula, people and equipment.

He is an outstanding member of his community; Javier has helped to raise money for
Senator DIANNE FEINSTEIN, U.S. Senator from California, Washington, DC.

Dear Senator Feinstein:

I am respectfully writing to you, as a citizen, a prior San Francisco Bay Area Youth volunteer, a member of the United States of America, a former President & CEO of the Women's Foundation of California, a co-founder of the Feed the Hunger Foundation, and a member of the Women's Foundation of California's welfare to work program. Mr. Urenda has always been an active participant, leader, and volunteer. He is the kind of person who so greatly embodies the American dream. His children would be unable to receive treatment in a country where they have never visited and where they do not speak the language. Bryan, his eldest son, would be unable to go to school for a learning disability for which he has been diagnosed.

I am writing to request you to take action to reverse his deportation. Many before have been forced to leave and we have had a chance to review Mr. Urenda's case. I will contact you to further discuss this case once I have had the opportunity to review Javier's case. I will contact you to further discuss this case once I have had the opportunity to review Javier's case.

I urge you to take action to reverse his deportation. Mr. Urenda has been a devoted father to three children of the United States who he is teaching to be upstanding citizens of this country. Asking Mr. Urenda to leave the United States would deprive his children of his guidance, love, and mentorship. It would deprive his children of his employer, an upstanding resident of this country. It would deprive the community of an active participant, leader, and volunteer. It would deprive FullBloom Baking Co. and its employees of a paralleled decision maker, manager, and mentor. And it would deprive our country of an individual who lives up to the very values and standards that make the United States a great nation.

If Mr. Urenda's family were to leave with him, it would cause an extreme hardship to his wife and three children, aged 6, 12 and 16. His children would leave the only country they have ever known, to go to a country that they have never visited and where they do not speak the language. Bryan, his eldest son, would be unable to go to school for a learning disability for which he has been diagnosed.

Thank you for your interest and assistance given to this matter. If you have any questions about Mr. Urenda, please do not hesitate to contact me.

Sincerely,

Patricia W. Chang
President & CEO.

children about the great country of their birth. I can think of nothing more destructive and unfair to Bryan, Ashley, Nancy, and Nancy, 5, than to either face separation from their father or to lose their country of origin, the only country they have ever known.

During the years I’ve known Javier, he has been a great inspiration to me and many others, sharing his captivating warmth, his compassionate support for those who need help, and his passion for learning. After watching him become a skilled French, neuroscience, politics—you name it). To this day, I attribute my fluency in Spanish to him, telling people, “Everything I know I owe to Javier.” The more I thought about that, the more I understood that knowledge is not the constant striving for synergy that confers, nurturing too, the love of his wife. It’s respecting and embracing the other point of view, nurturing too, the love of his wife. It’s

thoughtful his response in uncomfortable situations, poor decisions and academic deterioration. With three children who struggle in school already, I honestly cannot foresee anything positive for the children in the future if their father is no longer living with them and supporting them with every milestone. Rather, I imagine it would be quite possible that they would drop out or flunk out. This would be a terrible tragedy which could be avoided if the children are able to remain in the same stable environment with two loving and supportive parents who are committed to their children’s success.

Sincerely,

MARLENE C. DAVIS,
Principal.

BAY AREA WOMEN AGAINST RAPE,

U.S. Citizenship and Immigration Service,
St. Albans, VT

TO WHOM IT MAY CONCERN: This letter pertains to Javier L Urenda and it gives me great pleasure to furnish you with pertinent facts and information about this extraordinary supporter of the oldest rape crisis center in the nation, Bay Area Women Against Rape (BAWAR).

I had the privilege of meeting Mr. Urenda through his wife Leticia Arena at that time when she was taking our intensive state certified rape crisis training. One of the things that is crucial towards the successful completion of our training is the support that we receive from our family members. Not only are they participants in the training for three months, but they are also in commitment to volunteer 36 hours per month for 9 consecutive months after their certification. I believe that without the support that Mr. Urenda gave to Leticia during her training and during her volunteer activities at our agency, she would not had been as successful, available or committed to the cause of breaking the silence of sexual abuse in our community.

In addition, Mr. Urenda not only gives constant support to his wife’s social responsibility, but he also is an active participant in our fundraising events. Mr. Urenda has shown to be a strong supporter for our walkathon in benefit of sexually assaulted youth. Just last month, Mr. Urenda went to wonderful at Full House as he was asked for an in-kind donation of 500 delicacies to be given away to walkers the day of the event. This came to BAWAR’s great surprise since we did not expect any donation. Mr. Urenda has far exceeded our expectations and by far surpassed the in-kind donations that other advocates have tried to acquire. The reason is, as I have been told by Mr. Urenda, his wife holds a very special place in her agency.
To this end and without reservation, I strongly believe that Mr. Urenda will be a wonderful and positive addition to our community. If you have further questions or concerns, please feel free to contact me.

Sincerely,

KRISTINA MOLINA,
Latina Outreach Coordinator.

THE WOMEN'S FOUNDATION OF CALIFORNIA
San Francisco, CA. July 22, 2009

Senator DIANNE FEINSTEIN,
San Francisco, CA.

DEAR SENATOR FEINSTEIN: On behalf of the Women of California, we are writing to convey our support for Javier Urenda to remain in the United States and become a lawful permanent resident.

Javier is a vital member of his community who participates at all levels: he is a hard-working and dedicated employee of FullBloom Baking Company, a Newark, California based company which did $58 million in business last year; he is a devoted husband and father to three US citizen children; and he is an important role model to community members and co-workers. Javier was the second person hired by FullBloom and has helped grow FullBloom to a company which now has 386 employees. Javier’s dedication, technical know-how and effective management abilities have been critical to FullBloom’s success. The local community has been well served by FullBloom, which provides employment, health benefits and educational opportunities to its employees and their children. Javier’s community would also be severely impacted if it were to lose his volunteer efforts in his children’s schools and his tireless fundraising for charity.

The Women’s Foundation of California has a long history of supporting immigrants and immigrant communities throughout the state. Through our research, grantmaking, and other programs, we have seen many of the benefits that new Americans give to our economy, society, and our overall infrastructure. The state’s economy would suffer tremendously without the incredible achievements of immigrants.

Javier has recently received an approved labor certification (which had been pending for nearly three years) and is now eligible for adjustment of status. However, he has been issued a “surrender notice” which takes effect on July 28, 2009. If he is forced to leave the country, he will be barred from returning for 10 years causing his children and his employer enormous hardship. If Javier were granted a stay of his deportation order, he could adjust status immediately and be a lawful permanent resident.

We understand that the Immigration and Naturalization Service has established immigration policy to meet the needs of this country and others. Javier Urenda is fulfilling tremendous needs within his community, participating in his society and deserves to remain here legally.

Thank you for your consideration.

Sincerely,

JUDY PATRICK,
President and CEO.

By Mrs. BOXER:

S. 1748. A bill to establish a program of research, recovery, and other activities to provide for the recovery of the southern sea otter; to the Committee on Commerce, Science, and Transportation.

By Mr. BOXER. Mr. President, I rise to speak on the introduction of the Southern Sea Otter Recovery and Research Act.

The southern sea otter is a keystone species that plays a critical role in central California’s kelp forest ecosystem. By maintaining a healthy and productive ecosystem capable of supporting many other marine species, they also contribute to California’s $22 billion ocean tourism, recreation, and fishing industries.

Already listed as threatened under the Endangered Species Act, southern sea otters recently experienced their largest population decline in over a decade. They face a variety of threats, including food limitation, disease, and habitat degradation—but the exact causes of their decline are unknown.

Sea otters are a sentinel species that serve as an indicator of ecosystem health, so this population decline is extremely alarming. Understanding and addressing the causes of this decline would help us protect the health of our kelp ecosystems as a whole.

My legislation would require the Department of the Interior to monitor the population of southern sea otters and assess the major factors limiting their recovery. It would also establish a competitive grant program for research and recovery projects.

The language has been drafted in consultation with numerous scientists, agency officials, conservation groups, and fishermen. Companion legislation was reported by the House Natural Resources Committee by voice vote in May, and passed the full House of Representatives. I look forward to working with my colleagues to achieve a successful outcome in the Senate.

With this legislation, we can finally put the southern sea otter on a path to recovery—and restore central California’s magnificent kelp forests to a healthy, thriving condition.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 297—TO RECOGNIZE THE DYKE MARSH WILDLIFE PRESERVE AS A UNIQUE AND PRECIOUS ECOSYSTEM

Mr. WEBB submitted the following resolution; which was referred to the Committee on Energy and Natural Resources:

S. RES. 297

Whereas the Dyke Marsh Wildlife Preserve on the south bank of the Potomac River just south of Alexandria in Fairfax County is one of the largest remaining freshwater tidal marshes in the Greater Washington, DC area;

Whereas Congress expressly designated the Dyke Marsh ecosystem for protection in 1989, fifty years ago, under Public Law 86-41; and

Whereas the Dyke Marsh Wildlife Preserve on the south bank of the Potomac River just south of Alexandria in Fairfax County is one of the largest remaining freshwater tidal marshes in the Greater Washington, DC area;

Whereas Congress expressly designated the Dyke Marsh ecosystem for protection in 1989, fifty years ago, under Public Law 86-41; and

Whereas the Dyke Marsh Wildlife Preserve on the south bank of the Potomac River just south of Alexandria in Fairfax County is one of the largest remaining freshwater tidal marshes in the Greater Washington, DC area;

Whereas Congress expressly designated the Dyke Marsh ecosystem for protection in 1989, fifty years ago, under Public Law 86-41; and

Whereas the Dyke Marsh Wildlife Preserve on the south bank of the Potomac River just south of Alexandria in Fairfax County is one of the largest remaining freshwater tidal marshes in the Greater Washington, DC area;

Whereas Congress expressly designated the Dyke Marsh ecosystem for protection in 1989, fifty years ago, under Public Law 86-41; and

WHEREAS Dyke Marsh is 5,000 to 7,000 years old and is a unique and precious ecosystem that serves as an invaluable natural resource both locally and nationally;

WHEREAS the Dyke Marsh Wildlife Preserve serves as an outdoor laboratory for scientists, educators, students, naturalists, artists, photographers, and others, attracting people of all ages; and

WHEREAS the Friends of Dyke Marsh is a conservation advocacy group created in 1975 and dedicated to the preservation and restoration of this wetland habitat and its natural resources; Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the Dyke Marsh Wildlife Preserve as a unique and precious ecosystem that serves as an invaluable natural resource both locally and nationally;

(2) recognizes and expresses appreciation for Representative JOHN DINGELL’s, Representative John Saylor’s, and Representative Henry Reuss’s leadership in preserving this precious natural resource;

(3) celebrates the 50th anniversary of the Federal legislation designating the Dyke Marsh Wildlife Preserve as a protected wetland habitat;

(4) expresses the need to continue to conserve, protect and restore this fragile habitat, in which a diverse array of plants, animals and other natural resources is threatened by past dredging and filling, a gradual depletion in size, urban and suburban development, river traffic, stormwater runoff, poaching, and non-native invasive species; and

(5) commends the Friends of Dyke Marsh for its longstanding commitment to promoting conservation awareness and stewardship, so that the Dyke Marsh Wildlife Preserve may be enjoyed by generations for the next 50 years and into the future.

SENATE RESOLUTION 298—RECOGNIZING FILIPINO AMERICAN HISTORIC MONTH IN OCTOBER 2009

Mr. REID (for himself, Ms. CANTWELL, Mr. AKAKA, Mr. ENSIGN, Mr. INOuye, and Mr. MENENDEZ), submitted the following resolution; which was considered and agreed to:

S. Res. 298

Whereas the earliest documented Filipino presence in the continental United States was on October 18, 1857, when the first “Luzones Indios” set foot in Morro Bay, California, on board the Manila-built galleon ship Nuestra Senora de Esperanza; and

Whereas the Filipino American National Historical Society recognizes the year of 1983 as the date of the recognition of Filipino settlement in the United States in St. Maio, Louisiana, which set in motion the focus on
the story of our Nation’s past from a new perspective by concentrating on the economic, cultural, social, and other notable contributions that Filipino Americans have made to the United States and the development of the history of the United States;

Whereas the Filipino-American community is the second largest Asian-American group in the United States, with a population of approximately 3,100,000 people;

Whereas Filipino-American servicemen and servicewomen have a long-standing history serving in the Armed Services, from the Civil War to the Iraq and Afghanistan conflicts, including the 250,000 Filipinos who fought under the United States flag during World War II to protect and defend this country;

Whereas 9 Filipino Americans have received the Congressional Medal of Honor, the highest award for valor in action against an enemy force that can be bestowed upon an individual serving in the United States Armed Forces;

Whereas Filipino Americans are an integral part of the United States health care system as nurses, doctors, and other medical professionals;

Whereas Filipino Americans have contributed greatly to the fine arts, music, dance, literature, education, business, literature, journalism, sport, politics, government, science, technology, and other fields in the United States that enrich the landscape of the country;

Whereas efforts should continue to promote the study of Filipino-American history and culture, as mandated in the mission statement of the Filipino American National Historical Society, because the roles of Filipino Americans and other people of color have been overlooked in the writing, teaching, and learning of United States history;

Whereas Filipinos are an integral part of a Filipino-American youth to have positive role models to instill in them the importance of education, complemented with the richness of their ethnicity and the value of their legacy; and

Whereas Filipino American History Month is celebrated during the month of October 2009; Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the celebration of Filipino American History Month 2009 as a study of the achievements of Filipino Americans, a time of reflection and remembrance, and as a time to renew efforts toward the research and examination of history and culture in order to provide an opportunity for all people in the United States to learn and appreciate more about Filipino Americans and their historic contributions to the Nation; and

(2) urges the people of the United States to observe Filipino American History Month 2009 with appropriate programs and activities.

SENATE RESOLUTION 300—EXPRESSING SUPPORT FOR THE GOALS AND IDEALS OF NATIONAL INFANT MORTALITY AWARENESS MONTH 2009

Mr. CARDIN (for himself and Mr. BURK) submitted the following resolution; which was considered and agreed to:

S. Res. 300

Whereas premature birth, low-birth weight, and shorter gestation periods account for more than 60 percent of infant deaths in the United States;

Whereas premature infant mortality are especially prevalent in communities with large minority populations, high rates of unemployment and poverty, and limited access to safe housing, as well as emergency medical services; and

Whereas premature birth is a leading cause of infant mortality and, according to the Institute of Medicine, costs the United States more than $26,000,000,000 annually;

Whereas infant mortality rates can be substantially reduced through community-based programs such as outreach, home visitation, case management, health education, and interconceptional care;

Whereas support for community-based programs to reduce infant mortality can result in lower future spending on medical interventions, special education, and other social services that may be needed for infants and children who are born with a low-birth weight;

Whereas the United States Department of Health and Human Services, through the Office of Minority Health, has implemented the “A Healthy Baby Begins With You” campaign;

Whereas public awareness and education campaigns on infant mortality are held during the month of September 2009; and

Whereas September 2009 has been designated as National Infant Mortality Awareness Month: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Infant Mortality Awareness Month 2009;

(2) supports efforts to educate Americans about infant mortality and its contributing factors;

(3) supports efforts to reduce infant deaths, low-birth weight, pre-term births, and disparities in perinatal outcomes;

(4) recognizes the critical importance of including efforts to reduce infant mortality and its contributing factors as part of prevention and wellness strategies; and

(5) calls upon the people of the United States to observe National Infant Mortality Awareness Month during September 2009 with appropriate programs and activities.

SENATE RESOLUTION 42—PROVIDING FOR THE ACCEPTANCE OF A STATUE OF HELEN KELLER PRESENTED BY THE PEOPLE OF ALABAMA

Mr. SESSIONS (for himself and Mr. SHELBY) submitted the following concurrent resolution; which was considered and agreed to:

S. Con. Res. 42

Whereas Helen Keller was born in Tuscumbia, Alabama on June 27, 1880, and at the age of 19 months lost her sight and hearing as a result of meningitis;

Whereas Helen was liberated from the “double dungeon of darkness and silence” by her teacher, Anne Sullivan, when she discovered language and communication at the water pump when she was 7 years old;

Whereas the National Fire Protection Association has designated the week of October 4-10, 2009, as Fire Prevention Week; and

Whereas educating all Americans to “Stay Fire Smart” continues to be a priority for all firefighters: Now, therefore, be it

Resolved, That the Senate—

(1) supports the work of firefighters in educating and protecting the communities of this Nation; and

(2) supports the goals and ideals of Fire Prevention Week.

SENATE CONCURRENT RESOLUTION 42—PROVIDING FOR THE ACCEPTANCE OF A STATUE OF HELEN KELLER, PRESENTED BY THE PEOPLE OF ALABAMA

Mr. SESSIONS (for himself and Mr. SHELBY) submitted the following concurrent resolution: which was considered and agreed to:

S. Con. Res. 42

Whereas Helen Keller was born in Tuscumbia, Alabama on June 27, 1880, and at the age of 19 months lost her sight and hearing as a result of meningitis;

Whereas Helen was liberated from the “double dungeon of darkness and silence” by her teacher, Anne Sullivan, when she discovered language and communication at the water pump when she was 7 years old;

Whereas the National Fire Protection Association has designated the week of October 4-10, 2009, as Fire Prevention Week; and

Whereas educating all Americans to “Stay Fire Smart” continues to be a priority for all firefighters: Now, therefore, be it

Resolved, That the Senate—

(1) supports the work of firefighters in educating and protecting the communities of this Nation; and

(2) supports the goals and ideals of Fire Prevention Week.

SECTION 1. ACCEPTANCE OF HELEN KELLER, FROM THE PEOPLE OF ALABAMA, FOR PLACEMENT IN THE CAPITOL.

(a) IN GENERAL.—The statute of Helen Keller, furnished by the people of Alabama for placement in the Capitol, in accordance with section 1814 of the Revised Statutes of the United States (2 U.S.C. 231), is accepted in the Capitol of the United States, and the thanks of Congress are tendered to the people of Alabama for providing this commemoration of one of Alabama’s most eminent personalities.

(b) PRESENTATION CEREMONY.—The State of Alabama is authorized to use the Rotunda of the Capitol on October 7, 2009, for a presentation ceremony for the statute. The Architect of the Capitol and the Capitol Police
Board shall take such action as may be necessary with respect to physical preparations and security for the ceremony.

(c) DISPLAY IN ROTUNDA.—The Architect of the Capitol shall use the display of the statue accepted under this section in the Rotunda of the Capitol for a period of not more than 6 months, after which period the statue shall be displayed in the Capitol, in accordance with the procedures described in section 311(e) of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 2132(e)).

SEC. 2. TRANSMITTAL TO GOVERNOR OF ALABAMA.

The Secretary of the Senate shall transmit an enrolled copy of this concurrent resolution to the Governor of Alabama.

SENATE CONCURRENT RESOLUTION 43—AUTHORIZING THE USE OF THE ROTUNDA OF THE CAPITOL FOR THE PRESENTATION OF THE CONGRESSIONAL GOLD MEDAL TO FORMER SENATOR EDWARD BROOKE

Mr. MCCONNELL (for himself and Mr. REID) submitted the following concurrent resolution; which was considered and agreed to:

S. Con. Res. 43

Whereas Edward William Brooke III was the first African American elected by popular vote to the United States Senate and served with distinction for 2 terms from January 3, 1967, to January 3, 1979;

Whereas on March 29, 2007, the United States Senate passed S. 682, sponsored by the late Senator Edward M. Kennedy with 68 co-sponsors, by unanimous consent, to award Senator Brooke the Congressional Gold Medal;

Whereas on June 10, 2008, the House passed S. 682 under suspension of the rules by voice vote and a similar measure, H.R. 100 was introduced in the House by Representative Eleanor Holmes Norton with 286 co-sponsors; and

Whereas the President signed the bill on July 1, 2008, and it became Public Law 110-260: Now, therefore, be it

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

SECTION 1. USE OF THE ROTUNDA OF THE CAPITOL FOR THE PRESENTATION OF THE CONGRESSIONAL GOLD MEDAL.

The rotunda of the United States Capitol is authorized to be used on October 28, 2009, for the presentation of the Congressional Gold Medal to former Senator Edward Brooke. Physical preparations for the conduct of the ceremony shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2586. Mr. FRANKEN (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2587. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2588. Mr. FRANKEN (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2589. Mr. ALLEN (for himself, Mr. DURBIN, Mr. REID, Mr. KERRY, Mr. NELSON of Florida, and Ms. KLOBUCAR) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2590. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2591. Mr. CASEY (for himself, Mr. DURBIN, Mr. REID, Mr. KERRY, Mr. NELSON of Florida, and Ms. KLOBUCAR) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2592. Mr. BOND submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2593. Mr. LEVIN (for himself, Mr. WEINS, and Mr. REID) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2594. Mr. SHELBY (for himself and Mr. BENNETT) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra.

SA 2595. Mr. LIEBERMAN (for himself, Mr. SESSIONS, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2596. Mr. BOND (for himself, Mr. NELSON of Florida and Mr. BENNETT) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra.

SA 2597. Mr. BOND submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2598. Mr. BROWNBACK (for himself, Mr. DONIGAN, and Mr. DODD) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra.

SA 2599. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2600. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2601. Mr. SANDERS (for himself and Mr. DORGAN) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra.

SA 2602. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2603. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2604. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2605. Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2606. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2607. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2608. Mr. KYL (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra.

SA 2609. Mr. SESSIONS (for himself, Mr. LIEBERMAN, and Mr. BENNETT) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2610. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2611. Mr. WYDEN (for himself, Mr. FRANKEN, Mr. HARKIN, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2612. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2613. Mr. FRANKEN submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2614. Mr. NELSON of Nebraska (for himself, Mr. CORNYN, Mr. CHAMBLISS, Mr. BENNETT, Mr. JOHANNS, and Mr. WEBB) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra.

SA 2615. Mrs. HAGAN (for herself and Mr. BURR) submitted an amendment intended to be proposed by her to the bill H.R. 3326, supra.

SA 2616. Mr. LIEBERMAN (for himself, Mr. BAYH, Mr. MCCAIN, Mr. INHOFE, Mr. VITTER, Mr. KYL, Mr. SESSIONS, and Mr. BENNETT) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra.

SA 2617. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra.

SA 2618. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2619. Mr. INHOFE (for himself, Mr. WARNER, Mr. WEINS, and Mr. CARUINO) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2620. Mr. CHAMBLISS (for himself, Mr. DODD, Mr. LIEBERMAN, Mr. NELSON of Florida, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2621. Mr. CHAMBLISS (for himself, Mr. DODD, Mr. LIEBERMAN, Mr. NELSON of Florida, Mr. INHOFE, and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra.

SA 2622. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2623. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2588. Mr. FRANKEN (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; as follows:

On page 245, between lines 8 and 9, insert the following:

SIC. 8104. (a) None of the funds appropriated to resolve any contract resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.
S10070

CONGRESSIONAL RECORD — SENATE

October 1, 2009

SA 2589. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . (a) LIMITATION ON AVAILABILITY OF FUNDS FOR EXECUTION OF CONTRACTS UNDER LOGCAP.—None of the funds appropriated or otherwise made available by this Act or any other Act may be used for the program described on page two of Annex II to the Classified Annex to S. 1494 ([111th Congress, agreed to in the Senate on September 16, 2009]) prior to the date that the staff of the Select Committee on Intelligence of the Senate is provided access to such program, as described in such Classified Annex.

SA 2590. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . (a) FINDINGS.—The Senate makes the following findings:

(1) The President has emphasized the need for a comprehensive, regional, inter-agency strategy to stabilize Afghanistan and Pakistan.

(2) The President has rightly focused on the need to address the threat emanating from the Afghanistan-Pakistan border region.

(3) On September 20, 2009, the President stated that he will ask how any proposed strategy ensures that “al Qaeda and its extremist allies cannot attack the United States homeland, our allies, and [our] troops who are based in Europe.”

(4) United States troop levels in Afghanistan have doubled over the last year.

(5) On September 20, 2009, the President cautioned against the idea that “by sending more troops to Afghanistan we’re automatically going to make the Americans safe.”

(6) 2009 has already become the deadliest year for United States troops in Afghanistan.

(7) General McChrystal has stated that it “is realistic to expect that Afghan and coalition casualties will increase.”

(b) REPORT ON STRATEGY AND RESOURCES WITH RESPECT TO AFGHANISTAN AND PAKISTAN.—Appropriate committees of Congress shall hold hearings, in open and closed session, relating to the strategy and resources of the United States with respect to Afghanistan and Pakistan promptly after the decision by the President on those matters is announced.

(b) TESTIMONY.—The hearings described in subsection (a) shall include testimony from senior civilian and military officials of the United States, including, but not limited to, the following:

(1) The Secretary of Defense.

(2) The Secretary of State.

(3) The Chairman of the Joint Chiefs of Staff.

(4) The Commander of the United States Central Command.

(5) The Commander of the United States European Command and Supreme Allied Commander, Europe.


(7) The United States Ambassador to Afghanistan.

(8) The United States Ambassador to Pakistan.

SA 2592. Mr. CASEY (for himself, Mr. DURBIN, Mr. REID, Mr. KERRY, Mr. NELSON of Florida, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. . (a) LIMITATION ON AVAILABILITY OF FUNDS FOR EXECUTION OF CONTRACTS UNDER LOGCAP.—None of the funds appropriated or otherwise made available by this Act may be obligated or expended for the execution of a contract under the Logistics Civil Augmentation Program (LOGCAP).

(b) WAIVER.—The Secretary of the Army may waive the applicability of the limitation in subsection (a) to any contract if the Secretary certifies in writing to Congress that—

(1) the contract explicitly requires the contractor—

(A) to inspect and immediately correct deficiencies that present an imminent threat of death or serious bodily injury so as to ensure compliance with the United States National Electric Code in work under the contract;

(B) monitor and immediately correct deficiencies in the quality of any potable or non-potable water provided under such contract to ensure that safe and sanitary water is provided; and

(C) establish and enforce strict standards for preventing, and immediately addressing and cooperating with the prosecution of, any instances of sexual assault in all of its operations and the operations of its subcontractors;

(2) the waiver is necessary for the provision of essential services to troops in the field; or

(3) the work under such contract does not present an imminent threat of death or serious bodily injury.

SA 2593. Mr. LEVIN (for himself, Mr. WEBB, and Mr. REID) submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. . (a) REPORT ON GROUND-BASED INTERCEPTOR MISSILES.—Not later than 60 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report on the utilization of funds to maintain the production line of Ground-Based Interceptor (GBI) missiles. The report shall include a plan for the utilization of funds for Ground-Based Interceptor missiles made available by this Act for the Midcourse Defense Segment, including—

(1) the number of Ground-based Interceptor missiles proposed to be produced during fiscal year 2010; and

(2) any plans for maintaining production of such missiles and the subsystems and components of such missiles.

(b) REPORT ON GROUND-BASED MIDCOURSE DEFENSE SYSTEM.—Not later than 120 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report and the acquisition strategy for the Ground-Based Midcourse Defense (GMD) system during fiscal...
years 2011 through 2016. The report shall include a description of the plans of the Missile Defense Agency for each of the following: (1) To maintain the capability for production of a two-stage ground-based interceptor missile; and (2) To address modernization and obsolescence of the Ground-Based Midcourse Defense system.

SA 2595. Mr. LIEBERMAN (for himself, Mr. SESSIONS, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 8103. (a) FUNDING FOR TWO-STAGE GROUND-BASED INTERCEPTOR MISSILE.—Of the amounts appropriated or otherwise made available by this Act for a long-range missile defense architecture, or appropriated or otherwise made available for the Department of Defense for a long-range missile defense system in Europe from the Consolidated Appropriations Act, 2009, and the Continuing Appropriations Act, 2009 (Public Law 110–329) and available for obligation, $151,000,000 shall be available for research, development, test, and evaluation of a two-stage ground-based interceptor missile.

(b) PROHIBITION ON DIVERSION OF FUNDS.— Funds appropriated or otherwise made available by this Act for the Missile Defense Agency for the purpose of research, development, and testing of the two-stage ground based interceptor missile shall be utilized solely for that purpose, and may not be re-programmed or otherwise utilized for any other purpose.

(c) REPORT.—Not later than February 1, 2010, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report setting forth the following:

(1) A comprehensive plan for the continued development and testing of the two-stage ground-based interceptor missile, including a description of the role of the Missile Defense Agency that will leverage the development and testing of such missile to modernize the Ground-based Midcourse Defense component of the ballistic missile defense system.

(2) Options for deploying an additional Ground-based Midcourse Defense site in Europe or the United States to provide enhanced defense in response to future long-range missile threats from Iran, and a description of how such a site may be made interoperable with the planned missile defense architecture for Europe and the United States.

SA 2596. Mr. BOND (for himself, Mr. NELSON of Florida, and Mr. BENNETT) submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. 8104. (a) It is the sense of Congress that the Haiti Stabilization Initiative (HSI) has proven successful in combining defense, diplomatic, and development assets in a focused mission addressing the root causes of instability in Haiti.

(b) 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.

SA 2597. Mr. BOND submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 8105. (a) A DETAILED PLAN.—The report described in subsection (b) of this section shall address—

(1) A detailed plan for how the Secretary of Defense will fill the force structure and capability gaps resulting from the retirement of tactical aircraft under the structuring plan described in subsection (a).

(b) REPORT.—The report described in this subsection is a report that sets forth the following:

(1) A detailed plan for how the Secretary of the Air Force will fill the force structure and capability gaps resulting from the retirement of tactical aircraft under the structuring plan.

(2) An explanation of the criteria used for selecting the bases referred to in paragraph (1) and for the selection of tactical aircraft for retirement under the structuring plan.

(3) A plan for the reassessment of the regular and reserve components affected by the retirement of tactical aircraft under the structuring plan.

(4) An estimate of the cost avoidance to be achieved by the retirement of such tactical aircraft, and a description how such funds would be invested under the period covered by the most current future-years defense program.

SA 2598. Mr. BROWNBACK (for himself, Mr. DORGAN, and Mr. ENOWE) submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. 8106. (a) 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; 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.

(b) 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.

SA 2599. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 245, between lines 8 and 9, insert the following:

SEC. 8104. (a) It is the sense of Congress that the Haiti Stabilization Initiative (HSI) has proven successful in combining defense, diplomatic, and development assets in a focused mission addressing the root causes of instability in Haiti.

(b) 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.

SA 2600. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 8105. (a) FUNDING FOR OUTREACH AND REINTEGRATION SERVICES UNDER YELLOW RIBBON REINTEGRATION PROGRAM.—Of the amounts appropriated or otherwise made available by title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY”, $20,000,000 shall be available for outreach and reintegration services under the Yellow Ribbon Reintegration Program under section 582(h) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–161; 122 Stat. 125, 10 U.S.C. 10101 note).

(b) SUPPLEMENT NOT SUPPLANT.—The amount made available by subsection (a) for
the services described in that subsection is in addition to any other amounts available in this Act for such services.

SA 2601. Mr. SANDERS (for himself and Mr. DORGAN) submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 245, between lines 8 and 9, insert the following:

SEC. 8104. (a) FUNDING FOR OUTREACH AND REINTEGRATION SERVICES UNDER YELLOW RIBBON REINTEGRATION PROGRAM.—Of the amounts appropriated or otherwise made available by title IX, $20,000,000 shall be available for outreach and reintegration services under the Yellow Ribbon Reintegration Program under section 582(h) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 125; 10 U.S.C. 10101 note).

(b) SUPPLEMENT NOT SUPPLANT.—The amount made available by subsection (a) for the services described in that subsection is in addition to any other amounts available in this Act for such services.

SA 2602. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 8105. (a) The amount appropriated by title III under the heading “PROCUREMENT, DEFENSE-WIDE” is hereby increased by $9,740,000, with the amount of the increase to be available for the Special Operations Forces Combat Assault Rifle (SCAR) in accordance with amounts requested for that rifle in the budget of the President for fiscal year 2010.

SA 2603. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 245, between lines 8 and 9, insert the following:

SEC. 8104. (a) The Secretary of Defense shall conduct a study on defense contracting fraud and submit a report containing the findings of such study to the congressional defense committees.

(b) The report required under subsection (a) shall contain—

(1) an assessment of the total value of Department of Defense contracts entered into with contractors that have been indicted for, convicted of fraud in connection with any contract or other transaction entered into with the Federal Government; and

(2) recommendations by the Inspector General of the Department of Defense or other appropriate Department of Defense official regarding the extent to which personnel engaged in Department of Defense programs and activities, in their capacity as officials or employees, are repeatedly involved in fraud in connection with contracts or other transactions entered into with the Federal Government.

SA 2604. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 245, between lines 8 and 9, insert the following:

SEC. 8104. (a) In collaboration with the Secretary of Defense, the Secretary of State shall conduct a study on defense contracting fraud and submit the plan developed under subsection (a) to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 2605. Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 8105. (a) AMOUNT FOR EVALUATIONS OF CERTAIN LASER SYSTEMS.—The amount appropriated or otherwise made available by title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE” and available for Advanced Weapons Technology (PE# 0609905F), up to $5,000,000 may be available to carry out the evaluations and analyses required by subsection (b). (b) BILateral and joint efforts and test and evaluation center under which the center shall—

(1) carry out additional enhanced user evaluations of the Advanced Tactical Laser systems on a variety of instrumented targets; and

(2) enter into an agreement with a federally funded research and development center under which the center shall—

(A) conduct an analysis of the feasibility of integrating solid state laser systems onto C-130, B-1, and F-35 aircraft platforms to provide close air support; and

(B) estimate the cost per unit of such laser systems by 2014, maintaining each such platform with such laser systems.

SA 2606. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 8105. The amount appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE” is hereby reduced by $10,000,000, with the amount of the reduction to be allocated to amounts available for the Maui Space Surveillance System (MSSS) for PanSTARRS.

SA 2607. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

The amount appropriated by title IX under the heading “AFGHANISTAN SECURITY FORCES FUND” is hereby increased by $900,000,000, with the amount designated as making any regulations for the Department to meet emergency needs pursuant to section 403 of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SA 2608. Mr. KYL (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the appropriate place, insert the following:

The amount appropriated by title IX under the heading “AFGHANISTAN SECURITY FORCES FUND” is hereby increased by $900,000,000.

SA 2609. Mr. SESSIONS (for himself, Mr. LIEBERMAN, and Mr. BENNETT) submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 8105. (a) COMPTROLLER GENERAL ASSESSMENT OF PHASED ADAPTIVE APPROACH TO MISSILE DEFENSE IN EUROPE.—The Comptroller General of the United States shall submit to Congress a report setting forth the assessment of the Comptroller General of the so-called “Phased Adaptive” approach to missile defense in Europe:

(b) ELEMENTS.—The assessment required by subsection (a) shall include the following:

(1) A comparison of the capabilities, schedule, cost, technology risk, requirements for basing agreements, and geopolitical implications of the “Phased Adaptive” approach to missile defense in Europe, as proposed by the Secretary of Defense on September 17, 2009, with the approach to missile defense in Europe, as outlined in the budget for fiscal year 2009 for the Department of Defense and the future-years defense program, to provide short, medium, intermediate and long-range missile defense capabilities for the protection of the United States its deployed forces, and allies against the threat of Iranian ballistic missiles

(2) A review of the intelligence data used to inform each of the approaches.

SA 2610. Mr. DURBIN submitted the following:

The report required by subsection (a) shall be submitted not later than the date of the submission to Congress of the budget of the President for fiscal year 2011 (as submitted pursuant to section 1105 of title 31, United States Code). The report may be submitted.
in the form of an initial briefing provided not later than such submittal date, with a written report submitted not later than 30 days after such initial briefing.

**SA 2610.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

_Sec._ . . . None of the funds appropriated or otherwise made available by this Act for the KC-X tanker aircraft replacement program may be obligated or expended until the Secretary of the Air Force releases comparable pricing data to both offerors under the previous competition for that program.

**SA 2611.** Mr. WYDEN (for himself, Mr. FRANKEN, Ms. KLOBUCHAR, Mr. ROBERTS, Mr. HARKIN, and Mr. LATHENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

_Sec._ . . . None of the funds appropriated or otherwise made available by this Act for the KC-X tanker aircraft replacement program may be obligated or expended until the Secretary of the Air Force releases comparable pricing data to both offerors under the previous competition for that program.

**SA 2612.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

_Sec._ . . . None of the funds appropriated or otherwise made available by this Act for the KC-X tanker aircraft replacement program may be obligated or expended until the Secretary of the Air Force releases comparable pricing data to both offerors under the previous competition for that program.

**SA 2613.** Mr. FRANKEN submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 245, between lines 8 and 9, insert the following:

_Sec._ . . . None of the funds appropriated or otherwise made available by this Act for the KC-X tanker aircraft replacement program may be obligated or expended until the Secretary of the Air Force releases comparable pricing data to both offerors under the previous competition for that program.

**SA 2614.** Mr. NELSON of Nebraska (for himself, Mr. CORNYN, Mr. SCHUMER, Mr. CHAMBLISS, Mr. BENNETT, Mr. JOHANNS, and Mr. WEBB) submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; as follows:

SEC. . . . Of the amount appropriated or otherwise made available by title II under the heading "OPERATION AND MAINTENANCE, DEFENSE-WIDE", up to $15,000,000 may be available for the implementation by the Department of Defense of the responsibilities of the Department, under the National Voting Rights Act of 1995, and the Overseas Voter Empowerment Act and the amendments made by that Act.

**SA 2615.** Mrs. HAGAN (for herself and Mr. BURR) submitted an amendment intended to be proposed by her to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; as follows:

On page 245, between lines 8 and 9, insert the following:

_Sec._ . . . None of the funds appropriated or otherwise made available by this Act may be used to dispose of claims filed regarding water contamination at Camp Lejeune, North Carolina, until the Agency for Toxic Substances and Disease Registry (ATSDR) fully completes all current, ongoing epidemiological and water modeling studies pending as of the date of the enactment of this Act.

**SA 2616.** Mr. LIEBERMAN (for himself, Mr. BAYH, Mr. MCCAIN, Mr. INHOFFE, Mr. VITTER, Mr. KYL, Mr. SESSIONS, and Mr. BENNETT) submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the appropriate place, insert the following:

_Sec._ . . . (a) FUNDING FOR TWO-STAGE GROUND-BASED INTERCEPTOR MISSILE.—Of the funds appropriated or otherwise made available by this Act for a long-range missile defense system in Europe from the Consolidated Security Assistance, and Continuing Appropriations Act of 2009 (Public Law 110-329) and available for obligation, $151,000,000 shall be available for research, development, test, and evaluation of the two-stage ground-based interceptor missile.

(b) Funds appropriated or otherwise made available by this Act for the Missile Defense Agency for the purpose of research, development, and testing of the two-stage ground-based interceptor missile shall be utilized solely for that purpose, and may not be reprogrammed or otherwise utilized for any other purpose.

**SEC. 8104.** (a) Beginning 90 days after the date of the enactment of this Act, none of the funds appropriated or otherwise made available by this Act for a long-range missile defense system in Europe from the Consolidated Security Assistance, and Continuing Appropriations Act of 2009 (Public Law 110-329) and available for obligation, $151,000,000 shall be available for research, development, test, and evaluation of the two-stage ground-based interceptor missile.

(b) Funds appropriated or otherwise made available by this Act for the Missile Defense Agency for the purpose of research, development, and testing of the two-stage ground-based interceptor missile shall be utilized solely for that purpose, and may not be reprogrammed or otherwise utilized for any other purpose.

(c) REPORT.—Not later than February 1, 2010, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report setting forth the following:

(1) A comprehensive plan for the continued development and testing of the two-stage ground-based interceptor missile including a description how the Missile Defense Agency will leverage the development and testing of
such missile to modernize the Ground-based Midcourse Defense component of the ballistic missile defense system.

(2) Options for deploying an additional Ground-based Midcourse Defense site in Europe or the United States to provide enhanced defense in response to future long-range missile threats from Iran, and a description of a site or a strategy that would be more interoperable with the planned missile defense architecture for Europe and the United States.

SA 2617. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; as follows:

On page 245, between lines 8 and 9, insert the following:

Sec. 410. (a) The Secretary of Defense shall conduct a study on defense contracting fraud and submit a report containing the findings of such study to the congressional defense committees.

(b) The report required under subsection (a) shall include—

(1) a determination of the total value of Department of Defense contracts entered into with contractors that have been indicted for, settled charges of, been fined by any Federal or state agency or convicted of fraud in connection with any contract or other transaction entered into with the Federal Government;

(2) recommendations by the Inspector General of the Department of Defense or other appropriate Department of Defense official regarding how to penalize contractors repeatedly involved in fraud in connection with any contract or other transaction entered into with the Federal Government; and

(3) findings of such study to the congressional defense committees.

SA 2618. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 245, between lines 8 and 9, insert the following:

Sec. 8104. (a) The Secretary of Defense shall include, at a minimum, the following:

(1) a finding of such study to the congressional defense committees.

(b) The Senate makes the following findings:

(1) Real time intelligence, surveillance, and reconnaissance (ISR) is critical to our warfighters in fighting the ongoing wars in Iraq and Afghanistan.

(2) Secretary of Defense Gates and the military leadership of the United States have highlighted the importance of collecting and disseminating critical intelligence and battlefield information to our troops on the ground in Iraq and Afghanistan.

(3) The Chief of Staff of the Air Force, General Norton Schwartz, has stated that the Air Force is "all-in" for the joint fight.

(4) One of the most effective and heavily tasked intelligence, surveillance, and reconnaissance assets operating today is the Air Force’s Joint Surveillance Target Attack Radar System, also known as Joint STARS.

(5) Commanders in the field rely on Joint STARS to give them a long range view of the battlefield and detect moving targets in all weather conditions as well as tactical support to Brigade Combat Teams, Joint Tactical Air Controllers and Special Operations Forces convoy overwatch.

(6) Joint STARS is a joint platform, flown by a mix of active duty Air Force and Air National Guard personnel and operated by a joint Army, Air Force, and Marine crew, supporting missions for all the Armed Forces.

(7) With a mix of airframes, Joint STARS has flown over 55,000 combat hours and 900 sorties over Iraq and Afghanistan and directly contributed to the discovery of hundreds of Improvised Explosive Devices.

(8) The current engines greatly limit the performance of Joint STARS aircraft and are the highest cause of maintenance problems and mission aborts.

(9) There is no other current or programmed aircraft or weapon system that can provide the detailed, broad-area ground moving target indicator (GMTI) and airborne battle management support for the warfighters in the joint forces.

(10) With the significant operational savings that new engines will bring to the Joint STARS, re-engining Joint STARS will pay for itself by 2017 due to reduced operations, sustainment, and fuel costs.

(11) In December 2002, a JDOTS re-engining study determined that re-engining provided significant benefits and cost savings. However, delays in executing the re-engining program continue to result in increased costs for the program.

(12) The budget request for the Department of Defense for fiscal year 2010 included $205,000,000 in Aircraft Procurement, Air Force, and $15,000,000 in Research, Development, Test, and Evaluation, Air Force for Joint STARS re-engining.

(13) On September 22, 2009, the Department of Defense reaffirmed their support for the President’s Budget request for Joint STARS re-engining.

(14) On September 30, 2009, The Undersecretary of Defense (Acquisition, Technology, and Logistics) signed an Acquisition Decision Memorandum directing that the Air Force proceed with the Joint STARS re-engining effort, to include expenditure of procurement and research, development, test, and evaluation funds.

(b) It is the sense of the Senate that—

(1) Funds for re-engining of the E-3C Joint Surveillance Target Attack Radar System (Joint STARS) aircraft should be appropriated in accordance with the budget request of the President for fiscal year 2010; and

(2) The Air Force should proceed with currently planned efforts to re-engine Joint STARS aircraft, to include expending both procurement and research, development, test, and evaluation funds.

Sec. 2621. Mr. CHAMBLISS (for himself, Mr. DODD, Mr. LIEBERMAN, Mr. NELSON of Florida, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; as follows:

Strike all after the first word, and insert the following:

(a) FINDINGS.—The Senate makes the following findings:

(1) Real time intelligence, surveillance, and reconnaissance (ISR) is critical to our warfighters in fighting the ongoing wars in Iraq and Afghanistan.

(2) Secretary of Defense Gates and the military leadership of the United States have highlighted the importance of collecting and disseminating critical intelligence and battlefield information to our troops on the ground in Iraq and Afghanistan.

(3) The Chief of Staff of the Air Force, General Norton Schwartz, has stated that the Air Force is "all-in" for the joint fight.

(4) One of the most effective and heavily tasked intelligence, surveillance, and reconnaissance assets operating today is the Air Force’s Joint Surveillance Target Attack Radar System, also known as Joint STARS.

(5) Commanders in the field rely on Joint STARS to give them a long range view of the battlefield and detect moving targets in all weather conditions as well as tactical support to Brigade Combat Teams, Joint Tactical Air Controllers and Special Operations Forces convoy overwatch.

(6) Joint STARS is a joint platform, flown by a mix of active duty Air Force and Air National Guard personnel and operated by a joint Army, Air Force, and Marine crew, supporting missions for all the Armed Forces.

(7) With a mix of airframes, Joint STARS has flown over 55,000 combat hours and 900 sorties over Iraq and Afghanistan and directly contributed to the discovery of hundreds of Improvised Explosive Devices.

(8) The current engines greatly limit the performance of Joint STARS aircraft and are the highest cause of maintenance problems and mission aborts.

(9) There is no other current or programmed aircraft or weapon system that can provide the detailed, broad-area ground moving target indicator (GMTI) and airborne battle management support for the warfighters in the joint forces.

(10) With the significant operational savings that new engines will bring to the Joint STARS, re-engining Joint STARS will pay for itself by 2017 due to reduced operations, sustainment, and fuel costs.

(11) In December 2002, a JDOTS re-engining study determined that re-engining provided significant benefits and cost savings. However, delays in executing the re-engining program continue to result in increased costs for the program.

(12) The budget request for the Department of Defense for fiscal year 2010 included $205,000,000 in Aircraft Procurement, Air Force, and $15,000,000 in Research, Development, Test, and Evaluation, Air Force for Joint STARS re-engining.

(13) On September 22, 2009, the Department of Defense reaffirmed their support for the President’s Budget request for Joint STARS re-engining.

(14) On September 30, 2009, The Undersecretary of Defense (Acquisition, Technology, and Logistics) signed an Acquisition Decision Memorandum directing that the Air Force proceed with the Joint STARS re-engining effort, to include expenditure of procurement and research, development, test, and evaluation funds.
(7) With a limited number of airframes, Joint STARS has flown over 55,000 combat hours and 900 sorties over Iraq and Afghanistan and directly contributed to the discovery of hundreds of Improvised Explosive Devices.

(8) The current engines greatly limit the performance of Joint STARS aircraft and are the major cause of maintenance problems and mission aborts.

(9) There is no other current or programmed aircraft or weapon system that can provide the detailed, broad-area ground moving target indicator (GMTI) and airborne battle management support for the warfighter that Joint STARS provides.

(10) Significant operational savings that new engines will bring to the Joint STARS, re-engining Joint STARS will pay for itself by 2017 due to reduced operations, sustainment, and fuel costs.

(11) In December 2002, a Joint STARS re-engining study determined that re-engining provided significant benefits and cost savings. However, delays in executing the re-engining program continue to result in increased costs for the re-engining effort.

(12) The budget request for the Department of Defense for fiscal year 2010 included $235,000,000 in Aircraft Procurement, Air Force, and $16,000,000 in Research, Development, Test, and Evaluation, Air Force for Joint STARS re-engining.

(13) On September 22, 2009, the Department of Defense reaffirmed their support for the Joint STARS re-engining program; and

(14) On September 30, 2009, The Undersecretary of Defense (Acquisition, Technology, and Logistics) signed an Acquisition Decision Memorandum directing that the Air Force proceed with the Joint STARS re-engining effort, including the expenditure of procurement and research, development, test, and evaluation funds.

SA 2622. Mr. BROWNBACK submitted an amendment intended to be proposed to amendment SA 2610 submitted by Mr. SESSIONS and intended to be proposed to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table, as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. 2. (a) NATURE OF FULL AND OPEN COMPETITION FOR CONGRESSIONALLY DIRECTED SPENDING ITEMS.—Each congressionally directed spending item specified in this Act or the report accompanying this Act that is intended for award to a for-profit entity shall be subject to acquisition regulations for full and open competition on the same basis as each spending item intended for a for-profit entity that is contained in the budget request of the President.

(b) EXCEPTIONS.—Subsection (a) shall not apply to any contract awarded—

(1) by a means that is required by Federal statute, including for a purchase made under a mandated preferential program;

(2) pursuant to the Small Business Act (15 U.S.C. 631 et seq.); or

(3) in an amount less than the simplified acquisition threshold described in section 2(a)(2) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252a(a)).

(c) CONGRESSIONALLY DIRECTED SPENDING ITEMS DEFINED.—In this section, the term ‘‘congressionally directed spending item’’ means the following:

(1) A congressionally directed spending item, as defined in XLI of the Standing Rules of the Senate.

(2) A congressional earmark for purposes of rule XXI of the House of Representatives.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Thursday, October 8, 2009, at 10 a.m., in room SE-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to consider the nominations of Marcia K. McNutt, to be Director of the United States Geological Survey, and Arun Majumdar, to be Director of the Advanced Research Projects Agency-Energy, Department of Energy.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6190, or by Amanda Kelly at (202) 224-7571 or Amanda Kelly at (202) 224-6836.

For further information, please contact Sam Fowler at (202) 224-7571 or Amanda Kelly at (202) 224-6836.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. INOUYE. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on October 1, 2009, at 10:30 a.m., in room 216 of the Hart Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. INOUYE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on October 1, 2009, at 10 a.m., to hold a hearing entitled ‘‘Afghanistan’s Impact on Pakistan.’’

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. INOUYE. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on October 1, 2009, at 2:30 p.m., to hold a hearing entitled ‘‘Violence Against Women: Global Costs and Consequences.’’

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

COMMITTEE ON THE JUDICIARY

Mr. INOUYE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on October 1, 2009, at 9:30 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. INOUYE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on October 1, 2009, at 2:30 p.m.

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

PRIVILEGES OF THE FLOOR

Ms. MURKOWSKI. Madam President, I ask unanimous consent that a military salute may be given to MAJ John Vargas, be granted the privilege of the floor for the duration of the debate on the fiscal year 2010 Defense appropriation bill.

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

Mr. BARRASSO. Mr. President, I ask unanimous consent that Andrew
Resolved by the Senate (the House of Represent-atives concurring).

SECTION 1. USE OF THE ROTUNDA OF THE CAP-itol FOR THE PRESENTATION OF THE CONGRESSIONAL GOLD MEDAL. The rotunda of the United States Capitol is authorized to be used on October 28, 2009, for the presentation of the Congressional Gold Medal to former Senator Edward Brooke. Physical preparations for the conduct of the ceremony shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.
Whereas Filipino Americans have contributed greatly to the fine arts, music, dance, literature, education, business, literature, journalism, sports, fashion, politics, government, and other fields in the United States that enrich the landscape of the country;

Whereas efforts should continue to promote the study of Filipino-American history and culture, as mandated in the mission statement of the Filipino American National Historical Society, because the roles of Filipino Americans and other people of color have been overlooked in the writing, teaching, and learning of United States history;

Whereas it is imperative for Filipino-American youth to have positive role models to instill in them the importance of education, complemented with the richness of their ethnicity and the value of their legacy; and

Whereas Filipino American History Month is celebrated during the month of October 2009: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the celebration of Filipino American History Month 2009 as a study of the advancement of Filipino Americans, as a time to remember, and as a time to renew efforts toward the research and examination of history and culture in order to provide an opportunity for all people in the United States to learn and appreciate more about Filipino Americans and their historic contributions to the Nation; and

(2) urges the people of the United States to observe Filipino American History Month 2009 with appropriate programs and activities.

NATIONAL INFANT MORTALITY AWARENESS MONTH

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 299.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 299) expressing support for the ideals of National Infant Mortality Awareness Month 2009.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 299) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 299

Whereas infant mortality refers to the death of a baby before his or her first birthday;

Whereas the United States ranks 29th among industrialized nations in the rate of infant mortality;

Whereas premature birth, low-birth weight, and shorter gestation periods account for more than 60 percent of infant deaths in the United States;

Whereas high rates of infant mortality are especially prevalent in communities with large minority populations, high rates of unemployment and poverty, and limited access to safe housing and medical providers;

Whereas premature birth is a leading cause of infant mortality, according to the Institute of Medicine, costs the United States more than $28,000,000,000 annually;

Whereas infant mortality rates can be substantially reduced, according to established services such as outreach, home visitation, case management, health education, and interconceptional care;

Whereas support for community-based programs to reduce infant mortality can result in lower future spending on medical interventions, special education, and other social services that may be needed for infants and children who are born with a low-birth weight;

Whereas the United States Department of Health and Human Services, through the Office of Minority Health, has implemented the “A Healthy Baby Begins With You” campaign;

Whereas public awareness and education campaigns on infant mortality are held during the month of September 2009; and

Whereas September 2009 has been designated as National Infant Mortality Awareness Month: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Infant Mortality Awareness Month 2009;

(2) supports efforts to educate Americans about infant mortality and its contributing factors;

(3) supports efforts to reduce infant deaths, low-birth weight, pre-term births, and disparities in perinatal outcomes;

(4) recognizes the critical importance of including efforts to reduce infant mortality and its contributing factors as part of prevention and wellness strategies; and

(5) calls upon the United States to observe National Infant Mortality Awareness Month during September 2009 with appropriate programs and activities.

FIRE PREVENTION WEEK

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

Mr. President, I ask unanimous consent that the resolution be adopted, the preamble be adopted, and the motions to reconsider be laid upon the table.

The resolution (S. Res. 300) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 300

Whereas since the organization of the first fire departments during the colonial era of the Nation, firefighters have maintained their dedication to protecting the health and safety of the American public;

Whereas firefighters presently provide a multitude of services to our communities, including emergency medical services, special rescue response, hazardous material and terrorism response, and public safety education;

Whereas 103 firefighters lost their lives in the line of duty in 2008;

Whereas the Nation’s fire departments respond to an emergency call nearly once per second and are dispatched to fire emergencies every 22 seconds;

Whereas approximately 1,145,000 fires were reported in 2008;

Whereas firefighters always respond with courage, whether they are confronted with...
acts of terrorism, natural disasters, or other emergencies;

Whereas Fire Prevention Week is the longest running public health and safety observance on record, as firefighters have been honored for their role in educating the American public since the first Fire Prevention Week was declared by President Warren G. Harding in 1922;

Whereas the National Fire Protection Association has designated the week of October 4 through October 10, 2009, as Fire Prevention Week; and

Whereas educating all Americans to “Stay Fire Smart” continues to be a priority for all firefighters: Now, therefore, be it

Resolved, That the Senate—

(1) supports the work of firefighters in educating and protecting the communities of this Nation; and

(2) supports the goals and ideals of Fire Prevention Week.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, you will note my closing script is here. I will end after 9 o’clock tonight. I think that is fairly clear.

ORDERS FOR MONDAY, OCTOBER 5, 2009

Mr. REID. Mr. President, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 9 p.m., adjourned until Monday, October 5, 2009, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

CHRISTINE H. FOX, OF VIRGINIA, TO BE DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION, DEPARTMENT OF DEFENSE. (NEW POSITION)

EXPORT-IMPORT BANK OF THE UNITED STATES

ROSSEL HUNTER, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2013, VICE J. JOSEPH GRANDMAISON, TERM EXPIRED.

NATIONAL TRANSPORTATION SAFETY BOARD

MARK R. ROSEKIND, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 31, 2009, VICE KATHRYN HIGGINS, RESIGNED.

MARK R. ROSEKIND, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM EXPIRING DECEMBER 31, 2014. (REAPPOINTMENT)

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

PAUL K. MARTIN, OF MARYLAND, TO BE INSPECTOR GENERAL, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, VICE ROBERT WATSON COBB.

SOCIAL SECURITY ADMINISTRATION

CAROLYN W. COLVIN, OF MARYLAND, TO BE DEPUTY COMMISSIONER OF SOCIAL SECURITY FOR THE TERM EXPIRING JANUARY 19, 2013, VICE ANDREW G. BIGGS, RESIGNED.

DEPARTMENT OF LABOR

SARA MANZANO-DIAZ, OF PENNSYLVANIA, TO BE DIRECTOR OF THE WOMEN’S BUREAU, DEPARTMENT OF LABOR, VICE SHINAE CHUN, RESIGNED.
A PROCLAMATION HONORING MATT WHEELER FOR WINNING THE BOYS’ DIVISION III STATE BASEBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mr. SPACE. Madam Speaker:
Whereas, Matt Wheeler showed hard work and dedication to the sport of baseball; and
Whereas, Matt Wheeler was a supportive team player; and
Whereas, Matt Wheeler always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Matt Wheeler on winning the Boys’ Division III State Baseball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2008-2009 baseball season.

HONORING MARSHALL AND MARJORIE BARLOW

HON. GWEN MOORE OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Ms. MOORE of Wisconsin. Madam Speaker, I rise today to congratulate Marshall and Marjorie Barlow for being selected for the 2009 Angels in Adoption Award. This award is to honor the tremendous and selfless work of two of my constituents that has enriched the lives of foster children and orphans. I believe the Barlow family is truly deserving of this high honor and I want to commend them for their service to our community.

According to most recent data from the Department of Health and Human Services, in 2006, 79,000 children were taken away from their parents in the court systems but only 51,000 were adopted. According to the same data, in 2006, there were a total of 51,000 children in the U.S. foster care system that needed a safe environment to live. These startling facts demonstrate that foster care families, like the Barlows, are so tremendously important for helping and preserving our nation’s most valuable investment for the future, our children.

Marshall and Marjorie have gone consistently above and beyond the call of duty by taking on a rather specialized role in the foster care system. In addition to over 400 children who have entered their doors, the Barlow family serves as an assessment family. Assessment families are on call 24 hours a day, 7 days a week in order to ensure that a potential adopting family meets the requirements for providing a safe and caring environment for the children.

The Barlow family also shows their deep personal dedication to the foster care system through many different aspects of their own lives. For example, their household contains what they call a “virtual store,” a collection of clothes, toys, and care items for children of all ages. Another example of their generosity is when Marjorie and Marshall, already parents of three, opened their family to one of their foster children. The first young woman that they took in was pregnant and they helped her give birth to the first child that they adopted into their own family. Two years later, Marshall and Marjorie Barlow are truly deserving of this honor and recognition for their dedication to such a noble cause. The Barlow family is a true inspiration to us for touching the lives of so many children that desperately need our help.

IN HONOR OF DR. BENJAMIN F. PAYTON

HON. SANFORD D. BISHOP, JR. OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mr. BISHOP of Georgia. Madam Speaker, I rise today to pay tribute to Dr. Benjamin F. Payton of Tuskegee, AL. Dr. Payton will retire next year after 28 years as the president of Tuskegee University. During his tenure, he guided the university through unprecedented growth and development.

A native of Greensburg, SC, Dr. Payton graduated Phi Beta Kappa from South Carolina State University in 1955 with a B.A. in social studies. He went on to receive a B.D. from Harvard in political theology, an M.A. from Columbia in the philosophy of religion, and a Ph.D. in social ethics from Yale. Prior to joining Tuskegee, Dr. Payton was program officer of Higher Education and Research at the Ford Foundation in New York City (1972–81); president of Benedict College in Columbia, SC (1967–72); executive director of the Commission on Religion and Race at the Department of Social Justice at the National Council of Churches in the U.S.A. (1966–67); director of the Office of Church and Race at the Protestant Council of the City of New York (1965–66); and an assistant professor at Howard University in Washington, DC (1963–65).

Dr. Payton has served Tuskegee since 1981. Among his many accomplishments at the university, he established and developed a number of programs for students in the fields of engineering, health care, bioethics, and business.

Additionally, he has been instrumental in raising funds for various renovation and improvement projects on campus, has helped to increase the endowment almost sevenfold, and has served as a shining example of leadership and moral courage for every student who steps on the Tuskegee University campus.

He has received three Presidential appointments, first by President Ronald Reagan to the Board for International Food and Agricultural Development, by President George H. Bush to lead the Task Force on Agricultural and Economic Development to Zaire, and most recently by President George W. Bush to chair the Advisory Board on Historically Black Colleges and Universities.

Madam Speaker, it is my distinct honor to recognize Dr. Benjamin F. Payton on the occasion of his retirement and I commend him for his dedication, outstanding leadership, and, above all, thank him for his years of sacrifice, hard work, and service to his community and to the United States.

RECOGNIZING INDIANA UNIVERSITY-OF PENNSYLVANIA’S COMMITMENT TO OUR STUDENTS AND COMMUNITY

HON. JOHN P. MURTHA OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mr. MURTHA. Madam Speaker, Indiana University of Pennsylvania (IUP) has been providing quality, affordable higher educational opportunities to students since 1875. With over 14,000 students, 1,600 employees, and an annual operating budget of nearly $250 million, IUP is one of the top economic drivers in Indiana County, and the reason why unemployment rates there fall well below the national and state averages.

In this tough economy, IUP has the largest student enrollment in University history, and has been frequently ranked as a “best value for public colleges and universities.”

Madam Speaker, when my grandfather, Charles Ray, graduated from IUP in 1902, there were only twenty-five students in his class. Twenty-five years later my mother graduated from IUP, and by the time my daughter graduated from IUP the University had over 10,000 students.

Having worked with IUP over the last few decades, I have witnessed both their academic achievements and their strong leadership within our community. University officials work hand-in-hand with our local and state representatives to identify projects that have the greatest academic impact on our students and the greatest economic impact on our community.

The Foundation for IUP is currently working with city and county officials to make a series of main street improvements to downtown Indiana. The Foundation’s $500,000 investment is transforming the city’s main thoroughfare and improving the livability of our community.

IUP is near the completion of a multi-phase residential revival program, a $270 million public-private collaboration that is the largest of its kind in the nation. These new student housing facilities integrate “living-learning” space and are beautifying both the campus and community.
Most recently, IUP began construction of a 150,000 square-foot convention and athletic complex. The complex, built on the site of a former salvage company, will provide IUP and the community with space to accommodate large events that will bring in both patrons and revenue.

Madam Speaker, I rise to commend the achievements of Indiana University of Pennsylvania, and to thank them for their exceptional commitment to our students and to our community.

A PROCLAMATION HONORING JOHNNY IACOBUCCI FOR WINNING THE BOYS’ DIVISION III STATE BASEBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mr. SPACE. Madam Speaker: Whereas, Johnny Iacobucci showed hard work and dedication to the sport of baseball; and Whereas, Johnny Iacobucci was a supportive team player; and Whereas, Johnny Iacobucci always displayed sportsmanship on and off the field; now, therefore, be it
Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Johnny Iacobucci on winning the Boys’ Division III State Baseball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2008–2009 baseball season.

COPPER QUEEN COMMUNITY HOSPITAL 125TH ANNIVERSARY

HON. GABRIELLE GIFFORDS
OF ARIZONA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Ms. GIFFORDS. Madam Speaker, I rise today to recognize the Copper Queen Community Hospital, which has been providing exceptional healthcare in Bisbee and Southeastern Arizona for 125 years.

Copper Queen Community Hospital began serving residents in this historic mining community of Bisbee in the 1880s. Like the community it serves, the hospital has come a long way since those rough and tumble days, when its medical care was offered in a mining cave.
The first hospital building was built by the mining companies in 1900—a dozen years before Arizona even became a state. Twenty-six years later, a new hospital was constructed to provide services to the miners and other patients. At that time, Bisbee was a thriving and bustling community, a town that grew prosperous because of copper, gold, silver and other minerals.

Today’s current hospital building opened in 1961, thanks to the Phelps Dodge Corporation. It was operated by the mining company until 1976, when the hospital and all equipment were donated to the Cochise County Hospital Association. At that time, the Bisbee Hospital Association was established to oversee hospitals operations and to ensure that Southeastern Arizona had access to necessary medical services and high-quality patient care. This new association was open to community members and leaders, beginning a tradition of community involvement that continues to this day.
The Copper Queen Community Hospital of 2009 is a 14-bed critical-access, non-profit facility that provides a full range of medical services to residents of Bisbee and Cochise County. In recent years, clinics in outlying areas have extended healthcare to rural communities.
The hospital’s strong commitment to rural healthcare makes it a worthy recipient of federal assistance. Needed funding allows for the ever expansion of the emergency room, improvement in patient services and help for those in need in Cochise County.

For more than a century, Copper Queen Community Hospital has held true to its mission of providing access to primary healthcare in southeastern Cochise. The hospital is one of only four in the state on the 100 Top Regional Hospitals in the United States. It plays a critical role in the delivery of medical services to the people of Congressional District 8.

I am proud to join with a grateful community to commend Copper Queen Community Hospital for its long tradition of quality healthcare and I wish it continued success.

CONGRATULATIONS CHANCELLOR ANGELA MERKEL
HON. JOE WILSON
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mr. WILSON of South Carolina. Madam Speaker, on September 29, 2009, The New York Times reported that “Europe’s Socialists Suffering Even in Downturn.” This comes on the heels of the September 27th elections in Germany where the socialist parties fared poorly receiving only 23 percent of the vote—their worst result since World War II.

I want to congratulate Chancellor Angela Merkel on her re-election to the position of chancellor and commend her on her capable and strong leadership for the German people and in the world community. She now leads a coalition made up of the Christian Democrats and Free Democrats who received 33.8 percent and 15 percent of the vote respectively.

Following her original election, Merkel was the first person from the former East Germany to assume the post of chancellor of the unified Germany. This is a tremendous achievement since she grew up under the communism of East Germany.

With a center-right majority, Chancellor Merkel will continue to lead with conservative principles towards greater prosperity. Germany will continue to be a vital member of NATO promoting peace through strength.

I am grateful for my German heritage which comes from a family with roots in Germany and I am particularly proud of my German heritage with my first name being Addison. My German name was inspired by my 12th century namesake, King David of Germany.

I extend my support of our colleagues and friends in the German government and people. I urge our friends in the EU to support the continued work of Chancellor Merkel and her coalition government.

AIDING AMERICAN SAMOA IN QUAKE AND TSUNAMI RECOVERY EFFORTS

HON. DONNA M. CHRISTENSEN
OF THE VIRGIN ISLANDS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mrs. CHRISTENSEN. Madam Speaker, I once again today rise to extend my thoughts and prayers to the victims of the 8.0 magnitude earthquake and the subsequent tsunami that devastated our brothers and sisters in the U.S. territory in the South Pacific, American Samoa and Western Samoa.

Any heart and that of all Virgin Islanders go out with sympathy to those that have lost loved ones as a result of yesterday’s tragedy.

As the Congresswoman from the U.S. Virgin Islands, a community of islands that are also vulnerable to tropical disasters, and former chair of the Subcommittee on Insular Affairs, I am well aware of the toll that it can take on people, on infrastructure, on our time and resources but most especially—individuals and families. And the emotional repercussions go on long after the physical recovery is done.

Having visited American Samoa on several occasions and Western Samoa once, I know of the many struggles especially faced by the people of American Samoa, but I also know of their close family and community ties, their strength of spirit and most importantly, their faith.

The people of my district, the U.S. Virgin Islands and I stand in solidarity with the people of American Samoa at this time of their great distress.

I extend my support of our colleagues and friends—the Dean of the territorial delegation—Congressman Eni FACAvalava as we make the necessary arrangements to mobilize and deploy the urgently needed emergency assistance that our President has directed, and assure them that the American people and the
people of the other offshore territories stand ready to assist them in their time of need.

As I said earlier, the people of American Samoa and Western Samoa are a strong and resilient people. I know that their faith and their strong cultural bonds and traditions will help; they meet this present challenge, as they have ones that they come across.

On behalf of my staff and the people of the Virgin Islands, please know that you can count on us in your hour of need, but also as you move forward in recovery and then to address the other longstanding challenges that your leaders so clearly and passionately outlined for us when we were there last month.

EXPRESSING SUPPORT FOR THE PEOPLE OF AMERICAN SAMOA

HON. NICK J. RAHALL II
OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 30, 2009

Mr. RAHALL. Madam Speaker, I rise to express my heartfelt condolences and deepest sympathies to the people of American Samoa as they cope with the effects of the powerful earthquake and tsunami that struck American Samoa, Independent Samoa and Tonga yesterday, September 29, 2009.

Our fellow Americans in American Samoa are presently facing tragic losses of life and property as a result of the most devastating of circumstances. It has been reported that survivors of the deadly earthquake-triggered tsunami described how they watched the in-rushing sea swallow up coastal towns and villages leaving devastation in its wake.

At least 111 people are confirmed killed in Independent Samoa, American Samoa’s neighbor to the north and on Tonga and officials in the Polynesia region have expressed fears the toll will rise as rescue workers struggle to reach outlying villages submerged and flattened by the wave.

Additionally the island is without telephone service; homes and government buildings have been destroyed and the airport runway has been severely damaged. I applaud President Obama for his prompt response in declaring this a major disaster. I also want to commend our colleague, Congressman ENI FALEOMAVAEGA for his efforts facilitating the relief efforts that are currently underway.

Last month, I had the distinct pleasure of visiting American Samoa where we were graciously hosted by my good friend Congressman ENI FALEOMAVAEGA and the American Samoan Fono. In Pago Pago and the village of Leone, two areas severely hit, we were showered with beautiful and ornate traditional gifts and received with the warmest of welcomes and hospitality.

American Samoans in the Pacific and in the mainland United States are an integral part of our country’s history and of our American social fabric. They are our brothers who fight valiantly in our wars and contribute immensely to the prosperity of our country. Today, I send my thoughts to the victims and their family members in this moment of grief and tragic loss. We stand in solidarity with our brothers and pray for their speedy recovery.

A PROCLAMATION HONORING JEREMY BOLON FOR WINNING THE BOYS’ DIVISION III STATE BASEBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE
OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 30, 2009

Mr. SPACE. Madam Speaker: Whereas, Jeremy Bolon showed hard work and dedication to the sport of baseball; and Whereas, Jeremy Bolon was a supportive coach; and Whereas, Jeremy Bolon always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Jeremy Bolon on winning the Boys’ Division III State Baseball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2008–2009 baseball season.

INTRODUCTION OF A HOUSE RESOLUTION COMMEMORATING THE CANONIZATION OF FATHER DAMIEN DE VEUSTER, SS.CC. TO SAINTHOOD

HON. MAZIE K. HIRONO
OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 30, 2009

Ms. HIRONO. Madam Speaker, I rise today to introduce a resolution commemorating the canonization of Father Damien de Veuster, a member of the Congregation of the Sacred Hearts of Jesus and Mary, to sainthood on October 11, 2009. Some 600 people from Hawaii are traveling to the Vatican to witness his elevation.

As many of you know, Father Damien is recognized for his 16 years of selfless service to the people who were forcibly isolated on the peninsula of Kalaupapa on the island of Molokai, Hawaii, because they were diagnosed with leprosy, also known as Hansen’s disease. Living among the people of Kalaupapa from 1873 to 1889, he eventually contracted Hansen’s disease and ultimately died and was buried on Molokai.

The policy of exile that was then known as leprosy began under the Kingdom of Hawaii and continued under the governments of the Republic of Hawaii, the Territory of Hawaii, and the State of Hawaii. Children, mothers, and fathers were forcibly separated and sent to the isolated peninsula of Kalaupapa, which for most of its history could only be accessed by water or via a steep mule trail. Children born to parents at Kalaupapa were taken away from their mothers and sent to orphanages or to other family members outside of Kalaupapa. Hawaii’s isolation laws for people with Hansen’s disease had not been repealed until 1969, even though medications to control the disease had been available since the late 1940s.

I believe that all people, regardless of their religious beliefs, can recognize truly extraordinary persons who give of themselves without reserve for the betterment of their fellow human beings. Father Damien was surely such a person. No disease was as feared as leprosy in the late 1800s, but he volunteered to serve at Kalaupapa and requested to stay there in order to serve those who most shunned. He recognized the human rights and inherent dignity of all people, especially those he lived alongside at Kalaupapa.

Father Damien worked with those who were isolated at Kalaupapa to improve living conditions. A skilled carpenter, he led in the building of houses and hospitals, six chapels, a home for boys, and a home for girls. At the same time, he ministered to the spiritual and physical needs of his parishioners and helped to bury the hundreds who died during his years there.

It is noteworthy that, shortly after Hawaii became a State, Father Damien was the first selection of the State legislature to be memorialized in a statue as part of the National Statuary Hall Collection. Despite the fact that he was not born in Hawaii and lived so long ago, Hawaii’s people recognized that his life embodied the true spirit of aloha (love, compassion, mercy, grace) and malama (to care for).

I have visited Father Damien’s church and grave at Kalawao on the Kalaupapa peninsula. I hope that some of you will have the opportunity to visit Kalaupapa at some point in your lives. I know that you will be deeply moved, as I was by the example of this man, soon to be recognized as a saint, as well as by the courage and perseverance of the people he dedicated his life to serving.

TRIBUTE TO MR. ROBERT TILLSLEY

HON. SCOTT GARRETT
OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 30, 2009

Mr. GARRETT of New Jersey. Madam Speaker, I rise today to pay tribute to Mr. Robert Tillsley of Franklin Lakes, New Jersey for his dedicated support to the Boy Scouts of Northern New Jersey and also Ramapo College and the members of the community of Bergen County. Tonight, Mr. Tillsley is being honored by the Isapogha Mountains District of the Northern New Jersey Council of the Boy Scouts for his commitment to improving the local community. This district serves more than 3,000 youth, guided by 1,000 adult volunteers through 32 Cub Packs, 26 Boy Scout Troops and 6 Venture Crews.

Robert T. Tillsley has been a member and friend of scouting for his entire life. He started as a member of Troop 55 in Paterson, New Jersey, and worked his way up from Patrol Leader to become Junior Assistant Scoutmaster. In November of 1960, he achieved the honor of Eagle Scout and has consistently held true to its creeds—“once an Eagle Scout, always an Eagle Scout.”

Mr. Tillsley also supports a variety of commendable organizations outside of the Boy Scouts. He serves as the chairman of the Foundation Board of Governors at Ramapo College and has chaired several board committees over the years. He has worked with McBride Corporate Real Estate since 1988 where he started as a Senior Vice President responsible for the marketing of multi-tenant office buildings and then moved on to...
Mr. McBride’s National Services division to serve as President in 1994. His responsibilities include the oversight of national services, customer service, database implementation, maintaining relationships, and implementation of marketing services for the division. He is an active member of the Society of Industrial & Office Realtors, the Industrial & Office Real Estate Brokers Association of Metropolitan New York, and CORFAC International—a worldwide commercial real estate network through which he has spoken at numerous global conferences and serves as an Executive Committee member.

As Boy Scouting founder Lord Baden Powell once said, “It is the spirit within, not the veneer without, which makes a man.” Robert Tillisley’s spirit can be seen in his laudable educational and business pursuits on behalf of the Boy Scouts of America throughout the 5th district of New Jersey; I join with his family, friends, and community in celebrating this momentous occasion.

TRIBUTE TO MR. STUART FROHM

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 30, 2009

Mr. CAMP. Madam Speaker, I rise today to honor and commend Mr. Stuart Frohm, a prolific political journalist, columnist, and editor.

Stu will retire today, September 30, 2009, after 30 years with the Midland Daily News, my hometown newspaper. He was the political writer and wire editor for state, national, and world stories and photos.

Stu was a true newspaper man, a balanced mix of watchdog and champion for the Midland area community. He was a tireless and dedicated reporter and editor who fully understood politics. He was thorough and he was fair, even when critical. Most importantly, he informed readers and helped bring us together, even through the toughest decisions, the way only a professional journalist can.

I have shared many experiences with Stu. After each election, Stu and I talked. After State of the Unions, major votes, and important moments in our political history, Stu and I would talk on the phone. In fact, I vividly remember that it was Stu on the phone with me as the events of 9/11/2001 unfolded in Washington, D.C., and we were still talking as the Capitol Police told us to run out of the Cannon House Office Building.

Stu is much more than a reporter, much more than a columnist, and much more than an editor. He is a dedicated husband, beloved father and cherished community leader. It is an honor to consider him a friend, and I say that “on the record.”

I ask my colleagues to join me in congratulating Mr. Stuart Frohm, a journalist, editor, and friend, and wishing him the best of luck in his retirement.

A PROCLAMATION HONORING ZANE SHUSS FOR WINNING THE BOYS’ DIVISION III STATE BASE-BALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 30, 2009

Mr. SPACE. Madam Speaker: Whereas, Zane Shuss showed hard work and dedication to the sport of baseball; and Whereas, Zane Shuss was a supportive team player; and Whereas, Zane Shuss always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 5th Congressional District, I congratulate Zane Shuss on winning the Boys’ Division III State Baseball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2008–2009 baseball season.

THANK YOU MARILYN M. MATHIS

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 30, 2009

Mr. GORDON of Tennessee. Madam Speaker, I rise today to honor Marilyn M. Mathis who is leaving Murfreesboro City Schools after 26 years of service to pursue a new phase in her distinguished career.

Marilyn joined City Schools in 1983 as the Assistant Superintendent for Administration under the leadership of School Director Dr. John Hodge Jones. After Dr. Jones’ retirement in 1997, Marilyn was appointed Director of Schools.

During her 26 year tenure, Marilyn has seen the City School’s student population nearly double. As Director, she has been influential in improving City Schools over the last 12 years.

Marilyn was determined to live up to the standards set by the No Child Left Behind Act and strived to make City Schools one of the top school districts in the state of Tennessee. She led the system by its mission statement: “to assure academic and personal success for each child.”

Under Marilyn’s leadership, City Schools added three new schools including the Bellwood-Bowdon Preschool for more than 400 at-risk preschool students, and the opening of Scales and John Pittard Elementary Schools. She also established Bradley Academy as “An Arts Integrated School,” the Discovery School for high achieving students at Reeves-Roger, and named Hobgood Elementary as a NASA Explorer School.

Marilyn also supported and participated in a public education foundation for Murfreesboro City Schools and created a partnership agreement with Middle Tennessee State University located in Murfreesboro.

Her legacy to City Schools will live on for future generations. At least twenty-three city-states were united under the League that presided over federal institutions. Depending on its size, each of the League’s 23 city-states was eligible to send up to three representatives to the parliament.
IN HONOR AND REMEMBRANCE OF

GUNNERY SERGEANT ADAM F. BENJAMIN

HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mr. KUCINICH. Madam Speaker, I rise today in honor and remembrance of United States Marine Gunnery Sergeant Adam F. Benjamin. His life, gone far too soon, was framed by his great love of family, friends and country. I extend my deepest condolences to his mother and father, Judy Watters and Frank Benjamin; to his step-father, Robert Watters; to his brothers and sisters: Aaron, Amanda, Asa, Abram, Abigail, Amos, Amaryah, Anic, Anyah, Alexis and Allen; to his grandparents, Yolanda and Mary; and to his extended family and many close friends.

HON. DAVID P. ROE
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mr. ROE of Tennessee. Madam Speaker, I want to congratulate the Smoky Mountain Children’s Home for their long heritage as residential care center and an adoption placement agency.

I was honored to nominate the Smoky Mountain Children’s Home for the 2009 Angels in Adoption Program. The Congressional Coalition On Adoption Institute, which orchestrates the Angels in Adoption Program, presented an award to the Smoky Mountain Children’s Home along with more than 190 Angels from across the Nation.

Madam Speaker, the Smoky Mountain Children’s Home’s philosophy comes from a basic faith based belief that every child deserves a family. I am thankful for the important work that is being done at the Smoky Mountain Children’s Home. They are working each day toward one of the most noble causes imaginable—to improve the life of a child by bringing him or her together with a loving family. I am grateful for programs such as Angels in Adoption who recognize the good work done by great organizations like the Smoky Mountain Children’s Home.
Sea Otters are the canaries in the coal mine for our coastal health. The Sea Otters are all too effective at monitoring toxins and diseases in the marine environment, which can affect the health of humans and other wildlife.

California took the first step toward addressing these emerging concerns by signing into law California Assembly Bill 2485, establishing a state fund for sea otter conservation: again this year Californians had the option of donating a portion of their tax returns to sea otter conservation. I want to emphasize that this means that Californians voluntarily pay a little more on their tax return to help protect these animals. Even during these tough economic times, more than $220,000 has already been raised this year.

However, this is a federally protected species and California cannot go it alone. In addition to continuing to work with my colleagues to secure Federal funds to support a continued and complete recovery of the population, I am proud that H.R. 556, The Southern Sea Otter Recovery and Research Act was passed by the House of Representatives this past July. This tremendous success was buoyed by the support and devotion of many people. We are one step closer to making the act into law with the support and devotion of many people. We are one step closer to making the act into law with the support and devotion of many people.

Madam Speaker, I applaud the many accomplishments of Defenders of Wildlife, who carry out the important mission to preserve endangered species.

Madam Speaker, I applaud the many accomplishments of Defenders of Wildlife, who carry out the important mission to preserve endangered species.

In honor and recognition of the Csardas Dance Company

HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mr. KUCINICH. Madam Speaker, I rise today in honor and recognition of the founders, members and performers of the Csardas Dance Company of Cleveland, Ohio, as they celebrate fifteen years of promoting the history and heritage of Hungary, through the ageless and colorful expressions of the songs and dances of Hungary.

Richard Graber, who grew up in Cleveland as the son of Hungarian immigrants, founded Csardas Dance Company in 1994. He is now the Director of Programs and Services with the Houston, Texas Arts Alliance, and serves on their Board of Hungarian American Cultural Association of Houston. Christopher L. Smith, former Artistic Director, set a precedent of historical authenticity and keen attention to detail, which still reflect in the brilliant colors and fabrics of the dancers’ wardrobes, and also, in the artistic direction of Csardas. Stuart Meyer and Judith Horvath have both served the Csardas Youth Ensemble Rehearsal Instructors, drawing on their backgrounds as professional dancers and instructors. Toni Gras, Managing Director, has been with the Company for the past ten years. As a child, she performed with Hungarian dance troupes, and her daughter danced for nine years in the Csardas Youth Ensemble.

Over the years, hundreds of young dancers have had the enriching opportunity to be part of the Csardas Dance Company and continue to inspire and delight audiences throughout Ohio. Since it creation in 1994, the mission of the Csardas Dance Company has not wavered: To preserve and promote the dance, music and song of the people of Hungary. The Company continues to host the public’s support of, and appreciation for, the performing ethnic arts.

Madam Speaker and colleagues, please join me in honoring the Csardas Dance Company, for enlightening, entertaining and engaging audiences with song and dance that reflect a certain vibrancy in movement and music—bringing to life the age-old stories of village life in Hungary. The Csardas Dance Company is an arts treasure in Cleveland, and its continued existence is vital to the performing arts field in the metro area—serving as an audiovisual record of our heritage and our history and connecting us all through the universal language of dance and song.

REMARKS OF THE ISRAELI PRIME MINISTER AT THE UNITED NATIONS

HON. SHELLEY BERKLEY
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Ms. BERKLEY. Madam Speaker, I seek to call my colleagues’ attention to the powerful and important speech that Israeli Prime Minister Benjamin Netanyahu delivered to the United Nations General Assembly on September 24, 2009. In it, he calls on all nations to stand with Israel in confronting the threats posed by Iran and by terrorists around the world.

This is a conflict between civilization and barbarity, he says, and the record of the United Nations hangs in the balance.

PRIME MINISTER BENJAMIN NETANYAHU’S SPEECH TO THE GENERAL ASSEMBLY

Mr. President, ladies and gentlemen, nearly 62 years ago, the United Nations recognized the rights of the Jews, an ancient people 3,500 years old, to a state of their own in their ancestral homeland.

I stand here today as the Prime Minister of Israel, the Jewish state, and I speak to you on behalf of my country and my people.

The United Nations took a decisive step after the carnage of World War II, after the horrors of the Holocaust. It was charged with preventing the recurrences of such murderous events.

Nothing has undermined that mission, nothing has impeded it more, than the systematic assault on the truth. Yesterday the President of Iran stood at this very podium, spewing his latest anti-Semitic rant. Just a few days earlier, he again claimed that the Holocaust is a lie.

Last month I also addressed the World Economic Forum, where the world leaders, the individuals who refuse to come and to those who left in droves, who refused to come and to those who left in droves. I commend you for your moral clarity and you brought honor to your country. But to those who gave this Holocaust-denier a hearing, I say on behalf of my people, the Jewish people, and decent people everywhere: Have you no shame? Have you no decency?

A mere six decades after the Holocaust, you give legitimacy to a man who denies the murder of six million Jews while promising to wipe out the State of Israel, the State of the Jews. What a disgrace! What a mockery of the charter of the United Nations!

Now, perhaps some of you think that this man and his odious regime, perhaps they threaten only the Jews. Well, if you think that, you’re wrong—dead wrong. History has shown us time and time again that what starts with attacks on the Jews eventually ends up engulfing many, many others.

For this Iranian regime is fueled by an extreme fundamentalism that burst onto the world scene three decades ago and has been dormant for centuries. In the past thirty years, this fanaticism has swept across the globe with a murderous violence that knows no bounds and with a cold-blooded impartiality in the choice of its victims. It has callously slaughtered Moslems and Christians, Jews and Hindus, and many others.

Though it is composed of different offshoots, the adherents of this unforgiving creed seek to return humanity to medieval times. Wherever they can, they impose a backward regimented society, minorities, gays or anyone else deemed not to be a true believer is brutally subjugated.

The struggle against this fanaticism does not pit faith against faith nor civilization against civilization. It pits civilization against barbarism, the 21st century against the 9th century, those who refuse to come and to those who left in droves.

Yesterday, the man who calls the Holocaust a lie spoke from this podium. To those who refused to come and to those who left in droves, I say on behalf of my people, the Jewish people, and decent people everywhere: Have you no shame? Have you no decency?

Are these plans of the Auschwitz-Birkenau concentration camps I now hold in my hands. Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?

Are these plans of the Auschwitz-Birkenau concentration camp?
Well, we didn’t get peace. Instead we got an Iranian backed terror base fifty miles from Tel Aviv. Life in the Israeli towns and cities immediately next to Gaza became nightmarish. We could see the Hamas rocket launchers and the rocket attacks not only continued after we left, they actually increased dramatically. They increased tenfold. And again, the UN was silent—absolutely silent.

Finally, after eight years of this unmitigating assault, Israel was forced to move itself from its self-imposed isolation and responded. Well, there is only one example in history of thousands of rockets being fired on a country’s civilian population. This happened when the allies were trying World War II. During that war, the allies leveled German cities, causing hundreds of thousands of casualties. I’m not passing judgment. I’m stating a fact—a fact that is the product of the decision of great and honorable men—the leaders of Britain and the United States fighting an evil force in World War II.

It is also a fact that Israel chose to respond differently. Faced with an enemy committed to destroying the nation that monitored the fires on civilians while hiding behind civilians—Israel sought to conduct surgical strikes directed against the rocket launchers themselves. Now, if you think that because the terrorists were firing their missiles from homes and from schools. They were using mosques as weapons depots, as missile caches, and they were ferreting explosives in ambulances.

Israel, by contrast, tried to minimize casualties by urging Palestinian civilians to vacate the area. We dropped countless flyers over their homes. We sent thousands and thousands of text messages to the Palestinian residents. We made thousands of calls urging them to evacuate, to leave. Never has a country gone to such extraordinary lengths to remove the enemy’s civilian population from harm’s way.

Yet faced with a clear-cut case of aggressor and victim, whom do you think the United Nations Human Rights Council decided to condemn? Israel. A democracy legitimately defending itself against terror is morally hanged, drawn and quartered, and given an unfair trial so.

By these twisted standards, the UN Human Rights Council would have dragged Roosevelt and Churchill to the dock as war criminals. But how should we have responded? What a perversion of truth! What a perversion of justice!

Now, Delegates of the United Nations, and the Governments whom you represent, you have a decision to make. Will you accept this farce? Because if you do, the United Nations would revert to its darkest days, when the worst violators of human rights sat in judgment against those who defended democracy, when Zionism was equated with racism and when an automatic majority could be mustered to declare that the earth is flat. If you did that, we wouldn’t have the United Nations begun its descent, almost a free fall, and lost the respect of many thoughtful people in the international community. It is that decision that in 1975 to equate Zionism with racism. Now this body has a choice to make. If it does not reject this biased report, it would vitiate itself. It would begin or be guilty of vitiating itself from its own relevance and importance.

But if it would do something else, it would send a message to terrorists everywhere, saying: Terrorism pays; all you have to do is launch your attacks from densely populated areas, and your neighbors will do what they refused to do for 62 years: Say yes to a Jewish state! As simple, as clear, as elementary as that. Just as we are asked to recognize a nation-state for the Palestinian people, the Palestinians must be asked to recognize the nation-state of the Jewish people.

The same UN that cheered Israel as we left Gaza, the same UN that promised to back our right of self-defense—my people, my country—of being war criminals? And for what? For acting responsibly in self-defense, for acting in a way that any country would act with a reactant unmatched by many. What a travesty!

Ladies and gentlemen, Israel justly defended itself against terror. This biased and unfair report provides a clear-cut test for all governments. Will you stand with Israel or will you stand with the terrorists?

I believe that with good will and with hard work, such a peace can be achieved. But it requires from all of us to roll back the forces of terror, led by Iran, that seek to destroy our way of life and to overthrow the world order. The question facing the international community is whether
it is prepared to confront those forces or to accommodate them.

Over 70 years ago, Winston Churchill lamented what he called the confirmed unteachability of mankind. By that he meant the unfortunate habit of civilized societies to sleep and to slumber until danger nearly overtakes them. Churchill was right about what he called the “want of foresight, the unwillingness to act when action will be simple and effective, the lack of clear thinking, the confusion of counsel until the emergency comes, until self-preservation strikes its jarring gong.”

Ladies and gentlemen, I speak here today in the hope that Churchill’s assessment of the "unteachability of mankind" is for once proven wrong. I speak here today in the hope that we can learn from history—that we can prevent danger in time.

In the spirit of the timeless words spoken to Joshua over 3,000 years ago, let us be strong and of good courage. Let us confront this peril, secure our future and, God willing, forge an enduring peace for generations to come.

[Translation from the Hebrew] "The Lord will give strength to His people, the Lord will bless His people with peace."

IN HONOR AND REMEMBRANCE OF FRANCES WOLPAW

HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mr. KUCINICH. Madam Speaker, I rise today in honor and remembrance of Frances Wolpaw, devoted wife, mother and accomplished professor, whose passion, integrity and wisdom served to inspire, guide and motivate countless young lives, including my own.

Professor Wolpaw was a former assistant dean and communications professor at Case Western Reserve University in Cleveland, Ohio. Her scholarly research in speech and language, accentuated by kindness, fairness and her genuine concern for the welfare of her students and faculty. Throughout her career, she had the loving support and encouragement from her husband, the late Ralph Wolpaw, who was a physician at Mt. Sinai Hospital of Cleveland.

Her accomplishments as professor and leader at Case Western Reserve University opened doors for countless women who would follow in her path. As a professor, Frances Wolpaw’s reputation reflected toughness, yet her high expectations for her students was also accented by kindness, fairness and her genuine concern for the welfare of her students. She taught by example, living each day with a sense of joy and integrity.

Madam Speaker and colleagues, please join me in honor and remembrance of Frances Wolpaw, whose joy for life, kind heart and scholarly work and guidance will forever reflect within the hearts and memories of those who loved and knew her best—especially her family, friends, and former students. I extend my heartfelt condolences to Professor Wolpaw’s sons—Jonathan, James and Daniel; her grandchildren and great-grandchildren; her sisters, her aunts, her uncles, and many friends. Frances Wolpaw’s loving devotion to her family and to her community—especially in the way of inspiring and guiding students of all ages—has made our community a better place, and she will be remembered always.

HONORING THE LIFE AND SERVICE OF JESSE DONALD PHELPS

HON. WALT MINNICK
OF IDAHO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mr. MINNICK. Madam Speaker, I would like to recognize and honor the legacy of Jesse Donald Phelps, Chief Warrant Officer 2nd Class, U.S. Army, an Idaho native who gave his life during the war in Vietnam. Nearly forty-four years after his helicopter crashed in the jungle near An Khe, his remains have been returned to his family.

Officer Phelps was born in Boise on October 1, 1937 and spent his childhood in Nampa. He stayed in Idaho as an adult and married Dee Phelps in 1955, the year that he graduated from high school. In time, he and Dee had four children, and he enlisted in the National Guard before becoming an army pilot.

On December 28, 1965, Officer Phelps was part of a four-person U.S. Army Huey helicopter crew charged with delivering munitions and supplies to a group of soldiers through the An Khe Pass, in Binh Dinh Province, South Vietnam. The routine mission was only meant to take 30 minutes, and 8-10 minutes after takeoff, the crew radioed their target company to say that the weather “doesn’t look bad.” It was the last communication from the plane, which disappeared into the trees shortly thereafter. Search efforts were fruitless, and Officer Phelps and his crew were later pronounced “Dead While Not Recovered.”

Ten years after her wedding, Dee Phelps received a telegram informing her that her husband was gone.

Thanks to more recent search efforts and DNA testing, Officer Phelps’s wife, children, and grandchildren can be certain that the head of his family has returned home once more. I and the people of Idaho value his sacrifice and the sacrifice of his family.

In recognition of the John Adams High School Class of 1969 as they commemorate their 40 Year Reunion Celebration.

Mr. KUCINICH. Madam Speaker, I rise today in recognition of the John Adams High School Class of 1969 as they commemorate their 40 Year Reunion Celebration. The 1969 alumni of the John Adam’s Rebels will observe this momentous occasion on Saturday, August 8th, 2009.

John Adams High School opened in 1923 at East 116th Street and Corlett Avenue. The school was home to generations of Cleveland teenagers for decades, until it was closed in 1995, along with West Technical, and Aviation High Schools, to help cut the cities budget. John Adams High School was representative of the strong public education system, working class family environment and racial and cultural diversity that characterizes the city of Cleveland. After eleven years, John Adams High School was rebuilt and reopened in 2006.

The class of 1969 was a cohesive and talented group who has since moved throughout the country, spanning from California to New York. But they maintained a strong base in the Cleveland area. This group of alumni is clearly dedicated to each other, and they have gathered for several reunions throughout the decades since their graduation. This reunion will surely be another success as they come together again to celebrate each other and the significant and momentous occasions that have taken place throughout their lives.

Madam Speaker and colleagues, please join me in recognition of the John Adams High School Class of 1969 as they commemorate their 40 Year Reunion Celebration. Their dedication to their past educational achievements and city of Cleveland is sure to provide for a joyous and memorable occasion.
marks on the Arizona Instrument to Measure Standards (AIMS) exam. In 2009, BASIS was the only high school in Arizona with 100 percent of its students passing the AIMS exam in every subject tested.

Documentary filmmaker Robert A. Compton has produced a film about BASIS Schools entitled 2 Million Minutes: The 21st Century Solution. The title chronicles a student's journey in school from eighth grade until high school graduation. The filmmaker lauds BASIS schools saying that they "demonstrate that American students are capable of competing academically with the best in the world." The film will premiere in Tucson on October 1, 2009.

I am proud to acknowledge the great achievements of BASIS Charter Schools. The founders, the teachers, the students and their parents are leading the way for the critical improvements we must bring about in our public education system.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mr. BARRETT of South Carolina. Madam Speaker, unfortunately, I missed recorded votes on the House floor on Thursday, September 24, 2009.

Had I been present, I would have voted "no" on rollcall vote No. 735 (on agreeing to H. Res. 786, which provides for consideration of motions to suspend the rules), "aye" on rollcall vote No. 736 (on motion to suspend the rules and agree to H. Con. Res. 163), "aye" on rollcall vote No. 737 (on motion to suspend the rules and agree to H.R. 3631).

IN HONOR AND REMEMBRANCE OF SERGEANT RICHARD ALLYN WALTERS, JR.

HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mr. KUCINICH. Madam Speaker, I rise today to honor and in remembrance of United States Army Sergeant Richard Allyn Walters, Jr. of Cleveland, Ohio. Sergeant Walters was a devoted husband, father, son, brother, uncle, cousin and friend who made the ultimate sacrifice on behalf of the country.

A graduate of Columbian High School in Tiffin, Ohio, Sergeant Walters followed in his father's footsteps and enlisted in the U.S. Navy. He was a ten-year Navy veteran and served in Operation Desert Storm. In 2006 Walters re-enlisted in the Army and became a licensed practical nurse (LPN) in March of 2009. He worked at Walter Reed Army Medical Center in Washington, DC before being assigned to the 14th Combat Support Hospital in Fort Benning, Georgia.

Sergeant Walters' military service is a reflection of excellence, loyalty and commitment. He was awarded the Navy Fleet Marine Force Ribbon, Armed Forces Expeditionary Medal, Navy Good Conduct Medal, Combat Action Ribbon, National Defense Service Medal with Bronze Bronze Service Star, Southwest Asia Service Medal with Bronze Service Star, Global War on Terrorism Service Medal, Army Service Ribbon, Sea Service Deployment Ribbon, Overseas Service Ribbon and the Kuwait Liberation Medal. Sergeant Walters' pending posthumous awards and decorations include the Army Good Conduct Medal and Army Commendation Medal.

Madam Speaker, and colleagues, please join me in honoring and remembrance of Sergeant Richard Allyn Walters Jr., whose heroic actions, kindness and love for those closest to him always he remembered. Sergeant Walters was a courageous United States soldier, and a devoted husband, father, son, brother, uncle, cousin and friend. I extend my deepest condolences to his wife, Stephanie; to his daughters, Rachel and Piper; to his mother, Margaret; to his brother, Greg; to his sister-in-law Stacy and nephew Benjamin; and to his extended family and many friends. Sergeant Walters will live on within their hearts and memories for all time.

IN HONOR OF MR. BEN MOORE'S LIFETIME OF SERVICE

HON. TOM PRICE
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mr. PRICE of Georgia. Madam Speaker, I rise today in recognition of Mr. Ben Moore, who this week was awarded Lifetime Service and Achievement Award from the Johnson Ferry Baptist Church in my district.

Mr. Moore was born in Texarkana, Arkansas on October 24, 1913. In 1920, his family fled the Dust Bowl and made their way to Atlanta, Georgia. At the age of 14, a young Ben Moore took a job as an office boy at the First National Bank of Atlanta, beginning what would become a long and distinguished career at First National.

Mr. Moore served his country with valor during World War II, joining the Army Air Corps on Oct. 1, 1942 and seeing service in Italy. He returned to Atlanta after the war and was admitted to the State Bar of Georgia in 1949. He has been a member of the bar for 60 years and continues to practice law to this very day.

In 1953 Mr. Moore was named as one of "Atlanta's 100 Leaders of Tomorrow" by Time Magazine. He served on the Atlanta Board of Aldermen, the precursor to today's City Council, during Mayor Ivan Allen's first term. During this period, the City of Atlanta saw numerous transformations which can require extensive surgeries throughout a child's developmental years.

Mr. Moore served his country with valor during World War II, joining the Army Air Corps on Oct. 1, 1942 and seeing service in Italy. He returned to Atlanta after the war and was admitted to the State Bar of Georgia in 1949. He has been a member of the bar for 60 years and continues to practice law to this very day.

Throughout his life, Ben Moore has answered the call to serve his family, his community, and his country. I'm proud to honor him today in the United States House of Representatives.

RECOGNIZING THE DESIGNATION OF SEPTEMBER AS CRANIOFACIAL ACCEPTANCE MONTH

HON. ERIC CANTOR
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mr. CANTOR. Madam Speaker, I rise today to recognize the designation of the month of September as Craniofacial Acceptance Month. September has been designated as Craniofacial Acceptance Month to raise awareness and acceptance of the courageous children and adults who live daily with craniofacial deformities. These brave patients and their families often face significant medical challenges over the course of their lives. While the commonly known cleft palate or cleft lip condition may call for a simple surgical fix, there are many other unique and complex anomalies which require extensive surgeries throughout a child's developmental years.

Mr. CANTOR. Madam Speaker, I rise today to recognize the designation of the month of September as Craniofacial Acceptance Month. September has been designated as Craniofacial Acceptance Month to raise awareness and acceptance of the courageous children and adults who live daily with craniofacial deformities. These brave patients and their families often face significant medical challenges over the course of their lives. While the commonly known cleft palate or cleft lip condition may call for a simple surgical fix, there are many other unique and complex anomalies which require extensive surgeries throughout a child's developmental years.

Mr. CANTOR. Madam Speaker, I rise today to recognize the designation of the month of September as Craniofacial Acceptance Month. September has been designated as Craniofacial Acceptance Month to raise awareness and acceptance of the courageous children and adults who live daily with craniofacial deformities. These brave patients and their families often face significant medical challenges over the course of their lives. While the commonly known cleft palate or cleft lip condition may call for a simple surgical fix, there are many other unique and complex anomalies which require extensive surgeries throughout a child's developmental years.

Mr. CANTOR. Madam Speaker, I rise today to recognize the designation of the month of September as Craniofacial Acceptance Month. September has been designated as Craniofacial Acceptance Month to raise awareness and acceptance of the courageous children and adults who live daily with craniofacial deformities. These brave patients and their families often face significant medical challenges over the course of their lives. While the commonly known cleft palate or cleft lip condition may call for a simple surgical fix, there are many other unique and complex anomalies which require extensive surgeries throughout a child's developmental years.

Mr. CANTOR. Madam Speaker, I rise today to recognize the designation of the month of September as Craniofacial Acceptance Month. September has been designated as Craniofacial Acceptance Month to raise awareness and acceptance of the courageous children and adults who live daily with craniofacial deformities. These brave patients and their families often face significant medical challenges over the course of their lives. While the commonly known cleft palate or cleft lip condition may call for a simple surgical fix, there are many other unique and complex anomalies which require extensive surgeries throughout a child's developmental years.

Mr. CANTOR. Madam Speaker, I rise today to recognize the designation of the month of September as Craniofacial Acceptance Month. September has been designated as Craniofacial Acceptance Month to raise awareness and acceptance of the courageous children and adults who live daily with craniofacial deformities. These brave patients and their families often face significant medical challenges over the course of their lives. While the commonly known cleft palate or cleft lip condition may call for a simple surgical fix, there are many other unique and complex anomalies which require extensive surgeries throughout a child's developmental years.

Mr. CANTOR. Madam Speaker, I rise today to recognize the designation of the month of September as Craniofacial Acceptance Month. September has been designated as Craniofacial Acceptance Month to raise awareness and acceptance of the courageous children and adults who live daily with craniofacial deformities. These brave patients and their families often face significant medical challenges over the course of their lives. While the commonly known cleft palate or cleft lip condition may call for a simple surgical fix, there are many other unique and complex anomalies which require extensive surgeries throughout a child's developmental years.
In November 1944 he was taken prisoner and held in Cologne, Germany. He was later sent to Stallag 3G, near Berlin. After his release he returned home to the United States and was eventually discharged.

I am pleased to honor Mr. Daniels and all of our brave sons in service to our great nation. May God continue to bless him and may God bless America.

STUDENT AID AND FISCAL RESPONSIBILITY ACT

HON. BETTY MCCOLLUM OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 30, 2009

Ms. MCCOLLUM. Madam Speaker, I rise in strong support of the Student Aid and Fiscal Responsibility Act (H.R. 3221), which will end the giveaway of $87 billion in corporate welfare to financial institutions for processing paperwork. Those funds instead will be reinvested to expand the Pell Grant program, increase assistance to community colleges, and support early learning to ensure more low-income children are prepared to start kindergarten. A savings of $10 billion will also be used to reduce the national deficit.

H.R. 3221 terminates the Family Federal Education Loan (FFEL) program. Instead, all new federal student lending will originate through the existing Federal Direct Loan Program. This change will result in a more reliable system for students and their families by avoiding risks in the private lending market, which were exposed in the recent financial crisis. Taxpayers will benefit from a more efficient student loan system because eliminating the unnecessary middleman will produce $87 billion in savings for taxpayers over the next 10 years.

The Student Aid and Fiscal Responsibility Act also makes strategic investments to allow more students to attend college and graduate with less debt. The Pell Grant Scholarship program is increased by $40 billion. As a result, more than $75.5 million in additional funding will be provided to students in Minnesota’s Fourth Congressional District over the next decade. Additionally, this legislation strengthens and expands the Perkins Loan Program, and it helps families by simplifying the complicated and time-consuming Free Application for Federal Student Aid (FAFSA)—the bill enables families to apply for federal student aid using their tax form.

America’s community colleges are another priority investment in H.R. 3221. At a time when millions of Americans are seeking new employment opportunities, this bill makes significant new funding available to retrain workers, prepare students for 21st century jobs and introduce students to post-secondary education. These investments will improve the quality of education for over 100,000 students that are enrolled in Minnesota community colleges.

This legislation is a historic opportunity to invest in education while, at the same time, reducting the federal deficit. Unfortunately, the Republican minority is trying to distract attention from the bill by offering a motion to recommit that prohibits Federal funding to the Association of Community Organizations for Reform Now (ACORN). ACORN, a nonprofit organization that works to empower low-income Americans, does not receive $1 of Federal funding in H.R. 3221. ACORN is currently under investigation for possible wrong-doing—these inquiries should proceed and final judgments should be made. No organization found guilty of criminal conduct should continue to receive taxpayer support. However, it is inappropriate and likely unconstitutional for the House of Representatives to pre-judge the outcome of a formal investigation by prohibiting Federal funding. I strongly urge my colleagues to join me in opposing this political ploy and in supporting passage of H.R. 3221.

CELEBRATING THE 25TH ANNIVERSARY OF DALLAS’ POLITICAL CONGRESS OF AFRICAN-AMERICAN WOMEN

HON. EDDIE BERNICE JOHNSON OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 30, 2009

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, it is with great pleasure that I rise today to recognize the achievements and celebrate the anniversary of Dallas’ Political Congress of African-American Women. This organization has been an integral part of the Dallas community for 25 years, and I am proud of the work its members have done in the group’s quarter-century of existence. In addition to keeping the community informed about candidates running for elected office, the Congress registers voters and hosts forums for candidates so that they are accessible to citizens.

The Political Congress of African-American Women and organizations like it are incredibly important for the well-being of our communities. These groups offer opportunities for civic and political leadership to people who traditionally would not have been able to serve in such capacities. By engaging their communities, these organizations reflect our democratic values and encourage everyone to be engaged in the political process.

I commend Dallas’ Political Congress of African-American Women for their civic leadership and encourage my colleagues to join me in recognizing this organization’s 25th anniversary. Truly, the Dallas community has benefited greatly from the Congress’ efforts, and I commend all of its members on their hard work.

BETHEL BAPTIST CHURCH 200TH ANNIVERSARY

HON. JOHN SHIMKUS OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 30, 2009

Mr. SHIMKUS. Madam Speaker, I rise today to commemorate the 200th anniversary of the Bethel Baptist Church in Caseyville, Illinois. Bethel Baptist Church was founded in 1809 and immediately became a leading institution on the Illinois frontier. Bethel has been an active force for positive change since its inception, advocating abolition nearly 60 years before the ratification of the 13th Amendment. The first pastor at Bethel, James Lemen, Sr., was such a strong abolitionist that the church’s original constitution prohibited any member from owning slaves or promoting slavery. As the abolition movement grew, the church became an important part of the Underground Railroad.

As a Baptist Church, Bethel celebrates its proud history, it can look to a bright future. While the congregation has grown and changed over the past two centuries, it has never forgotten its mission in the community and continues to work for a better tomorrow.

I would like to congratulate Pastor Michael D. Evans and the entire Bethel Baptist Church family on their 200th anniversary. I wish them the best as they continue to build on their rich history.

A TRIBUTE TO THE HONORABLE ROSEMARY STASEK

HON. ANNA G. ESHOO OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 30, 2009

Ms. ESHOO. Madam Speaker, I rise today to honor the extraordinary life and work of my friend and fellow public servant Rosemary Stasek who passed away at the age of 46 on September 24, 2009, in Afghanistan. Rosemary was survived by her beloved husband, Morné Du Preez of South Africa, her parents Patricia and Andrew Stasek of McAdoo, Pennsylvania and many other loved ones.

Rosemary was born in 1963 and raised in northern Pennsylvania. She graduated from Cornell University with a Bachelor’s Degree in Economics, the first person in her family to graduate from college. She was a Dean’s List student and manager of the football and wrestling teams.

Rosemary served two terms on the City Council in Mountain View, California, located in the 14th Congressional District. She was elected to her first term in 1996, re-elected in 2000, served as Vice Mayor in 1999 and as Mayor for the year 2000. She represented the City in many regional, statewide and national forums, specializing in housing, economic development and homelessness. She was committed to many City initiatives and fought to protect the environment, youth programs and services, diversity, parks and trails and the public open space. She served on the City Council at a time when they took critical steps to meet the need for affordable housing in the community, downtown revitalization, increased transportation options, and new business developments. Current Mayor Margaret Abe-Koga notes, “Our City was blessed to have known such a dedicated and talented person. Our community has benefited from her tireless efforts and leadership on behalf of everyone, but especially those who are most in need. This is a loss that is felt throughout Mountain View and countless parts of the world she has touched.”

In addition to serving on the Mountain View City Council, Rosemary had a broad history of political involvement, especially women’s issues. She served on the Board of Planned Parenthood Advocates Mar Monte and the Santa Clara County Commission on the Status of Women. Her honors included being named a Distinguished Woman of the 14th Congressional District, the Religious Coalition for Reproductive Rights Freedom of Religion Award,
and the Alameda National Women's Political Caucus Pro-Choice Champion Award. She was also a nominee for the Silicon Valley Women of Achievement Award and was a candidate for the California State Assembly in March 2002.

In 1999 she was selected by the Secretary of Defense to participate in the Joint Chiefs Orientation Conference, which took her to military installations across the country and aboard an aircraft carrier in the Pacific Ocean. She broadened her knowledge of military affairs, especially issues involving women serving in the armed forces. She served as a member of the U.S. Air Force Space Commanders Group.

Rosemary also worked for over a decade in the computer industry as a web developer and system administrator for prominent high tech firms in Silicon Valley. As always, she was dedicated to making a difference for the next generation and spent six years as an instructor at De Anza Community College teaching Introduction to Microcomputer Networks. She was also a certified substitute high school teacher for social sciences, English and special education classes, and taught in the Palo Alto Unified School District.

Rosemary's interest in international issues took her to Nepal, Ecuador, France, Britain, Holland, Germany, Italy, The United Arab Emirates, The Czech and Slovak Republics, Canada, Mexico, Thailand, Azerbaijan, South Africa, Venezuela, Tanzania and Vietnam. In 1998 she traveled to Cuba as a member of a special women's delegation.

Rosemary lived in Kabul, Afghanistan working on reconstruction and development projects. She first traveled to Afghanistan in May of 2002 as a member of a delegation of young Afghan-Americans working on reconstruction. She returned home after 2 weeks, but decided to return in June 2003 to work on a project to improve conditions for women in the Kabul prison, and in March 2004 she worked in maternity hospitals. In June 2004 she was reunited withclone, and in 2005 she spent most of the year living and working there as the logistics manager for the Kabul Beauty School. She returned again in February 2006 and had since resided in Kabul full time working on women's projects. Rosemary was also the Founder and Executive Director of A Little Help, a nonprofit that she began in 2002 which provides humanitarian aid in Afghanistan with a focus on women.

Ever the fighter, she remained in Kabul to continue her work even after she was diagnosed with Multiple Sclerosis. It was there that she met Morné du Preez, a South African who was a private contractor protecting diplomats. They fell in love and were married two times working on women's projects. Rosemary was also the Founder and Executive Director of A Little Help, a nonprofit that she began in 2002 which provides humanitarian aid in Afghanistan with a focus on women.

RIPPLE EFFECT MAKES FUND FOR NASA A WISE DECISION

HON. PETE OLSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mr. OLSON. Madam Speaker, I would like to submit the following column which appeared in the Houston Chronicle on September 17, 2009 from the Bay Area Houston Partnership.

(Rippple Effect makes fund for NASA a wise decision

By Bob Mitchell)

The highly anticipated report from the Augustine Committee has been released. The panel is to be commended on writing such a thorough review of U.S. human space flight options in a short period of time. The report identified various alternatives for NASA's human space flight program. While each offers a varying degree of human space flight capability, all rely on humans as an integral part of space exploration. Why is this significant for the Johnson Space Center and its many contractors? We are home to human space flight.

Within the next few months, decisions will be made by the White House and Congress on which alternative is best for the future of NASA. Regardless of the decisions made, if adequate funding is not provided, we will continue to see erosion in the U.S. space program, and it won't be long before we relinquish our position as the world's number one space-faring country to a more ambitious and forward-looking nation.

 alternatives present unparalleled opportunities for the United States to continue to expand its leadership role in the international space community. The International Space Station is an excellent example of how much can be accomplished when multinational resources are engaged toward a common goal. We, as a nation, can choose to continue our investment in scientific discovery and international relations or we can choose to lose our leadership position to Russia, China, India. Efficient funding for the world's premier space program will undoubtedly erode our leadership role with significant consequences for our security and our competitive position in the world. With our loss of leadership in other high-tech industries, do we want to give up this one as well? Do we want to have to buy our rides to space from the government? This should be unacceptable to us as a nation.

What will it take to keep America first in flight? The Augustine report states, "Meaningful human exploration is possible under a less constrained budget, ramping to approximately $3 billion per year above the FY 2010 budget in total resources. (In comparison to recent government expenditures, this is not that much to invest, especially considering the return to the American taxpayers on this investment. According to a recent congressional oversight report, we have spent $74 billion to help the nation's auto industry, an industry that has relied on the technology developed in space to develop its product. Investing the same amount in NASA would ensure America's pre-eminence position in human space flight for the next 25 years."

Why do this? Why fund NASA to the tune of an additional $3 billion or more per year? Go beyond the obvious and consider the ripple effect. Arguably, perhaps, the space industry is the only industry in the world that consistently creates new technology. Our cars and trucks are lighter, stronger and safer due to NASA technology; our computers, cell phones, GPS and many life-saving medical advancements all have roots in the space industry.

The human factor is equally important. Generations of our young people have been inspired by NASA. The promise of working in America's space program has, for the past 50 years, influenced students to go into science, technology, engineering and math careers. For example, 35 percent of the Orion Crew Exploration Vehicle program is composed of young professionals.

Consider this. We will have a seven-year gap where no Americans are launched into space on American rockets. At no time in our history of space flight have we experienced a gap of this magnitude. Think for a moment of the loss of inspiration to millions of our young people that can never be recovered. Think of the lost opportunities to the U.S. in terms of high-technology innovations and breakthroughs that will not occur when students choose non-technical careers. Do we break our promises to our nation's children and young professionals by opting to take the easy route and not provide much-needed funding to NASA's human space flight program? This, too, should be unacceptable to us as a nation.

The U.S. is unquestionably the world's leader in space exploration, which can no longer be said about many industries we led at one time. The question remains,
are we willing to give this up for the lack of a very reasonable investment?

Congress and the president are faced with tough choices. Fully supporting human space flight, on the other hand, should be an easy choice. By making the choice to provide the additional funding necessary for a robust U.S. space exploration program, government and private industry jobs will be retained and created. International relationships will be secured and strengthened with America leading the way, and our youth will continue to dream of exploring the universe, taking those steps necessary to do so. Not only is this the most reasonable course of action, it's the right thing to do—for America and for the world.

HONORING THE 100TH ANNIVERSARY OF THE WEST END SILVER POINT CHURCH

HON. BART GORDON
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mr. GORDON of Tennessee. Madam Speaker, I rise today to honor the 100th anniversary of the founding of the West End Church of Christ congregation in Silver Point, Tennessee.

In 1909, Pastor George Phillip “G.P.” Bowser helped form the Laurel Hill congregation in Silver Point and established the Putnam County Normal and Industrial Orphanage to provide housing, education, vocation, and religious instruction to the African American children of the region. In 1913, the school became the Silver Point Christian Institute, educating grades one through eight. A small printing press was operated by the school, which led to the development of the Christian Echo—a publication that is still printed today.

By 1915, the church and school combined into the West End Church of Christ Silver Point. A new building was constructed, which still stands to this day. In December 2007, the building was included in the National Register of Historic Places by the U.S. National Park Service.

The geographically isolated Highland Rim area of Middle Tennessee has always focused on small-scale agriculture and timber resources grouped into small towns. Farms were tended by individual families with little outside help. Until the early 20th century, these small communities in Silver Point had few religious organizations and even fewer schools. Classes were often taught in buildings that could not afford proper maintenance or enough supplies for students.

The school that Pastor Bowser established in 1915 provided the young children of the community with educational opportunities never before seen in the area. Though the school closed in 1959, the church remains active.

Many prominent and nationally-acclaimed leaders have been personally involved with the church, including Sam Womack, Alexander Campbell, Marshall Keeble, Henry Clay, J.S. Winston, R.N. Hogan, G.E. Stewart, and Levi Kennedy.

Through its 100-year history, the West End Church of Christ in Silver Point has provided a place of identity and congregation for the African American community of western Putnam County. I congratulate the congregation on its centennial anniversary.

PERSONAL EXPLANATION

HON. JOHN CONYERS, JR.
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mr. CONYERS. Madam Speaker, on September 29, due to personal reasons, I was unable to cast the three votes that were called on that day. Had I been present I would have voted “yes” on rollick votes 740 (H.R. 905); 741 (H. Res. 16) and 742 (H.R. 2987).

102ND ANNIVERSARY OF THE CROATIAN SONS LODGE 170

HON. PETER J. VISCLOSKY
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. VISCLOSKY. Madam Speaker, it is my distinct honor to congratulate the Croatian Sons Lodge Number 170 of the Croatian Fraternal Union on the festive occasion of its 102nd anniversary and Golden Member banquet on Sunday, October 11, 2009.

This year, the Croatian Fraternal Union will hold this gala event at the Croatian Center in Merrillville, Indiana. Traditionally, the anniversary celebration entails a formal recognition of the Union’s Golden Members, those who have achieved fifty years of membership. This year’s honorees, who have attained fifty years of membership, include: John B. Belork, Richard J. Bundek, Victoria Ann Burson, Robert J. Erdelac, Michael Grasa, Richard F. Grocevich, Joanne James, Peter P. Jay, Mary Ellen Kaegebein, Mirijana M. Kirincic, Della Klobuchar, Lawrence Labash, Slavko Ladic, Myo George Mrkonich, Joan Marie Pope, Frances Razumich, Rudolph J. Rupsha, Jr., Peter George Tarpo, and Valerie Trtan.

These loyal and dedicated individuals share this prestigious honor with approximately 489 additional Lodge members who have previously attained this important designation.

This memorable day will begin with a mass at Saint Joseph the Worker Croatian Catholic Church in Gary, Indiana, with the Reverend Father Stephen Loncar officiating. The banquet will begin at 1:00 p.m.

Madam Speaker, I urge you and my other distinguished colleagues to join me in commemorating Lodge President John Mikisch, and all members of the Croatian Fraternal Union Lodge Number 170, for their loyalty and radiant display of passion for their ethnicity. The Croatian community has played a key role in enriching the quality of life and culture of Northwest Indiana. It is my hope that this year will bring renewed hope and prosperity for all members of the Croatian community and their families.

EARMARK DECLARATION

HON. CHARLES W. DENT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. DENT. Madam Speaker, pursuant to the House Republican Leadership standards on earmarks, I am submitting the following information regarding a project that is listed in the Conference Report of H.R. 3183, Energy and Water Development and Related Agencies Appropriations Act, FY2010:

Bill Number: Conference Report—H.R. 3183, Energy and Water Development and Related Agencies Appropriations Act, FY2010,

Account: Department of Energy, EERE,

Title: Advance Power Cube for Wind Power and Grid Regulation Services, Legal Name of Requesting Entity: East Penn Manufacturing, Address of Requesting Entity: Deka Road, Lyon Station, PA 19536, Description of Request: This funding will support design, testing, fabrication and implementation of new advanced battery energy storage technology that will be used to balance the fluctuating generation of electricity in wind systems and improve the efficiency of the current electricity grid. This technology will produce a more affordable, cleaner, recyclable and more efficient energy storage option than what is currently available for wind power farms and grid regulation services.

H.R. 3548, UNEMPLOYMENT COMPENSATION EXTENSION ACT OF 2009

HON. ROBERT J. WITTMAN
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. WITTMAN. Madam Speaker, on September 22, 2009 the House of Representatives passed H.R. 3548, the Unemployment Compensation Extension Act of 2009 with my support. I voted for H.R. 3548, legislation that would extend unemployment benefits by 13 weeks for states with unemployment rates in excess of 8.5%. Our nation is currently facing significant economic challenges, including the highest unemployment rates in over twenty years. With nearly five million Americans and 290,000 Virginians out of work, I believe extending unemployment benefits was the right thing to do.

Several localities in Virginia’s First Congressional District experienced unemployment above 8% this summer. However, I am disappointed that H.R. 3548 would not extend benefits in Virginia because the states unemployment rate is currently below 7%. This bill’s 8% threshold needlessly overlooks struggling families in Virginia. I would like to see this measure amended to extend the same unemployment benefits to all Americans regardless of where they live.

I understand that unemployment is putting significant strains on local families. That’s why I recently hosted a First District Job Fair featuring state, federal, and private employers. Hundreds of First District residents attended the successful job fair and are now on their way into the workforce.
IN RECOGNITION OF JULIE CAIN BURKHARD, CHAIRMAN OF THE NATIONAL PANHELLENIC CONFERENCE

HON. PETE SESSIONS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. SESSIONS. Madam Speaker, I rise today to recognize the work of an outstanding individual, Julie Cain Burkhard, as she completes her distinguished work as Chairman of the National Panhellenic Conference (NPC). This conference represents 26 sororities with a member base of more than four million women at 655 campuses and 4,500 alumnae chapters in the United States and Canada. Sororities and fraternities are the largest values-based organizations on college campuses and among the most successful leadership development programs for college students. As Chairman, Julie has led NPC’s effort to provide support and guidance for its members, and act as one of NPC’s leading voices on contemporary issues of sorority life.

As a proud University of Georgia alumna and past national president of her sorority Alpha Chi Omega, Julie’s unyielding passion for Greek life is reflected in her lifetime commitment to collegiate leadership. Under her leadership, NPC has increased its membership, created web-based advocacy tools, and furthered the organizational effectiveness of the conference.

Julie has been a great resource and advocate for women worldwide. Her long-term commitment to her Alpha Chi Omega chapter, its international organization, and the entire Greek community are tokens of the leadership, dedication, and loyalty that make her a role model for women leaders and incredibly deserving of this honor.

I have personally had the opportunity to work with Julie over the years as she has come to Washington to tirelessly advocate for students across the country. We have worked together on the passage of the Collegiate Housing and Infrastructure Act, a bill that would help improve off-campus housing for college students, as well as legislation dedicated to advancing college fire safety standards and student financial aid.

The National Panhellenic Conference is a stronger organization as a result of her unwavering leadership and steadfast commitment to the lives of Greek women. I am pleased to honor Julie Cain Burkhard’s exemplary service and wish her all the best in her future endeavors.

TRIBUTE TO MR. JIMMY "PO WOODS" LEATHERWOOD, ENTREPRENEUR AND OWNER, WOODS, INC. OF CHICAGO, ILLINOIS

HON. BOBBY L. RUSH
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. RUSH. Madam Speaker, I rise today to pay tribute to a great entrepreneur, community leader, humanitarian and family man, the late Jimmy Leatherwood who made his heavenly transition on Sunday, September 27, 2009. It is often difficult to find words to express the depth of one’s feelings with the passing of a good friend and constituent.

Mr. Leatherwood served with distinction for nearly 30 years as a member of the Cook County, Illinois Sheriff’s Department. He was a Board Member of the Westside Association for Community Action of Chicago, a member of the famed Rat Pack-Chicago Chapter and served on the School Council of a local Chicago Public School. He worked tirelessly with various organizations to provide scholarship opportunities to young people and annually donated food to those in need in his hometown of Leland, Mississippi.

Jimmy dedicated his life toward making a difference in the lives of other people. He was a shining example of how God can use a life to help make this world a better place. Indeed, many who have had the privilege of knowing him have come to recognize that they are a much better person as a result of his life.

Madam Speaker, I want to encourage his devoted wife Joann, their daughter Nazaree, the entire family and the many friends of Mr. Jimmy Leatherwood to always remember to look to the hills from which comes all of their help, trusting that their help will surely come from the Lord. I am truly blessed to have known and worked with him. I am honored to pay tribute to this outstanding gentleman.

COMMENORATING NATIONAL JOB CORPS DAY

HON. HARRY E. MITCHELL
OF ARIZONA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. MITCHELL. Madam Speaker, I rise today to commemorate National Job Corps Day on Capitol Hill, which takes place September 23, 2009. This day-long event will recognize the 45-year anniversary of Job Corps, which has been dedicated to helping young people launch successful careers.

Since its start, Job Corps has been committed to helping young people, ages 16–24, get connected with the resources to be successful in the workforce. With 123 campuses, Job Corps is a nationwide tool for many young Americans to gain the essential education and work skills. I am pleased to have such a strong and active branch of the organization right here in Maricopa County, serving young people across the valley.

At its core, Job Corps exemplifies the importance and true value of education. As a former teacher, I believe education is the foundation for preparing our youth to thrive in the future. Through efforts like Job Corps, we can work together to make higher education and careers attainable for all youth.

Madam Speaker, please join me in celebrating the 45th Anniversary of Phoenix Job Corps.

ABILITY ONE

HON. DON YOUNG
OF ALASKA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. YOUNG of Alaska. Madam Speaker, today I rise to recognize a program, which in the last year, has helped more than 40,000 Americans who are blind or who have severe disabilities gain skills and training that has ultimately led to gainful employment; The AbilityOne Program.

The AbilityOne Program harnesses the purchasing power of the Federal Government to buy products and services from participating community-based nonprofit agencies that are dedicated to training and employing individuals with disabilities. This program affords Americans with disabilities the opportunity to acquire job skills and training, receive good wages and benefits, and gain greater independence and quality of life.

This comes in a segment of the population that has suffered from significant unemployment. But programs such as AbilityOne have come a long way in helping to bring people with disabilities into a working society. I am proud to acknowledge that REACH Inc. has played an active role since 1977 in helping employ people with severe disabilities and is one of the community partners to the AbilityOne Program within my state.

The history and mission of REACH Inc. stands as a true example of why this program is a winning proposition for all parties involved. REACH Inc. grew out of the dream of a group of local families who wanted to organize activities for their children with disabilities. Over 32 years ago, REACH Inc. opened its doors in the basement of the Resurrection Lutheran Church in Juneau. What started out as a small, family-run group meeting in a church basement has developed into an agency employing 200 people and serving over 400 individuals.

The direct impact of these organizations on the lives of Americans with disabilities cannot be overstated. For an individual with a severe disability who has never had the opportunity to hold a job, be independent, participate in the community, or play an important role in society; the AbilityOne Program and organizations like REACH Inc. are invaluable.

Madam Speaker, it is with great pleasure that I extend my support to the AbilityOne Program. I also want to commend the dedication and commitment to the REACH Inc. Executive Director, Mr. Richard Fagundes, and his staff for helping individuals who are blind or have a severe disability find employment. Their work helps people live fuller lives and become more active members of society. I also commend each AbilityOne employee who works every day to improve their lives, support our Government, and make our country a better place to live.

COMMENDING HOMELAND SECURITY DEPARTMENT EMPLOYEES AND ANTI-TERRORISM PARTNERS

SPEECH OF
HON. PETER T. KING
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mr. KING of New York. Mr. Speaker, I would like to express my support for the resolution introduced by my colleague from New York, Congresswoman CLARKE. House Resolution 731, of which I am a cosponsor, recognizing the month of September as National
Preparedness Month, also commends the employees of the Department of Homeland Security; other federal agencies; state, local, and tribal government officials; emergency response personnel; and law enforcement officers who defend our nation against acts of terrorism.

New York’s 3rd Congressional District is home to many of the Department of Homeland Security’s employees, including those who work at JFK and LaGuardia airports and in the Coast Guard. We are all grateful for the important work they carry out, in partnership with local law enforcement officers and other first responders, to protect our communities, particularly in light of several recently foiled terrorist plots.

Earlier this month, we commemorated the eighth anniversary of the terrorist attacks of September 11, 2001. In these times, we cannot afford to be complacent, or to forget what it means to prepare ourselves, our families, and our communities to respond to the threat of terrorism. All Americans can help promote emergency preparedness by taking steps such as assembling emergency supply kits, creating family emergency plans, and staying informed about possible emergencies in their area.

We have come a long way since September 11th, but there is still much more to do to keep America safe. House Resolution 731 helps remind Americans of the steps they can take to be prepared, and honors those on the front lines who tirelessly work to keep our communities safe.

HONORING THE THOMAS JEFFERSON NATIONAL ACCELERATION FACILITY ON ITS 25TH ANNIVERSARY

HON. ROBERT J. WITTMAN
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. WITTMAN. Madam Speaker, I rise today to recognize the Thomas Jefferson National Acceleration Facility in Newport News, VA, on the occasion of its 25th anniversary. Since its creation, the Jefferson Lab has welcomed scientists and researchers from across the globe to study the matter and forces which build and drive our universe.

The Jefferson Lab is committed to educating the next generation of scientists by increasing the number of teachers who have strong backgrounds in math and science, and in doing so increase student motivation in the subjects of engineering and technology.

Current Secretary of Energy and Nobel Prize winning physicist Dr. Steven Chu joined the lab in celebrating this momentous occasion. On Tuesday, September 29, Secretary Chu visited with the lab's scientists, and discussed the future of atomic research.

Recently, the Jefferson Lab began an expansion of its accelerated electron beam, and I was glad to attend the groundbreaking of this project in April 2009. This project creates a collision of atoms so that scientists may study protons and neutrons at the smallest level. The work done at the Lab is known around the world for its world-leading research, and other initiatives, also known as the 12GeV Upgrade, will ensure the Lab's worldwide leadership position for the next twenty years.

I continue to be impressed by the efforts of the men and women from the Jefferson Lab and their desire to lead the Nation and the world in research and innovation. I urge my colleagues to join me in congratulating the Thomas Jefferson National Acceleration Facility on its 25th anniversary.

IN RECOGNITION OF THE CITY OF RICHARDSON'S 2009 NATIONAL NIGHT OUT

HON. PETE SESSIONS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. SESSIONS. Madam Speaker, I rise today to recognize the City of Richardson and the Richardson Police Department for its efforts to combat crime and its 2009 National Night Out on October 13, 2009.

Since its inception twenty-six years ago, the National Night Out program has successfully reached out to numerous communities nationwide in its mission to raise crime and drug prevention awareness. The City of Richardson has utilized innovative methods to encourage citywide participation such as organizing neighborhood block parties, programs for the Hispanic and Asian communities, and activities at various senior centers. These gatherings unite citizens, law enforcement agencies, businesses, civic organizations, and local officials. It shows their resolve to fight back against criminals and their commitment to keeping our neighborhoods safe. The City of Richardson's high participation has resulted in their being the award winner for Category #3 in the Nation. National Night Out has helped the Police strengthen neighborhood spirit and build partnerships within the local community.

Madam Speaker, I ask my colleagues to join me in commending the City of Richardson and the Richardson Police Department for their hard work and dedication. Their efforts have made our community a safer and better place.

IN RECOGNITION OF THE PASSING OF DON PRIEST

HON. JEFF MILLER
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. MILLER of Florida. Madam Speaker, I rise today to join in the celebration of the life of Don Priest, a local legend in my district in Northwest Florida. For over four decades, Don delivered broadcast news and his daily editorials to people in the Florida Panhandle and Alabama Gulf Coast.

Don’s years of broadcasting made him one of the most recognized voices in the area. As news director of the radio station WCOA for 41 years, he knew the importance of keeping people in the area informed. He also recognized that the news is not one-sided, and as the first host of Pensacola Speaks, a local radio call-in show, he was instrumental in letting countless people over the years discuss what was on their minds, be it a national, local, or a personal issue. Don opened his voice to cover local high school football games. He was a news director who was involved with all aspects of the news, and he worked hard to include people of all ages and walks of life in the community.

Don’s tireless work made sure that events in the area received the notice they deserved.

Madam Speaker, Northwest Florida will long remember the legacy of Don Priest. My thoughts and prayers are with him, and many will be forever grateful for Don having touched their lives. Northwest Florida has suffered a great loss, but we will fondly recall his voice on the airwaves for a long time to come.

IN RECOGNITION OF THE CITY OF DALLAS AND 2009 NATIONAL NIGHT OUT

HON. PETE SESSIONS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. SESSIONS. Madam Speaker, I rise today to recognize the City of Dallas and the Dallas Police Department for its efforts to combat crime and its 2009 National Night Out on October 6, 2009.

Since its inception twenty-six years ago, the National Night Out program has successfully reached out to numerous communities nationwide in its mission to raise crime and drug prevention awareness. The City of Dallas has utilized innovative methods to encourage citywide participation such as organizing neighborhood block parties, safety fairs, visits from police, contests, and rallies. These gatherings unite citizens, law enforcement agencies, businesses, civic organizations, and local officials. It shows their resolve to fight back against criminals and their commitment to keeping our neighborhoods safe. National Night Out has helped the Dallas Police strengthen neighborhood spirit and build partnerships within the local community.

Madam Speaker, I ask my colleagues to join me in commending the City of Dallas and the Dallas Police Department for their hard work and dedication. Their efforts have made our community a safer and better place.

RECOGNIZING THE TOWN OF ORANGE AS IT CELEBRATES ITS 275TH ANNIVERSARY

HON. ERIC CANTOR
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. CANTOR. Madam Speaker, I am proud to recognize the Town of Orange as it celebrates its 275th anniversary.

The Town of Orange is located northeast of Charlottesville, near James Madison’s estate at Montpelier, viewing the Blue Ridge Mountains.

The Town of Orange was a strategically important location during the American Civil War. Just north of town, the Rapidan River was effectively the northern border of the Confederacy for several years. Consequently, the area witnessed countless troop movements,
Mr. Moore will celebrate his 96th birthday next month. When he isn’t practicing law, he enjoys the company of his two daughters, three grandsons, and one great grandson in the Atlanta area.

Throughout his life, Ben Moore has answered the call to serve his family, his community, and his country. I’m proud to honor him today in the United States House of Representatives.

COMMENDING HOMELAND SECURITY DEPARTMENT EMPLOYEES AND ANTI-TERRORISM PARTNERS

SPEECH OF
HON. ANDRÉ CARSON
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mr. CARSON of Indiana. Mr. Speaker, over the last two days, we have considered and voted for passage honoring all Department of Homeland Security employees for their service to the United States over the course of the War on Terror.

As a former Homeland Security official, I have seen firsthand the sacrifices that each of these employees makes in the service of our country. These dedicated men and women spend years developing specialized skills and becoming experts on the most effective methods to prevent violence. They devote long hours away from their families, in potentially life threatening situations. And they do all of this to keep us safe from threats around the world.

These federal employees rarely make the news, but their success in the War on Terror is undeniable. Their unyielding efforts have saved lives and prevented billions in property damage. We may never hear of their successes, but they deserve our thanks just the same.

So, Mr. Speaker, I rise today to honor these men and women across our country, whose ongoing fight to protect us from terrorism has allowed all of us to enjoy the freedoms that make the United States great.

DON'T HIDE HEALTH CARE DECISIONS FROM JUDICIAL REVIEW

SPEECH OF
HON. LAMAR SMITH
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. SMITH of Texas. Mr. Speaker, when Democrats introduced health care legislation, the Administration wanted to rush it through Congress before its cost could be calculated.

When Republicans wanted to review health care legislation before they were made to vote on it, Democrats refused to let them see the bill. Democrats refused to let the courts see the bill.

The courts can’t review decisions to rest health care reimbursement on racial and ethnic lines. And the courts can’t review decisions intended to control other features of our health care system.

When Democrats hide what they are doing and limit Americans’ rights, we know that this is not about improving Americans’ health care. It is about increasing government power at the people’s expense.

And it’s time to blow the whistle on that rigged game.
our flag continues to wave high over the greatest city in the world.

RECOGNIZING THE CONTRIBUTIONS OF MICHELLE DALLAFIOR TO THE HOUSE COMMITTEE ON SCIENCE AND TECHNOLOGY

HON. BART GORDON OF TENNESSEE IN THE HOUSE OF REPRESENTATIVES

Thursday, October 1, 2009

Mr. GORDON of Tennessee. Madam Speaker, I rise today to recognize the service of a valued staff member of the Committee on Science and Technology, Michelle Dallafior, on her last day with the Committee.

Michelle serves on the Energy and Environment Subcommittee, where she manages a broad portfolio of energy issues, including nuclear energy, carbon capture and sequestration, and the transition to a smarter electrical grid. She's worked on key pieces of legislation including the Energy Independence and Security Act of 2007, the American Recovery Act of 2009, and the American Clean Energy and Security Act of 2009, as well as the Energy and Water Research Integration Act, which was passed out of Subcommittee yesterday.

Before she joined the Science and Technology Committee, Michelle was Chief of Staff to Rep. CHARLES WILSON (D-OH). Michelle worked for Rep. Ted Strickland (D-OH) for almost a decade, serving as his Legislative Director and, later, his Chief of Staff. Michelle first came to the Hill to work for Sen. John Glenn (D-OH) on Great Lakes legislative issues. Michelle holds an M.A. in Public Policy from Georgetown University and a B.A. in Political Science from the University of Michigan. She is a proud Yooper, and her Wolverine pride is especially apparent during football and basketball seasons.

Madam Speaker, Michelle's expertise and ability to reach consensus have made her a valued member of the Committee staff. Despite balancing a heavy work load with her avid pursuit of bocce and cycling, she always finds time to invest in other staffgers. She's shown a special talent for mentoring junior staff and helping them get substantive experience and exposure.

I know that all of the Science and Technology Committee’s Members and staff wish her well as she transitions to the Administration. Michelle will be joining the Office of Fossil Energy at the Department of Energy, continuing her work on carbon capture and sequestration and the creation of a smarter electric grid.

Michelle, thank you for all your hard work and counsel. We will certainly miss seeing you day-to-day, but we hope that we will get the opportunity to work with you in your new role.

CELEBRATING RACHEL KNAUB’S 100TH BIRTHDAY

HON. STEVE AUSTRIA OF OHIO IN THE HOUSE OF REPRESENTATIVES

Thursday, October 1, 2009

Mr. AUSTRIA of Ohio. Madam Speaker, I rise today on behalf of the constituents of Ohio’s 7th Congressional District to congratulate and recognize Rachel Knaub on the extraordinary event of her 100th Birthday on October 4, 2009.

Born in Greene County, Rachel has lived in Ohio her entire life. She has resided in many different communities in the state including, Pitchen, Clifton, Springfield, and Cedarville.

Throughout her life, Rachel Knaub has been a proud farmer’s wife. She spent 52 years happily married to her husband, Ralph, who passed away in 1992. Rachel is also a proud and active member in the 5th Lutheran Church.

Reaching 100 years of age is truly a great and significant milestone and for that reason, Rachel deserves our congratulations.

WELCOMING REV. MARTHA TAYLOR

HON. BARBARA LEE OF CALIFORNIA IN THE HOUSE OF REPRESENTATIVES

Thursday, October 1, 2009

Ms. LEE of California. Madam Speaker, it is with great pleasure that I rise to welcome to our guest chaplain here this morning, the Reverend Dr. Martha Taylor. Dr. Taylor has dedicated nearly 4 decades of her life to public service, and it is my distinct honor to welcome her here today.

Dr. Taylor serves as the Pastor of Elmhurst Presbyterian Church in Oakland, California, and as an adjunct professor at the San Francisco Theological Seminary. She is also the principal owner of Ministry Christian Training—an education ministry that focuses on church leadership, biblical studies, and inspirational workshops. In this role, she has facilitated leadership trainings for numerous churches across the Bay Area and the country.

Throughout her long and varied years of service, Dr. Taylor has focused much of her attention on issues of social justice. She has become a staple in our home community, and remains active in numerous community organizations. For her work, she was named Christian Woman of the Year in 2006 by then-Sacramento Mayor, Heather Fargo, and the Sacramento County Board of Supervisors.

Dr. Taylor’s commitment to service stems from her deep reservoir of faith, and from her dedication to use her faith as an active vehicle for social change.

It is again my great pleasure and honor to welcome my friend, the Reverend Dr. Martha Taylor.

RECOGNIZING THE COURAGEOUS SERVICE OF MR. JACK TOLBERT

HON. WALLY HERGER OF CALIFORNIA IN THE HOUSE OF REPRESENTATIVES

Thursday, October 1, 2009

Mr. HERGER of California. Madam Speaker, it is my honor today to commend the self-sacrificing act of a true American hero, Jack Tolbert, who was awarded the Distinguished Service Cross on Armed Forces Day in 1954. The extraordinary heroism of Mr. Tolbert was summarized thus when the medal was awarded:

The President of the United States of America, authorized by act of Congress July 9, 1918, has awarded the Distinguished Service Cross to Sergeant First Class Jack P. Tolbert for extraordinary heroism in military operations against an armed enemy:

Sergeant First Class Tolbert, Infantry, United States Army, a Member of Company B, 65th Infantry Regiment, 3rd Infantry Division, distinguished himself by extraordinary heroism in action against an armed enemy of the United States near Kumhwa, Korea, on 11 June 1953. He was one of two outpost guards on the main line of resistance when the area came under a heavy artillery and mortar bombardment. Observing a hostile infantryman approaching the position, he shouted a warning to the other Sentinel and to the guard at the Command Post, enabling them to alert other elements of the incoming attack. Seconds later the enemy soldier hurled a fragmentation grenade into the bunker. Fully aware of the danger involved, he stepped on the missile in an attempt to dispose of it or lessen its explosive effect and received the full impact of the explosion. Although critically wounded in this display of valor, his prompt and unhesitating action prevented serious injury to his comrade. Inspired by his unflinching courage, the troops fought with great tenacity and skill, inflicting numerous casualties and containing the advance. Sergeant Tolbert’s individual conduct and consummate devotion to duty reflect the highest credit upon himself and uphold the esteemed traditions of the military service.

By order of Lt. General W. G. Wyman, Commanding General of the Sixth Army.


Although the Redding Chapter of the Military Order of the Purple Heart is named in his honor, Mr. Tolbert insists “I’m not the hero type.” In a 2009 interview with his hometown newspaper, Jack said, “I was just a regular GI who spent a little time in the front line. I did my job and came home.” With all due respect to Mr. Tolbert, no one shares his view. He may not have intended to be a hero, but a hero he is. And in recognition of his service, Shasta County has designated October 3 as “Jack Tolbert Day.”

It is my honor to recognize Jack Tolbert’s heroic service to our Nation.
THE INDIAN TRIBAL FEDERAL RECOGNITION ADMINISTRATIVE ACT

HON. ENI F.H. FALEOMAVAEGA OF AMERICAN SAMOA
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 1, 2009

Mr. FALEOMAVAEGA. Madam Speaker, I rise today to introduce the Indian Tribal Federal Recognition Administrative Procedures Act, a bill providing for an improved administrative process for federal recognition of certain Indian groups.

The fact of the matter is the process by which the Department of the Interior to recognize Indian tribes is riddled with problems. And these problems exist in large part because the Congress itself has never by law established a process or criteria for the recognition of Indian tribes.

First, the Bureau of Indian Affairs' budget limitations over the years have, in fact, created a certain bias against recognizing new Indian tribes. Second, the process has always been too expensive, costing some tribes well over $500,000 when most of these tribes lack the resources and necessary finances. I need not remind my colleagues that Native American Indian tribes are still facing severe challenges in education, economic activity and social development, and this administrative process perpetuates an already embarrassing situation for this country.

Madam Speaker, the courts have already acknowledged the unfair treatment of Indian groups because of the current federal recognition process. In 1996, in the case of Greene v. Babbitt, 943 F. Supp. 1278 (W.Dist. Wash), the federal court found that the existing process is “marred by both lengthy delays and a pattern of serious procedural due process violations.”

Deciding on the recognition process for the Samish Tribe in the State of Washington, the court recognized that it took over 25 years for the Department to make a decision. Writing for the court, Judge Thomas Zilly opined that “the Samish people's quest for federal recognition as an Indian tribe has a protracted and tortuous history . . . made more difficult by excessive delays and governmental misconduct” (p. 1281). Moreover, certain procedures mandated in the Administrative Procedure Act (APA) and by the U.S. Constitution were glossed over during the acknowledgement process.

Sadly though, the Samish's administrative and legal conflict—much of which was at public expense—could have been avoided were it not for a 30-year-old clerical error of the Bureau of Indian Affairs which inadvertently left the Samish Tribe's name off the list of recognized tribes in Washington. With a record like this, it is little wonder that many tribes have lost faith in the Government's recognition procedures.

Fixing the recognition process was also noted by former President Clinton. In a 1996 letter to the Chinook Tribe of Washington, the President wrote, “I agree that the current federal acknowledgment process must be improved. Despite some progress been made, President Clinton further added that “much more must be done.”

And the most recent action of this administrative acknowledgement process gives no hope to non-recognized tribes of a reasonable and timely process. The Bureau of Indian Affairs recently issued what it calls a proposed finding on the Brothertown of Wisconsin petition for federal acknowledgment. This tribe's petition was considered ready for consideration by the BIA in 1989—even so, the BIA did not take action until 2008, 12 years later. In the proposed finding issued this August, the BIA proposed to turn down recognition of the tribe for several reasons. One of those reasons was a finding by the BIA that the tribe had been terminated by Congress in 1839. Nonetheless, a tribe that has been terminated by Congress cannot be recognized by the BIA. And yet, the BIA insists that this tribe complete this administrative process—at the cost of thousands of dollars to the government and the tribe—even though the BIA could not recognize the tribe even if it finds that the tribe meets the criteria for recognition. A process that requires such a thing makes no sense for the Federal Government or for tribes.

Madam Speaker, the legislation I introduce today provides the vehicle to fix the recognition process. It embodies a framework to lessen the adverse impact and the unfortunate burden on Indian groups seeking federal recognition.

Under this proposal, the administrative burden and responsibility for the federal recognition process would be transferred from the Bureau of Indian Affairs, BIA, to an independent Commission on Recognition of Indian Tribes. The Commission shall consist of seven members appointed by the President with the consent of the Senate. This commission is tasked with reviewing and acting upon documented petitions submitted by Indian groups that apply for federal recognition.

Under this legislation, clear and consistent standards of administrative review of documented petitions for federal recognition are provided for. Moreover, this bill clarifies and identifies clear evidentiary standards for administrative review and also helps expedite the process by providing adequate resources to process documented petition.

Some have expressed concern that prior bills to fix the recognition process would open the door for more tribes to conduct gambling operations on new reservations. While I cannot say that no new gambling operations will result from this bill, I do believe that this bill will have only a minimal impact in the area.

I would like to remind my colleagues that: (1) unlike State-sponsored gaming operations, Indian gaming is highly regulated by the Indian Gaming Regulatory Act (IGRA); (2) before gaming can be conducted, the tribes must reach an agreement with the state in which the gaming would be conducted; (3) under IGRA, gaming can only be conducted on land held in trust by the federal government; (4) gaming can only be conducted at a level the state permits on non-Indian land; and (4) any gaming profits can only be used for tribal development, such as water and sewer systems, schools, and housing.

I want to emphasize this point—this is not a gambling bill, this is a bill to create a fair, objective process by which Indian groups can be evaluated for possible federal recognition.

Madam Speaker, this bill is not perfect in every form, but it is the result of many hours of consultation and years of work. I want to thank Chairman RAHALL and everyone involved in this endeavor. Many parties and stakeholders have come together for the purpose of making sound, careful changes which recognize the historical struggles the unrecognized tribes have gone through, yet retaining some of the framework the Bureau of Indian Affairs has developed diligently over the years.

In conclusion Madam Speaker, I hope we can reach an agreement and make much needed improvements to the Federal Indian Recognition process.

CONSTITUTION DAY

SPEECH OF
HON. JOHN B. LARSON OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. LARSON of Connecticut. Mr. Speaker, I rise in support of House Resolution 734, which expresses support for and honors September 17, 2009, as “Constitution Day.” September 17 is the day that our United States Constitution was signed in 1787, by 39 delegates from 12 states, including from Connecticut, Samuel Huntington, Oliver Wolcott, and Roger Sherman, whose stature resides in the crypt of this Capitol building.

My home state of Connecticut has a strong and proud connection to the founding principles and documents of this country. Roger Sherman was the only man to sign the Articles of Association, the Declaration of Independence, the Articles of Confederation, and the Constitution. Connecticut is known as the Constitution State, for its enactment of the Fundamental Orders of Connecticut, the first written constitution of its kind.

The Fundamental Orders of Connecticut was adopted by the Connecticut Colony in 1639 and established a government for the Connecticut Colony, based on the yearly election of a governor and six magistrates, two from each town in the Colony. These officials were chosen by the count of a written vote, and all freemen who resided in the colony and had taken an oath of fidelity were eligible to cast their vote.

The Fundamental Orders established limits on the powers of government, emphasizing the power of the people to elect their leaders and act against them should those leaders ignore their concerns. Further, it defined the operating procedures of a government established by the people, of the people, and for the people, ensuring each elected magistrate a vote in matters of governance, and the governor a vote only in the event of a tie.

Many of the principles in the eleven sections of the Fundamental Orders of Connecticut later were echoed in the familiar cadences of our great Constitution, which continues to represent the American ideal of a government consisting of a body of officials elected by the people to serve in their best interests.

It was Roger Sherman’s “Connecticut Compromise”, made during the Philadelphia Convention of 1787, which ensured fair representation for large and small states in the bicameral legislature which defines our body of Congress.

As a high school history teacher, I had the privilege of studying, learning, and teaching the Constitution. It is the innovation and undiminished endurance of the ideals of our Constitution for which I rise in support of
IN RECOGNITION OF BASS PRO SHOPS FOUNDER JOHNNY L. MORRIS, FOR HIS LIFETIME CONSERVATION ACHIEVEMENT AWARD FROM THE TEDDY ROOSEVELT CONSERVATION PARTNERSHIP

HON. ROY BLUNT
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. BLUNT. Madam Speaker, I rise today to honor a man who has become an icon to fishermen, an innovative retailer and perhaps the humblest guy you might ever meet. You may not immediately recognize the name Johnny Morris, but you probably know the company he started in 1972—Bass Pro Shops. Johnny is also a dedicated conservationist who supports a host of national wildlife and habitat conservation efforts.


Johnny’s ideal work is fishing. While fishing the Bassmaster professional circuit, he was always taking notes of what lures were catching fish, who made them and how to find them. Starting with hand-tied lures and bait made from sowbellies and sold in jars, Johnny started his business in his father’s store. Within two years he needed more room for his growing enterprise.

In 1972 Bass Pro Shops—or Pro Bass as many of his regulars still call it—began issuing catalogs. Today those books are 700 pages of full color pictures of lures, worms, hooks, sinkers, reels, rods and everything an angler would ever need. There is a line of hunting equipment and clothing too.

Among Johnny’s successful ideas was selling fishing boats in packages—boat, motor, trailer and trolling motor. It had never been tried before, but it’s an industry standard now. That is just one of several reasons why he was named the National Retail Federation’s Retail Innovator of the Year in 2008.

Johnny Morris’ vision has expanded from that small space in his dad’s store to 56 megastores in the United States and Canada, a 1.7-million-square-foot warehouse and headquaters in Springfield, Missouri, and jobs for 16,000 employees.

If you want to know the real success of Morris’ Bass Pro Shops, visit one of their stores. Complete with aquariums full of game fish or rare turtles, a Bass Pro Shops store is a visit for most any sportsman’s experience is available along with advice from people who have used it. Bass Pro Shops receives nearly 100 million customers, sightseers and visitors a year. The Springfield store is Missouri’s number one visitor attraction, welcoming more than 4 million people through its doors last year.

Johnny is a conservationist who enjoys the outdoors and preservation of America’s scenic beauty. He owns four wilderness areas and wildlife waters. Earlier this week, the Teddy Roosevelt Conservation Partnership honored Johnny Morris with its Lifetime Conservation Achievement Award for his dedication to conserving our national resources and ensuring the future of America’s sporting traditions.

This is an honor Johnny Morris has earned through a lifetime of work as a retailer and sportsman. Foremost, I think Johnny would like to be thought of simply as a pretty good fisherman.

Recognizing Tibotec Therapeutics for Conducting the Grace Study, a Ground Breaking HIV Clinical Trial Focused on Women and People of Color in the United States

HON. WM. LACY CLAY
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. CLAY. Madam Speaker, I rise today to commend and congratulate Tibotec Therapeutics, part of the Johnson & Johnson family of companies, for its continued innovation and corporate responsibility in the fight against HIV/AIDS by conducting the groundbreaking Grace study. GRACE, which stands for Gender Race And Clinical Experience, is the largest study to date in treatment-experienced women with HIV to examine gender and race differences in response to an HIV therapy. In recent HIV studies of treatment-experienced patients, women accounted for less than 11 percent of the patients being studied, on average. GRACE was able to enroll nearly 70 percent women and 84 percent people of color.

In my home State of Missouri, there are almost 12,000 people living with AIDS, and African Americans represent over a third of these cases. Women account for more than one quarter of all new HIV/AIDS diagnoses in the United States, with African American and Latina women representing 79 percent of women living with the disease. People of color have been historically underrepresented in clinical trials in the United States, and HIV/AIDS disproportionately impacts African American men and women.

The trial was designed to help overcome some of the barriers, identified by the advisors, which have historically deterred women and people of color from participating in clinical studies, including stigma, lack of child care, transportation and personal support systems. Based upon advisor and community input, study participants could obtain assistance to cover costs associated with their participation in the study, including funds for travel and accommodation for patients enrolled under the care of clinics. In addition to the study’s efforts to recruit people of color, we are thankful to GRACE for its commitment to addressing the disproportionate impact of this epidemic on women and people of color.

U.S. Policy Towards Burma

HON. MARK E. SOUDER
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. SOUDER. Madam Speaker, today the Senate Foreign Relations Subcommittee on East Asian and Pacific Affairs held a hearing on U.S. policy towards Burma. I would like to contribute some remarks on this important topic. I represent the Third District of Indiana, which is home to the largest concentration of people from Burma in the U.S. In recent years, resettlement agencies have placed well over 2,000 refugees in Fort Wayne, Indiana. Fort Wayne has also become a “community of choice” amongst the refugee community, and secondary migrants have increased Fort Wayne’s population of people from Burma to over 6,000. As a result, the thinking in Fort Wayne is acutely aware of the atrocities and suffering that the people from Burma have faced at the hands of the State Peace and Development Council (SPDC).

I am disappointed that this hearing, which is intended to evaluate the role the U.S. can play in facilitating democratic reform, did not invite testimony from a single representative of Burma’s democracy movement or one individual who has endured the violence of the Tatmadaw. A thorough evaluation is impossible without their perspectives.

Over the years, U.N. reports have documented some of the military regime’s harrowing crimes, including widespread rape, conscription of child soldiers, torture, and the destruction of thousands of villages. It is clear that the SPDC has in part been conducting a war against its own citizens.

In spite of these realities, the Administration has recently engaged in direct dialogues with the Burmese regime and the Senate Committee on Foreign Relations today are in part seeking to re-evaluate the role of sanctions in U.S. policy. I support the establishment of a peaceful and democratic Burma. However, it is improbable that this can be achieved through negotiations with the junta—a dictatorship that will not act in good faith and broker a deal that will lead to its own demise.

Before such dramatic changes in policy can be made, it is necessary for the military dictatorship to demonstrate a clear movement towards democracy. This must include ending the current violence against its citizens, installing Daw Aung San Suu Kyi to her rightful place as Burma’s democratically elected Prime Minister, and drafting a constitution that creates the possibility for true civilian leadership.
Until we see this kind of progress, the U.S. cannot give validity to this illegitimate government.

HONORING BEN G. PORTER

HON. JIM MARSHALL OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. MARSHALL. Madam Speaker, it is my pleasure to rise today to honor one of Macon, Georgia’s great citizens, Ben G. Porter, someone who has worked tirelessly to improve the quality of life in Middle Georgia and throughout the State of Georgia.

Ben and his wife Hazel have lived in Macon for over 50 years. He is an avid outdoorsman and his passion for the natural beauty of our land punctuates his business and charitable endeavors. As a former Chairman of the Board of Georgia’s Department of Natural Resources, Ben advocated for the conservation and preservation of our natural and cultural resources so that current and future generations can take pleasure in the unique history, diversity and great beauty found in every region of our state. As a founder and member of the Ocmulgee Land Trust, as Chairman of the Jekyll Island Authority as well as in his service as on the Advisory Council of the Trust for Public Land, Ben actively encourages property owners across our nation to conserve and protect land that has natural, recreational, scenic, historic, or productive value.

In his hometown of Macon, Ben Porter’s vision and leadership has anchored a number of organizations including the Chamber of Commerce, where he served a term as President, the Macon Heritage Foundation and Mercer University’s School of Medicine, where he currently serves on the Board of Governors. But, his most lasting and—I believe he would say—his proudest accomplishment in Macon is the leadership he provided along with a handful of others in the creation of the Ocmulgee Heritage Trail. More than 15 years ago, Ben and a small group of civic and public leaders in Macon began to envision a walking trail that would connect some of Macon’s historical and cultural gems—the Ocmulgee National Monument, Rose Hill Cemetery and the historic water treatment facility—to its great natural beauty, including the Ocmulgee River. What made this idea special was the reason behind it: most of the land abutting the Ocmulgee River in Macon was owned by private citizens and therefore not accessible to the public. There were few places where the everyday person in Macon could touch the river. Could sit beside it in quiet contemplation or enjoy the beauty of its banks. The gift of river access to the Ocmulgee River is the enduring legacy that Ben has helped to give to the citizens of Macon, and through the Ocmulgee Heritage Trail, it extends 10 miles, but Ben Porter and the other leaders of the Ocmulgee Heritage Trail executive board dream big, and eventually the Trail will connect landmarks and towns throughout Middle Georgia.

I’d like to close my comments today on a personal note. I have known Ben for many years in both a professional and personal capacity. Ben is a man of faith, a generous giver, a caring mentor and an exceptional visionary whose perseverance and quiet influence leadership style has been an example to us all. He is savvy, strong and involved. And he is someone I am proud to call a friend. Please join me in celebrating the life and legacy of Ben G. Porter, a great and influential citizen of Macon, Georgia.

IN HONOR OF THOMAS J. MANNING

HON. FRANK PALLONE, JR. OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. PALLONE. Madam Speaker, I rise today to honor Thomas J. Manning and his dedicated years of service to the State of New Jersey and its workers. Mr. Manning recently retired after a long career as an advocate for New Jersey’s workers. Through his tenacity and hard work he has become a positive force in the lives of so many.

In 1969, Mr. Manning graduated from Mater Dei High School, located in New Monmouth, New Jersey. He soon became involved in the steaming trade, serving a five year apprenticeship before achieving the position of Mechanical Superintendent. Mr. Manning is a member of Local Union No. 475 and has served his union in a number of distinguished capacities. In 1994, he was elected to the position of Business Agent and in 2000 he was selected to serve as the union’s Business Manager. He was also a trustee and Co-Chairman of the Steemfitters Local 475 Emploment Security Trust Fund.

Mr. Manning has also served in several state-wide union positions, during which time he represented and fought for thousands of his fellow workers. He served as President of the New Jersey State Association of Pipe Trades. In this capacity, he worked to represent 11,000 plumbers, pipefitters, sprinklerpipers, and HVAC service providers. Mr. Manning has also served as Vice President of the New Jersey State Building and Construction Trades, President of the Mechanical Allied Crafts, and as an Executive Board Member of the New Jersey AFL-CIO.

Mr. Manning is a founding member of my labor advisory committee and has become a trusted advisor to me on not only labor issues but on the environment, the economy and workers’ health care.

Importantly, Mr. Manning sought to continue his education in the fields of labor and political studies. He completed courses in both Labor Law and Labor History at Cornell University’s School of Industrial and Labor Relations. He also attended Rutgers University’s Labor Education Center where he studied political science.

Mr. Manning has been a member of numerous government and local advisory groups. In 2005, he was appointed by Governor Dick Codey to serve as a member of the School Construction Corporation Board of Directors. He also served as a member of New Jersey Governor Jon Corzine’s Economic Development Transition Team and was later appointed to a position with the New Jersey Economic Development Authority.

Madam Speaker, Local 475, the labor movement and the people of New Jersey are losing a true champion with the retirement of Tom Manning. I sincerely hope that my colleagues will join me in celebrating the life and legacy of this impres- sive career. His long record of advocacy on behalf of New Jersey’s workers is truly remarkable.

Mr. PALLONE. Madam Speaker, I rise today to honor Thomas J. Manning and his dedicated years of service to the State of New Jersey and its workers. Mr. Manning recently retired after a long career as an advocate for New Jersey’s workers. Through his tenacity and hard work he has become a positive force in the lives of so many.

In 1969, Mr. Manning graduated from Mater Dei High School, located in New Monmouth, New Jersey. He soon became involved in the steaming trade, serving a five year apprenticeship before achieving the position of Mechanical Superintendent. Mr. Manning is a member of Local Union No. 475 and has served his union in a number of distinguished capacities. In 1994, he was elected to the position of Business Agent and in 2000 he was selected to serve as the union’s Business Manager. He was also a trustee and Co-Chairman of the Steemfitters Local 475 Emploment Security Trust Fund.

Mr. Manning has also served in several state-wide union positions, during which time he represented and fought for thousands of his fellow workers. He served as President of the New Jersey State Association of Pipe Trades. In this capacity, he worked to represent 11,000 plumbers, pipefitters, sprinklerpipers, and HVAC service providers. Mr. Manning has also served as Vice President of the New Jersey State Building and Construction Trades, President of the Mechanical Allied Crafts, and as an Executive Board Member of the New Jersey AFL-CIO.

Mr. Manning is a founding member of my labor advisory committee and has become a trusted advisor to me on not only labor issues but on the environment, the economy and workers’ health care.

Importantly, Mr. Manning sought to continue his education in the fields of labor and political studies. He completed courses in both Labor Law and Labor History at Cornell University’s School of Industrial and Labor Relations. He also attended Rutgers University’s Labor Education Center where he studied political science.

Mr. Manning has been a member of numerous government and local advisory groups. In 2005, he was appointed by Governor Dick Codey to serve as a member of the School Construction Corporation Board of Directors. He also served as a member of New Jersey Governor Jon Corzine’s Economic Development Transition Team and was later appointed to a position with the New Jersey Economic Development Authority.

Madam Speaker, Local 475, the labor movement and the people of New Jersey are losing a true champion with the retirement of Tom Manning. I sincerely hope that my colleagues will join me in celebrating the life and legacy of this impressive career. His long record of advocacy on behalf of New Jersey’s workers is truly remarkable.
Mr. ABERCROMBIE. Madam Speaker, I rise today in support of S. 1707, an act to authorize appropriations for fiscal years 2010 through 2014 to promote an enhanced strategic partnership with Pakistan and its people. S. 1707 establishes a new, more positive framework for U.S.-Pakistan relations. This bill is a bipartisan, bicameral compromise and is crucial to the success of a wide range of U.S. national security and foreign policy interests, while ensuring accountability and account- ability for the assistance we give. I was an original cosponsor of H.R. 1886, an earlier version of this legislation. H.R. 1886, was passed by the House and the Senate on June 12th, and I remain unwavering in my support for this assistance package to Paki- stan.

Like its predecessor, S. 1707 establishes a set of principles that should govern the U.S.- Pakistan relationship, including the actions that the two countries should take to maintain a robust, relevant and lasting relationship. The bill is comprised of three titles.

The first title provides Democratic, Eco- nomic and Development Assistance for Paki- stan; the second Title provides Security As- sistance for Pakistan; and the third Title re- quires the President to develop a regional se- curity strategy; provides for enhanced moni- toring, evaluation, and auditing of U.S. assist- ance, and support for Pakistan's military, including an evaluation on Pakistan's progress in counterterrorism and an assess- ment of whether assistance provided to Paki- stan is in any way facilitating the expansion of Pakistan's nuclear weapons program; and re- quires that all assistance to Pakistan be pro- vided through a civilian government in Paki- stan established by free and fair elections.

Pakistan is a critical ally of the United States. For too long, however, our relationship with Pakistan has been defined by crisis and conflict, and not by focus on public diplomacy and engagement. The legislation establishes a new, more positive framework for U.S.-Pakistan relations.

The legislation establishes a set of principles that should govern the U.S.-Pakistan relation- ship, including the actions that the two coun- tries should take to maintain a robust, relevant and lasting relationship.

Although, I believe that this bill is crucial and would be effective, it is only one piece of a greater strategy. This bill did not, as I have proposed, create a militant rehabilitation pro- gram to specifically prevent youth from joining and being influenced by extremist groups. Financial support and job opportunities would be provided to graduates of the rehabilitation programs as in- centives for steering insurgents away from militancy. This amendment would have greatly fos- tered counterterrorism efforts, and I hope that some of the many outstanding groups working in Pakistan will take the initiative in implementing this proposal.

I have been to Pakistan many times. My be- lief in this country and its relationship with the United States drove me to co-chair the Paki- stan Caucus.

Benazir Bhutto, shortly before her death said that “The next few months are critical to Pakistan’s future direction as a democratic state committed to promoting peace, fighting terrorism and working for social justice. Dem- ocracy is necessary to peace and to under- mining the forces of terrorism.” I had the pleasure of knowing the late Benazir Bhutto and losing her was truly a tragedy felt beyond Pakistan. She made this statement over two years ago, which is relevant today more than ever.

On May 19, 2009, Secretary of State Hillary Clinton announced $110 million in emergency
assistance for the South Asia nation of Pakistan, including aid for civilians fleeing a military offensive against Taliban militants in the northwest. The United Nations refugee agency issued a report stating that more than 1.4 million people in the North West Frontier Province (NWFP) have been registered as displaced since May 2, describing the flood as the largest and swiftest to take place anywhere in the world in recent years.

The newly-registered internally displaced persons (IDP) took the total number of those who have fled their homes in the SWAT valley and surrounding areas to two million. I am hopeful that the $110 million in emergency assistance will get to the people on the ground and will be of assistance to them. It is important that the people of Pakistan see that the aid is coming from America to give a face to this aid. It is essential to global security and the security of the United States.

The surge of IDPs followed the launch of a military offensive in late April. President Asif Ali Zardari acted after U.S. officials stepped up warnings that Islamabad’s willingness to tolerate and negotiate with the militants was endangering both Pakistan and the wider region. The Taliban fighting spread to the entire country.

President Obama’s new approach to Pakistan is different than anything that has been tried before. He has expressed that it will support the democratically-elected government and it will have a clear and transparent relationship. This bill has the support of the President, Secretary Clinton, Secretary Gates, Admrial Mullen, and Senators Kerry and Lugar.

In conclusion, I urge you to support S. 1707, which seeks to and effectively establishes a new, more positive and enduring framework for U.S.-Pakistan relations. This legislation is timely. It is bipartisan. It is accountable. It is effective.

SIXTH ANNUAL NATIONAL CYBER SECURITY AWARENESS MONTH

HON. YVETTE D. CLARKE
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 1, 2009

Ms. CLARKE. Madam Speaker, I rise in support of the sixth annual National Cybersecurity Awareness Month, which kicks off today. The goal of National Cyber Security Awareness Month is to show everyday Internet users that by taking simple steps, they can safeguard themselves from the latest online threats and respond to potential cyber crime incidents.

I commend the National Cyber Security Division (NCSD) of the Department of Homeland Security (DHS), the National Cyber Security Alliance (NCSA), the Multi-State Information Sharing and Analysis Center (MS-ISAC) and their partners for sponsoring National Cyber Security Awareness Month again this year.

This year, the theme of National Cyber Security Awareness Month is “Our Shared Responsibility.” Ultimately, our cyber infrastructure is only as strong as the weakest link. In this digital age, we are all connected. No individual, no government, no industry can be solely responsible for cyber security. Everyone must make sure to employ safe and secure computing practices. We all need to understand how our individual online computing practices have a collective impact on our nation’s cyber security.

Cyber security vulnerabilities can significantly impact our national and economic security. Cyber warfare and cyber crime are increasing in sophistication and frequency every day. The Department of Homeland Security logged 5,499 such cyber attack incidents in 2008—a 40 percent increase over the previous year. A 2007 Government Accountability Office report estimates the total U.S. business losses due to cyberattacks exceed $117.5 billion per year. A 2009 Consumer Reports study found that over the past 2 years, one in five online consumers has been a victim of cyber crime. Attacks on our Federal Government networks this summer served as a recent reminder that we must remain vigilant in combating cyber incidents.

Through the help of the Obama administration, cyber security is finally gaining the much needed attention it deserves both in the Federal Government and the private sector. The White House’s Cyberspace Policy Review published this month recommends that the government initiate a national public awareness and education campaign to promote cyber security. The President will soon name a National Cyber Security Coordinator, the first such White House post.

As chairwoman of the Homeland Security Subcommittee on Emerging Threats, Cybersecurity, and Holographic Science and Technology, I am doing my part to oversee government’s role in securing cyberspace. Earlier this year I held a series of hearings on our Nation’s cyber security posture and the various vulnerabilities in our infrastructure. This month I will host a session of panels to educate Hill staff on this important national and economic security issue.

NATIONAL HISPANIC HERITAGE MONTH

HON. PHIL HARE
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 1, 2009

Mr. HARE. Madam Speaker, I proudly rise today in observance of Hispanic Heritage Month to honor the culture, traditions and contributions of the Hispanic community both in my home state of Illinois and in the country as a whole.

What began as Hispanic Heritage Week in 1968 under President Johnson was expanded in 1988 when Illinois Senator Paul Simon introduced legislation to lengthen the celebration to National Hispanic Heritage Month. Beginning each year on September 15, Hispanic Heritage Month falls during the independence anniversaries of several Latin American countries, and celebrates those Americans whose ancestors came from Spain, Mexico, the Caribbean, and Central and South America.

Today, Hispanic Americans are the largest minority group within the United States. And throughout our history, the Hispanic community has made invaluable contributions to our history and national character in the areas of government, law, politics, science, business, and the arts.

Of the 500 largest Hispanic-owned businesses, twenty are located in Illinois, including Group O, Inc. located in my district in the Village of Milan. I would also like to commend the President for appointing and the Senate for confirming the newest addition to the U.S. Supreme Court, Associate Justice Sonia Sotomayor, whose life story exemplifies the American Dream: that with courage, determination and hard work, anyone can prosper and achieve success.

Furthermore, Hispanic Americans have made significant contributions to the defense of this nation through service in all branches of the Armed Forces. Hispanics have courageously defended the United States in wars from the American Revolution through the current conflicts in Iraq and Afghanistan. To date, forty-three Hispanic Americans have received the Congressional Medal of Honor, the nation’s highest award for valor in action against an enemy force.

In Silvis, Illinois there is a block-and-a-half long street with twenty-five homes that was originally settled by Mexican immigrants in the earlier part of the twentieth century. This street, appropriately renamed Hero Street USA, has sent more than 110 men and women to serve in the U.S. armed forces, more than any other American street of comparable size anywhere in our country. Their unselfish defense of this nation and its values is representative of the strength, hard work and love of family and country demonstrated by the Hispanic community in the United States.

Additionally, I am proud to have Joe Terronez among my constituents, who in 1967 was elected to the city council in Silvis and later became Illinois’ first Hispanic mayor.

Madam Speaker, I ask my colleagues to continue this national celebration which was first started by the 100th Congress and join me in honoring the histories, cultures and contributions of Hispanic Americans during Hispanic Heritage Month.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010

SPEECH OF
HON. HARRY TEAGUE
OF NEW MEXICO
IN THE HOUSE OF REPRESENTATIVES

Friday, September 25, 2009

Mr. TEAGUE. Madam Speaker, I am very disappointed that the leadership of this Congress has put us in the unfortunate position of voting on legislation that combines the Legislative Branch Appropriations bill and the Continuing Resolution.

First, I am against this Legislative Branch Appropriations bill. I am against Congress increasing its own budget while small businesses around the country tighten their belts. Companies in my district are cutting hours and cutting costs. Workers are losing their jobs. But Congress is paying its staff $74 million more than last year. We have our priorities backward. I voted against the Legislative Branch Appropriations bill when it came up in the House, and I still have interest in supporting the conference report.

Second, I oppose this corruption of the legislative process. My colleagues and I should
have the opportunity to say "no" to more money for our own offices without opposing needed increases for our veterans. This isn’t the way to do business.

Third, I regret that the first appropriations priority of this Congress is the legislative branch. While spending bills to support veterans, border security, and our men and women in uniform languish, we are sending a bill to increase our allowances to the President. Our veterans should be first in line, not us.

Because of this failure, the U.S. Department of Veterans Affairs will, for the tenth time in 11 years, get its budget late. Late funding threatens the quality of care at the VA and hinders the VA’s ability to recruit well-trained medical professionals, maintain facilities, and acquire new equipment.

During testimony before the Senate Veterans’ Affairs Committee on July 27, 2007, former VA medical center directors stated that most VA budget cycles began via a continuing resolution. As a result, decisions were made on the basis of cost rather than on the basis of the highest quality. The expression, “a day late, a dollar short,” comes to mind.

By passing advanced appropriations for veterans in this year’s budget, we will make sure the VA isn’t playing a waiting game with its budget next year. But that doesn’t mean we don’t have the opportunity to say "no" to more money for our own offices without opposing needed increases for our veterans. This isn’t the way to do business.

Therefore, I encourage the non-commissioned officers to continue building on the efforts that have brought us to the Opening Day this year, especially City Year New York, and all other City Year programs across the country.

Let’s continue to applaud and support City Year, New York’s children succeed. Being from the great state of New York, I am proud that City Year New York runs the largest City Year program in the country.

I admire City Year for its continued service and dedication to our New York communities. Its goals to help students and schools succeed, build stronger communities, break down social barriers, develop young leaders, and foster active citizenship are what lead to making our nation’s youth better equipped for tomorrow’s challenges. City Year New York does these things and more at several schools in my community of Harlem, including Vito Marcantonio, James Weldon Johnson, Luis Munoz Rivera, and Jose Celso Barbosa elementary schools. I commend Mayor Bloomberg and John S. Roberts middle schools.

Education is the most critical factor for determining the future well-being of our children. President Obama, City Year, and our partners recognize that we cannot afford to fail in this area because our economy and, more importantly, a united democracy depend on it. City Year recognizes this success requires a whole community effort and serves our students with a team comprised of government officials, school staffs, corporate partners, and youth leaders.

Harlem was able to provide space for corps training at The Minisink Town House of the New York Mission Society. I am pleased that community partnerships like these, and the support of corporate partnerships, will ensure that City Year New York is able to continue its efforts and succeed in Harlem.

Let’s continue to applaud and support City Year, especially City Year New York, and all service organizations as they continue building better communities. I call upon my fellow Members of Congress to join me in celebrating the Opening Day for these 1,500 corps members as they embark on their missions of service.

HON. CHARLES B. RANGEL
NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. RANGEL. Madam Speaker, I rise in honor of City Year and especially City Year New York to celebrate the Opening Day of the ‘09–’10 City Year class. Tomorrow is Opening Day for all 19 City Year sites, deploying 1,500 corps members in service to our country’s high-need schools, including those in my district.

The ‘09–10 City Year New York class has more than 230 young leaders representing 38 out of the 50 states, bringing a diverse group of service-oriented individuals to help New York’s children succeed. Being from the great state of New York, I am proud that City Year New York runs the largest City Year program in the country.

I admire City Year for its continued service and dedication to our New York communities. Its goals to help students and schools succeed, build stronger communities, break down social barriers, develop young leaders, and foster active citizenship are what lead to making our nation’s youth better equipped for tomorrow’s challenges. City Year New York does these things and more at several schools in my community of Harlem, including Vito Marcantonio, James Weldon Johnson, Luis Munoz Rivera, and Jose Celso Barbosa elementary schools. I commend Mayor Bloomberg and John S. Roberts middle schools.

Expression of Condolences to the People of American Samoa, Samoa and Indonesia in the Aftermath of the Earthquakes and Tsunami Devastation

HON. ALCEE L. HASTINGS
FLORIDA
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 1, 2009

Mr. HASTINGS of Florida. Madam Speaker, I rise today to express my deep condolences to the people of American Samoa and Samoa on Tuesday suffered a devastating tsunami triggered by a powerful earthquake of 8.0 on the Richter scale. The destructive path of the tsunami has flattened villages and caused the deaths of over a hundred people. I am truly saddened by this devastating turn of events. My thoughts and prayers are with the victims’ families during this most difficult time.

While hundreds of people are being treated for injuries and as rescue efforts continue, I am glad to see that relief supplies are getting to the Pacific islands right away.

Madam Speaker, I also would like to extend my condolences to the people of western Indonesia who regrettably suffered a powerful earthquake on Wednesday, where at least 1,100 people have been killed. The aftermath of this earthquake has caused landslides and trapped thousands under buildings, including two hospitals. I send my deepest sympathies to the families who have lost loved ones from this devastating earthquake.

The valiant efforts of local authorities and the Red Cross to rescue victims must not go unnoticed. These brave individuals are on the frontline and face many grave dangers to help those in need. I would also like to commend my colleague and friend, Congressman Eni Faleomavaega for his quick response to this terrible tragedy. His leadership during this difficult time will undoubtedly help the people of American Samoa and Samoa rebuild the Pacific islands and restore it back to its beautiful heritage.

Madam Speaker, the coming weeks and months will be a very trying time for all those affected by these natural disasters. I wish the people of American Samoa and Samoa as well as Indonesia a safe recovery.

Recognition of City Year New York on Opening Day

HON. CHARLES B. RANGEL
NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. RANGEL. Madam Speaker, I rise in honor of City Year and especially City Year New York to celebrate the Opening Day of the ‘09–’10 City Year class. Tomorrow is Opening Day for all 19 City Year sites, deploying 1,500 corps members in service to our country’s high-need schools, including those in my district.

The ‘09–10 City Year New York class has more than 230 young leaders representing 38 out of the 50 states, bringing a diverse group of service-oriented individuals to help New York’s children succeed. Being from the great state of New York, I am proud that City Year New York runs the largest City Year program in the country.

I admire City Year for its continued service and dedication to our New York communities. Its goals to help students and schools succeed, build stronger communities, break down social barriers, develop young leaders, and foster active citizenship are what lead to making our nation’s youth better equipped for tomorrow’s challenges. City Year New York does these things and more at several schools in my community of Harlem, including Vito Marcantonio, James Weldon Johnson, Luis Munoz Rivera, and Jose Celso Barbosa elementary schools. I commend Mayor Bloomberg and John S. Roberts middle schools.

Education is the most critical factor for determining the future well-being of our children. President Obama, City Year, and our partners recognize that we cannot afford to fail in this area because our economy and, more importantly, a united democracy depend on it. City Year recognizes this success requires a whole community effort and serves our students with a team comprised of government officials, school staffs, corporate partners, and youth leaders.

Harlem was able to provide space for corps training at The Minisink Town House of the New York Mission Society. I am pleased that community partnerships like these, and the support of corporate partnerships, will ensure that City Year New York is able to continue its efforts and succeed in Harlem.

Let’s continue to applaud and support City Year, especially City Year New York, and all service organizations as they continue building better communities. I call upon my fellow Members of Congress to join me in celebrating the Opening Day for these 1,500 corps members as they embark on their missions of service.

RESOLUTION HONORING THE LIFE OF MICHAEL SHIMANSKY

HON. JERRY MCNERNEY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. MCNERNEY. Madam Speaker, today I ask my colleagues to join me in honoring the life of Michael Shimansky, who passed away peacefully at age 65 on September 15, 2009. Michael Shimansky was the longest serving member of the Danville Town Council since the town’s incorporation in 1982. He was elected in 1989 and served for 20 years with a deep rooted sense of public service and strong belief in giving back to the community in which he lived. I knew Mike on a personal basis, and he was a warm and genuine man. His passion for public service extended beyond his role as a Danville Town Council member. He was well known for officiating local soccer games, lacrosse games and track meets in both the town and throughout Contra Costa County. As a member of the Danville Town Council, Mike was a fixture at local soccer games, lacrosse games and track meets in the town. Mike Shimansky’s passion for public service did not stop at home. In addition to being deeply involved in the local community, he volunteered to help his fellow citizens during times of national crisis, by going to New Orleans to join the American Red Cross’ efforts in response to Hurricane Katrina in 2005, and during the wildfires that devastated many homes and communities in San Diego County in 2007.

Mike Shimansky was a valued and respected leader who touched the lives of many and improved the quality of life in Danville for decades to come. He always worked for the common good and led by example. In the words of one of his fellow council members, “People loved him for his work ethic. Every decision he made, he had the people of Danville in mind.” Michael Shimansky’s efforts as a volunteer and public servant leave a legacy that will continue to benefit the people of Danville, the State of California and our great Nation for generations to come. It is for these reasons that I ask my colleagues to join me in honoring the memory of Michael Shimansky in sending our thoughts and prayers to his beloved family and friends.

HONORING THE LONG VALLEY WOMAN’S CLUB

HON. RODNEY P. FRELINGHUYSEN
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. FRELINGHUYSEN. Madam Speaker, I rise today to honor the Long Valley Woman’s Club in Morris County, New Jersey, which is celebrating its 95th Anniversary this year. Originally named the “Home Bureau,” the Long Valley Woman’s Club was founded in 1914 by a group of twelve dedicated community leaders at the home of Mrs. Frank Castle, who served as their first president. The women met regularly for monthly “Meet and Eat” sessions, at which they would dine, while sharing recipes with each other.

The Long Valley Woman’s Club eventually transformed into a service-based organization, providing valuable support for the community. Most notably, the Long Valley Woman’s Club was responsible for providing the Washington Township Fire Company with its first alarm system, donating essential life-saving equipment to the local first aid squad, and contributing funds for the building of a hospital. The club also led the charge for establishing Washington Township’s first free public library. The Long Valley Woman’s Club has a longstanding tradition of providing clothing, food, and monetary donations to those in need, as well as scholarships and awards to hard-working young people in the community.

In 1930, the Long Valley Woman’s Club was recognized for its outstanding volunteer services when it became a member of the New Jersey State Federation of Women’s Clubs and the General Federation of Women’s Clubs. Madam Speaker, I ask you and my colleagues to join me in congratulating the members of the Long Valley Woman’s Club as they celebrate 95 dedicated years of serving our community.

EARMARK DECLARATION

HON. JO ANN EMERSON
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mrs. EMERSON. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information in regards to H.R. 3183, the Fiscal Year 2010 Energy and Water Appropriations Bill.

Project Name: Wappapello Lake, MO
Account Number: H.R. 3183
Account: MRT—Operations and Maintenance
Description of Request: Provide an earmark of $5,232,000 for Wappapello Lake, MO M&R&T Operations and Maintenance. This funding is for routine operation and maintenance, as well as work on U.S. Highway 67. This request is consistent with the intended and authorized purpose of the U.S. Army Corps of Engineers, M&R&T Operations and Maintenance Account.

Project Name: Bois Brule Drainage and Levee District, MO
Bill Number: H.R. 3183
Account: Construction
Legal Name of Requesting Entity: Bois Brule Levee and Drainage District of Perry County, MO
Address of Requesting Entity: P.O. Box 347, Perryville, MO 63775
Description of Request: Provide an earmark of $1,938,000 to continue work on a flood damage reduction and deficiency correction project conducted by the U.S. Army Corps of Engineers. Approximately, $400,000 to award a contract for the Missouri Chute pump station; $420,000 to complete exploration and design of relief wells; and $1,118,000 to construct additional relief wells. This request is consistent with the intended and authorized purpose of the U.S. Army Corps of Engineers, Construction General Account.

Project Name: Cape Girardeau (Floodwall), MO
Bill Number: H.R. 3183
Account: Construction
Legal Name of Requesting Entity: City of Cape Girardeau
Address of Requesting Entity: 115 West Grace Street, Cape Girardeau, MO 63901
Description of Request: Provide an earmark of $183,000 to continue work on a flood damage reduction project conducted by the U.S. Army Corps of Engineers. The $183,000 will be used to complete the rehabilitation of the flood wall. This request is consistent with the intended and authorized purpose of the U.S. Army Corps of Engineers, Construction General Account.

Project Name: Clearwater Lake, MO (Seepage Control)
Bill Number: H.R. 3183
Account: Construction
Legal Name of Requesting Entity: City of Piedmont
Address of Requesting Entity: 105 E. North Main Street, Dexter, MO 63941
Description of Request: Provide an earmark of $37,791,000 for Clearwater Major Rehabilitation Project to continue work on a flood control project conducted by the U.S. Army Corps of Engineers. The $37,791,000 will be used to complete Phase I(b) construction and continue Phase II to construct a cutoff wall. This request is consistent with the intended and authorized purpose of the U.S. Army Corps of Engineers, Construction General Account.

Project Name: Mississippi River Levees, AR, IL, KY, LA, MS, MO & TN
Bill Number: H.R. 3183
Account: MRT—Construction
Legal Name of Requesting Entity: Bootheel Regional Planning and Economic Development Commission
Address of Requesting Entity: 105 E. North Main Street, Dexter, MO 63941
Description of Request: Provide an earmark of $44,702,000 for Mississippi River Levees (MR&T) to continue work on flood protection projects conducted by the U.S. Army Corps of Engineers. This request is consistent with the intended and authorized purpose of the U.S. Army Corps of Engineers, Mississippi River and Tributaries, Construction Account.
HON. CATHY McMORRIS RODGERS
OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mrs. McMorris Rodgers. Madam Speaker, I rise today to recognize the dedication and commitment to service exemplified by the mentors and volunteers of the Boy Scouts of America and to commemorate the installation of a statue, dedicated in honor of these mentors and volunteers, in Riverfront Park in Spokane, Washington.

The support and assistance of the community and those directly associated with the Boy Scouts has made this project a reality. Over the course of three years, funds were raised and a location secured for the installation of the “Footsteps of the Future” statue honoring the volunteers and mentors involved with the Boy Scouts of America. A gift from Troop 325 and the Inland Northwest Council of the Boy Scouts to the City of Spokane, this bronze statue, over seven feet in height, is inspired by the National Boy Scouts of America statuette that is oftentimes given to those attaining Eagle Scout rank. The models for the statue are two Boy Scouts from Troop 325; the older Scout is depicted pointing the way for the younger Scout.

However, perhaps the greatest impetus behind this project was the inspired service of a Spokane-area man who devoted nearly 40 years of his life mentoring the youth in our community as a Boy Scout leader. Dean Dinnison, former Scoutmaster of Troop 325, served honorably with the United States Marine Corps for four years during World War II. It is fitting, then, that the statue honoring his commitment to service and that of countless other mentors and volunteers should be placed at the western-most edge of Riverfront Park, in the Veterans Park. A Spokane-area man who devoted nearly 40 years of Scouting in America this year, I believe the ongoing service of our Nation’s Boy Scouts and the mentors and volunteers who help shape them as leaders in our communities deserves recognition. It is my hope that this statue, like the two boys it is modeled after and the man who inspired its creation, will serve to inspire future generations of our Nation’s youth to a vibrant life of civic involvement. I invite my colleagues to join me in honoring the volunteers, mentors, and Scouts of the Boy Scouts of America and in commemorating the dedication of the “Footsteps to the Future” statue.

PERSONAL EXPLANATION

HON. DANNY K. DAVIS
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. DAVIS of Illinois. Madam Speaker, I was unable to cast votes on the following legislatice measures on September 29, 2009. If I were present for rollcall votes, I would have voted Yea on each of the following:

Roll 740, September 29, 2009: On Motion to Suspend the Rules and Pass, as Amended:
MOTION TO GO TO CONFERENCE ON H.R. 2918, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010

SPEECH OF
HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 23, 2009

Mr. KUCINICH. Madam Speaker, I strongly support many provisions in H.R. 2918, the Legislative Branch Appropriations Act of 2009, including funding for the Census Bureau, the U.S. Capitol Police, the Government Account-ability Office, GAO, and the Ryan White AIDS Program. I cannot, however, support the inclusion of approximately $10.8 billion in war funding and as such, I oppose the bill.

As an ardent supporter of the U.S. Postal Service, USPS, I commend the inclusion of provisions in this bill that would reduce the amount USPS must contribute to the Postal Service Retiree Health Benefits Fund to $1.5 million from $5.4 million, ensuring its survival through the end of this month. Congress has a responsibility to the communities it represents to ensure that the USPS and the ripple effects it provides as a universal mail delivery service are maintained.

This legislation appropriately increases the funding for the U.S. Census Bureau to $7.1 billion to ensure that the agency can meet the demands of the upcoming census in 2010. The census is vital in fulfilling our Constitutional duties under Article 1, Section 2, which are intended to ensure that the people have equal representation in government at the state and federal level. I also fully support the provisions in this bill providing $328 million for the dedicated men and women of the U.S. Capitol Police and $572 million for the GAO.

I strongly oppose the inclusion of funding for the wars in Iraq and Afghanistan in this bill. The war in Iraq was based on false intelligence and an inaccurate, government-sponsored, propaganda campaign. This body was given a mandate by the American people in 2006 to get out of Iraq. Congress has the ability, through the power of the purse, to end the occupation of Iraq and bring all troops and contractors home immediately. Failure to do so continues to put our brave and honorable troops in harm's way.

I also oppose dedicating more resources to Afghanistan. The people of Afghanistan are suffering horribly from 8 years of war. During that time, the Afghan central government has become increasingly corrupt and has failed to meet the needs of the Afghan people. Violence in Afghanistan continues to grow. The United Nations General Assembly Security Council reports “an average of 898 incidents in the first seven months of 2008, compared to 677 during the same time frame in 2008. Incidents involving improvised explosive devices have risen dramatically, to an average of more than eight per day, 60 per cent higher than the average during the first seven months of 2008. Complex attacks now average one per month compared to one per quarter in 2008.” This past August was reported to be the “deadliest month since the beginning of 2009.”

I am also dismayed by the inclusion of language that unilaterally bars all funding for As-Soon-Coming Organizations for Re-Form Now, ACORN. I have serious concerns that such language constitutes a bill of attain-der. The Constitution expressly prohibits Con-gress from legislatively punishing an individual or specific class of people, and I believe that such action is an effort to circumvent the protec-tion that the Constitution affords to all peo-ple and organizations. This country has a robust judicial system that has been created precisely for this purpose; we ought to let it do its job. If a crime has been committed, we should prosecute the people who have com-mitted that crime.

Congress and the American public simply will not tolerate an open-ended commitment of money and troops while millions of Americans are losing their health care, their homes, their jobs, their pensions, their investments. I sup-port the Legislative Branch Appropriations bill by itself. I cannot support it when it is used as a vehicle for perpetuating the Iraq and Afghanistan wars.

HONORING COMMANDER SETH FOSTER HUDGINS III, UNITED STATES NAVY, FOR 22 YEARS OF HONORABLE SERVICE

HON. ILEANA ROS-LEHTINEN
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Ms. ROS-LEHTINEN. Madam Speaker, I am pleased to recognize CDR Seth Foster Hudgins III, United States Navy. Commander Hudgins is retiring from the Navy after 22 years of honorable service as a commissioned officer. Commander Hudgins is the eldest son of Seth and Joy Hudgins of Cornwall, NY and is a 1987 graduate of the United States Naval Academy. Shortly after graduation, Com-mander Hudgins entered U.S. Navy under-graduate flight training, and in 1989, he earned Naval Aviator wings as a jet pilot.

Since that time, Commander Hudgins has served his country in many different capacities, most notably serving as his squadron's Operations Officer and Acting Executive Offi-cer in Operation Enduring Freedom. Through-out his sterling service to our Nation, Com-mander Hudgins has been awarded the De-fense Meritorious Service Medal, the Mer-i-tious Service Medal, two Air Medals, and the Armed Forces Expeditionary Medal, among others. He has accumulated over 3000 flight hours and more than 500 carrier landings. Commander Hudgins has served our great country with honor and distinction. I wish him and his wife Jennifer all the best as he retires from the Navy and continues to serve our na-tion at the Joint Interagency Task Force South in Key West.

ENHANCED PARTNERSHIP WITH PAKISTAN ACT OF 2009

SPEECH OF
HON. AL GREEN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 30, 2009

Mr. AL GREEN of Texas. Mr. Speaker, I rise in strong support of S. 1707, the En-hanced Partnership with Pakistan Act of 2009, a bipartisan bill designed to forge a true strat-egic partnership with Pakistan and its people, strengthen its democratic government, and support Pakistan so it may become a force for stability in a volatile region.

This legislation triples the authorization for U.S. economic, social, and democratic develop-ment assistance to Pakistan to $1.5 billion a year for fiscal years 2010 through 2014. The bill provides that this aid be provided with a particular focus on strengthening democratic institutions, promoting economic development, and improving Pakistan's public education sys-tem.

The bill also authorizes military assistance to Pakistan to help it disrupt and defeat al
VerDate Nov 24 2008 04:49 Oct 02, 2009 Jkt 089060 PO 00000 Frm 00026 Fmt 0626 Sfmt 9920 E:\CR\FM\A01OC8.038 E01OCPT1tjames on DSKG8SOYB1PROD with REMARKS

that developers who have invested substantial development phase of a geothermal resource. Additionally, it will help add renewable, domestically produced energy resources to the American consumers' electricity supply. I believe that this is an important issue and I hope that the House will soon consider this legislation.

HONORING OUR NATION'S ICBM FORCE ON ITS 50TH ANNIVERSARY

HON. EARL POMEROY
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. POMEROY. Madam Speaker, I would like to recognize the 20th Air Force as we prepare to celebrate the 50th anniversary of the nation's nuclear Intercontinental Ballistic Missile (ICBM) force. I have the privilege of working with the Airmen who maintain this critical piece of our nuclear deterrent. As a member of Congress and have seen first hand the commitment and dedication of all of those involved in ensuring that this crucial capability remains ready to respond on a moments notice.

The history of our ICBM force began in 1954 with the establishment of the Western Development Division. The Western Development Division was responsible for the development of the first generation of underground ICBM's, the Titans, and the above-ground Atlas.

This development lead to the initial alert of a nuclear warhead equipped ICBM, an Atlas D, at Vandenberg Air Force Base, California, in October of 1959. Soon after, work began on the Minuteman I missile, a second generation ICBM that would be on alert by the time of the Cuban Missile Crisis in 1962. Within three years the Air Force had replaced all of its first generation ICBM's with Minuteman I and a newer more advanced version, the Minuteman II. The Minuteman II would remain in service for the next 30 years.

By the 1970's the Air Force had developed the Minuteman III with the first squadron of Minuteman III missiles at Minot Air Force Base, North Dakota reaching operational status by the end of December 1970. With the threat of the Soviet Union developing and deploying an increasing number of multi-warhead ICBM's the Air Force began to develop a third generation ICBM that would become the Peacekeeper. The Peacekeeper would ultimately be deployed in 1987 at F.E. Warren Air Force Base in Wyoming.

For the past 50 years the ICBM fleet has provided an important nuclear deterrent, which at its peak included more than 1,200 missiles. Today the Air Force has 450 Minuteman III ICBM's on alert in North Dakota, Montana, Wyoming, Colorado and Nebraska. As the Air Force activates Air Force Global Strike Command, a brand-new command committed solely to the nuclear deterrence mission, the 20th Air Force and the ICBM mission will transfer from Air Force Space Command to Air Force Global Strike Command.

Madam Speaker, the citizens of the United States have been lucky to have the Airmen of the 20th Air Force diligently working to operate and secure this vital component of our nation's security for the past 50 years. These Airmen have maintained a constant state of vigilance 24 hours a day, seven days a week, performing vital operations, maintenance and security missions across the missile fields in areas that to the untrained eye look just like any other place in America. This is a mission that demands a constant level of alert to respond in an instant when necessary to deploy our arsenal. This constant vigilance has served America so well in the past is poised to continue well into the future. I know my fellow Members of the House of Representatives will join me in congratulating the Air Force for 50 years of commitment to the ICBM mission with the highest standards of performance.

HONORING THE LIFE AND LEGACY OF DR. VASCO SMITH

HON. STEVE COHEN
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. COHEN. Madam Speaker, I rise today to honor the life and legacy of a great Memphian and a great American, Dr. Vasco Smith. Dr. Smith was one of the true stalwarts of civil rights in the city of Memphis and in the nation. Dr. Smith lived a life of service and sacrifice.

Vasco Smith served our nation in the Air Force in the Korean War. A graduate of LeMoyne College in Memphis and Meharry Medical College in Nashville, Dr. Smith was a dentist by profession. In 1955, he and his wife, Maxine, returned to their beloved Memphis, completely segregated at the time, and used their passion and commitment to become leaders in the Civil Rights movement.

In 1962, Dr. Smith, along with the owner of the segregated Malco Theatre in downtown Memphis to gradually integrate by selling tickets to African-Americans in the "whites only"
orchestra level of the theatre. In their pursuit to end racial discrimination, the Smiths endured numerous death threats, many arrests by the police, and the tragic murders of their friends Dr. Martin Luther King and Medgar Evers.

In 1973, Dr. Smith became the first African-American elected to an at-large position on the Shelby County Commission where he served until 1994. Dr. Smith was a compassionate and effective County Commissioner. He and I served together as Commissioners from 1978 to 1986. During this time on the Commission, we worked together to build the Regional Medical Center, our charity hospital and trauma center in Shelby County that serves people who would otherwise have no access to healthcare. He and fellow County Commissioner Jesse Turner, Sr., who also served as National Treasurer for the NAACP, were known as "the freedom fighters." They fought for civil rights in Memphis and stood up when others did not. They were always the voices of conscience, reasonableness, and morality in our community.

Vasco Smith was a loving husband to Maxine Smith. As Wendi Thomas of the Commercial Appeal noted, it is difficult to think of either Smith without the other because they were a team; indeed, together they were a force for change and progress. Maxine Smith served as the Executive Secretary of the Memphis branch of the NAACP for more than forty years and continues to serve on the NAACP National Board of Directors. For two decades, Maxine Smith served on the Memphis City School Board. She served on the Tennessee Board of Regents for over a decade. Married 56 years, Maxine and Vasco Smith were true soulmates. Together, they had one son, Dr. Vasco "Smitty" Smith, III, a dentist like his father, who made his parents very proud.

Dr. Vasco Smith was a special man to me because he showed moral rectitude of a type that's rarely seen. He knew justice beyond color and will be remembered in Memphis as the "freedom fighters." They fought for civil rights in Memphis and stood up when others did not. They were always the voices of conscience, reasonableness, and morality in our community.

MADAM SPEAKER, my grandson Dr. Martin Luther King and Medgar Evers were known as "the freedom fighters." They fought for civil rights in Memphis and stood up when others did not. They were always the voices of conscience, reasonableness, and morality in our community.

The Honor Flight program was a defining moment in my life. It's the personal story of my family and our country. As the founder of the Honor Flight Network, I am proud to have been able to bring this program to the American people and their families. The program provides a meaningful opportunity to their friends, neighbors, and even perfect strangers.

From the Western Front to the Eastern Front, from the Pacific and Asian Theatre to the African Theatre, Americans from our military services were greeted with a grand salute. From there, they flew to visit the World War II Memorial for the very first time. At the memorial, there will be a wreath laying ceremony in honor of veterans who have passed away, a memory session for the veterans to share their World War II stories, and a group photo so the veterans can take this day for the rest of their lives. They will return home this evening.

These veterans fought nobly for our freedoms and we cannot even begin to repay them for their sacrifices. The least we can do is try to show them the depth of our gratitude by providing them with this once in a lifetime opportunity to visit their memorial. I am proud that every dollar that is paying for this honor flight came from private citizens who recognize the immense sacrifice these veterans made to ensure our liberty. This flight would not be possible without the dedication of Judge Robert Brack and Judge Leslie Smith of Las Cruces, who initially spearheaded the idea of bringing the Honor Flight program to Southern New Mexico. In addition, the Honor Flight Board of Directors comprised of Chairman Bill Mattlace, Vice-Chairman Darrell Wall, Treasurer Gary Lenzo, and Secretary Patsy A. Duran contributed much time and energy to advocating for this cause, and to recruiting board members. Board Members Steven Alexander, Walt Baker, Pat Carr, Jag Cheema, Denton Holmes, Dolores Connor, J.R. Turner, Susie Cordero, Carrie Contreras, Debbie Hanssen, and Dolores Archuleta have also made invaluable contributions through their tireless efforts to expand the Honor Flight program and seek out donors. The generosity and willingness of these private citizens has shown an example of the bigheartedness that is a true part of the American spirit, and I am touched by their willingness to provide such a rare and meaningful opportunity to their friends, neighbors, and even perfect strangers.

These veterans fought nobly for our freedoms and we cannot even begin to repay them for their sacrifices. The least we can do is try to show them the depth of our gratitude by providing them with this once in a lifetime opportunity to visit their memorial. I am proud that every dollar that is paying for this honor flight came from private citizens who recognize the immense sacrifice these veterans made to ensure our liberty. This flight would not be possible without the dedication of Judge Robert Brack and Judge Leslie Smith of Las Cruces, who initially spearheaded the idea of bringing the Honor Flight program to Southern New Mexico. In addition, the Honor Flight Board of Directors comprised of Chairman Bill Mattlace, Vice-Chairman Darrell Wall, Treasurer Gary Lenzo, and Secretary Patsy A. Duran contributed much time and energy to advocating for this cause, and to recruiting board members. Board Members Steven Alexander, Walt Baker, Pat Carr, Jag Cheema, Denton Holmes, Dolores Connor, J.R. Turner, Susie Cordero, Carrie Contreras, Debbie Hanssen, and Dolores Archuleta have also made invaluable contributions through their tireless efforts to expand the Honor Flight program and seek out donors. The generosity and willingness of these private citizens has shown an example of the bigheartedness that is a true part of the American spirit, and I am touched by their willingness to provide such a rare and meaningful opportunity to their friends, neighbors, and even perfect strangers.

From the Western Front to the Eastern Front, from the Pacific and Asian Theatre to the African Theatre, Americans from our “greatest generation” risked life and limb to halt the rise of fascism. We owe them more thanks than we can ever express. I welcome these brave veterans to Washington and to their memorial.

HONORING THE SECOND HONOR FLIGHT OF SOUTHERN NEW MEXICO

HON. HARRY TEAGUE
OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. TEAGUE. Madam Speaker, I rise today to speak in honor of the World War II veterans from my district who are traveling to Washington, D.C. today on the Second Honor Flight of Southern New Mexico.

The Honor Flight of Southern New Mexico was established by business and community leaders in my district who are devoted to honoring our veterans. The aim of the program is to provide as many World War II veterans as possible with the opportunity to see the World War II Memorial here in Washington, D.C. at no cost to them. Last October, Southern New Mexico’s Second Honor Flight took a great success. Southern New Mexico’s Second Honor Flight departed from El Paso International Airport this morning carrying World War II veterans from my district who have never had an opportunity to see the World War II Memorial that was built in their honor. These veterans, who risked their lives to defend the freedoms we enjoy today, will land at Reagan National Airport where they will be greeted with a grand salute. From there, they will have the opportunity to visit the World War II Memorial for the very first time. At the memorial, there will be a wreath laying ceremony in honor of veterans who have passed away, a memory session for the veterans to share their World War II stories, and a group photo so the veterans can take this day for the rest of their lives. They will return home this evening.

These veterans fought nobly for our freedoms and we cannot even begin to repay them for their sacrifices. The least we can do is try to show them the depth of our gratitude by providing them with this once in a lifetime opportunity to visit their memorial. I am proud that every dollar that is paying for this honor flight came from private citizens who recognize the immense sacrifice these veterans made to ensure our liberty. This flight would not be possible without the dedication of Judge Robert Brack and Judge Leslie Smith of Las Cruces, who initially spearheaded the idea of bringing the Honor Flight program to Southern New Mexico. In addition, the Honor Flight Board of Directors comprised of Chairman Bill Mattlace, Vice-Chairman Darrell Wall, Treasurer Gary Lenzo, and Secretary Patsy A. Duran contributed much time and energy to advocating for this cause, and to recruiting board members. Board Members Steven Alexander, Walt Baker, Pat Carr, Jag Cheema, Denton Holmes, Dolores Connor, J.R. Turner, Susie Cordero, Carrie Contreras, Debbie Hanssen, and Dolores Archuleta have also made invaluable contributions through their tireless efforts to expand the Honor Flight program and seek out donors. The generosity and willingness of these private citizens has shown an example of the bigheartedness that is a true part of the American spirit, and I am touched by their willingness to provide such a rare and meaningful opportunity to their friends, neighbors, and even perfect strangers.

From the Western Front to the Eastern Front, from the Pacific and Asian Theatre to the African Theatre, Americans from our “greatest generation” risked life and limb to halt the rise of fascism. We owe them more thanks than we can ever express. I welcome these brave veterans to Washington and to their memorial.

PERSONAL EXPLANATION

HON. JOHN H. ADLER
OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. ADLER of New Jersey. Madam Speaker, today, I was not present in Washington, DC to cast the following votes, because I was attending a ceremony to commemorate the first operating day of Joint Base McGuire/Dix/Lakehurst in New Jersey's 3rd Congressional District. Joint Base McGuire/Dix/Lakehurst is the first tri-service base in the country, and today was significant for my district and the United States military. If I were present, I would have voted the following way.

1) Republican Motion to Instruct Conferences on H.R. 2892—Department of Homeland Security Appropriations Act, 2010—I would have voted yes.

2) H. Res. 517—Congratulating the University of Washington women’s softball team for winning the 2009 Women’s College World Series—I would have voted yes.

3) H. Res. 487—Recognizing the 100th anniversary of the State News at Michigan State University—I would have voted yes.


5) H. Res. 692—Supporting the goals and ideals of Tay-Sachs Awareness Month—I would have voted yes.

6) H. Con. Res. 151—Expressing the sense of Congress that China release democratic activist Liu Xiaobo from imprisonment—I would have voted yes.


EARMARK DECLARATION

HON. WALTER B. JONES
OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. JONES. Madam Speaker, pursuant to the Republican Leadership standards on earmarks as a result of submitting the following information regarding project funding I received as part of H.R. 3293, the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2010:

Rep. WALTER B. JONES
Project: Metabolic Institute
Recipient: East Carolina University
Account: Health Resources and Services Administration (HRSA)—Health Facilities and Services
Amount: $222,000
Explanation: The funding will allow the Metabolic Institute at East Carolina University to develop a clinical research center and laboratory to advance the Metabolic Institute’s study of new technology and medical treatments for obesity and diabetes. Diabetes is an epidemic: diabetes is the sixth leading cause of death in the U.S., affects more than 7 percent of the population, and cost our economy about $174 billion in 2007 alone, according to the American Diabetes Association. The Metabolic Institute will continue to build on East Carolina University’s pioneer metabolic advancements, including the Greenville Gastric Bypass, to explore the question of why diabetes disappears in four out of five patients with the disease after they undergo gastric bypass surgery.

HONORING WOODY WATSON

HON. JOHN J. DUNCAN, JR.
OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. DUNCAN. Madam Speaker, my grandmother taught for 40 years and my sister Beverly, taught for over 30 years in the public
schools of Tennessee. I am proud of both of them.

In Tuesday’s Knoxville News Sentinel, there was an interview with Woody Watson, whom I have known since high school.

Mr. Watson has now taught in Knox County Tennessee for where I also am from, for 41 years. Very few people teach for that long, and those who do should be highly praised.

I admire and respect Woody Watson for his many years of dedication to the young people of east Tennessee.

I would like to call to the attention of my colleagues and other readers of the RECORD, the News Sentinel interview with Mr. Watson.

[From knoxnews.com, Sept. 29, 2009]

40 YEARS OF EDUCATING: WATSON AND ANDERSON

(By Jessica Boyd)

EDITOR’S NOTE: The News Sentinel will profile two local teachers who each have about 40 years of education experience within the community in this twice monthly series.

WOODY WATSON, 41 YEARS

Woody Watson, 62, says a smile and a kind word goes a long way when dealing with students. He should know since he’s been smiling and speaking kindly to them for 41 years. The University of Tennessee graduate taught eighth-grade science at Karns Middle School for 23 years before he spent nine years at Northwest Middle School teaching the same thing. He’s been back in action as a seventh-grade teacher at Karns Middle since 2001. “I always tell people, I taught eighth grade for 32 years,” the University of Tennessee graduate in natural science said before he laughed. “And then I got demoted.”

Why teaching? “I liked the subject matter, and I like being around young people, they keep me young at heart. I just couldn’t go sit at a cubicle and do the same thing every day.”

What techniques do you use to teach? “I like to have students get involved and be hands on in the science lab to help them understand the world they live in.”

Do you have a favorite year? “I think that would probably be 1986. The highlight of that year is we took a trip to New Orleans for a long weekend, and (the students) learned about the history of the area.”

What has changed for better since you’ve been teaching? “Our class averages were lowered. State law has limited that to 30 in seventh and eighth grade. It really makes a difference to have five or six fewer kids in a class.”

What has changed for worse since you’ve been teaching? “When I came to Karns, it was a small farming community. Of course now the farms have been sold off, and it’s wall-to-wall subdivisions, so just the lack of the community closeness and the breakdown of the family.”

What’s been the best advancement in education? “Probably all the information available online…” I think Karns Middle was one of the first schools to have a computer lab when the first Apple computers came out back in the 80s. That area of technology has made a lot of opportunities for our students. It also presents some problems if the parents don’t monitor what the kids are doing.”

Do you have any words of wisdom for teachers? “I think it’s patience, keep up with your paperwork, and try not to be overwhelmed with all the things you have to do that’s not related to the teaching of students.”

ARCHIE ANDERSON, 42 YEARS

Archie Anderson, 65, taught for 26 years at Maryville Middle School before he made the big switch to administration. For 12 years, he was the assistant principal of the middle school before he made an even bigger switch. Now he’s in charge of transportation and attendance for Maryville City Schools. Archie graduated from Maryville College and received his master’s degree at Tennessee Tech.

What do you do now? “I come up with bus routes, and I work with the bus driver. I’m kind of a trouble shooter. I handle all parent and school complaints and try to resolve all those.”

What did you teach before you moved into administration? “I taught P.E. I coached football, basketball and tracked about 26 years.”

Did you have a favorite year when you were teaching? “I enjoyed the early years because being a younger guy, it seemed like I had better relationships with kids. As you get older and your hair’s grey and you have more wrinkles, kids are more standoffish.”

What’s the coolest technological advancement you’ve seen? “Computers in the classroom and access to the Internet. Everything you want is there.”

The negative part is we’ve got text messaging and cell phones in the classroom. So (technology) is not all good. That’s a daily struggle.”

Do you miss teaching? “I miss the relationships with the students. I don’t get to know the students as well as I used to. I have gotten to know the staff better… I’ve really gotten to know the administrators of the school…”

EARMARK DECLARATION

HON. KEVIN BRADY OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 1, 2009

Mr. BRADY of Texas. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding the four earmarks I received as part of H.R. 3183—Energy and Water Development and Related Agencies Appropriations Act, 2010.

Requesting Member: Congressman Kevin Brady, Texas 8th Congressional District
Bill Number: H.R. 3183—Energy and Water Development and Related Agencies Appropriations Act, 2010
Project: Sam Rayburn Reservoir Operations & Maintenance
Account: Operations and Maintenance, U.S. Army Corps of Engineers
Requesting Agency: U.S. Army Corps of Engineers, Fort Worth District
Address of Requesting Entity: 819 Taylor Street, Fort Worth, TX 76102

This is the third year I’ve requested funding to repair the Twin Dikes Park marine launch facility and to operate and maintain the lakes and other water resources of East and Southeast Texas. The $5,937,000 included in this conference report will be allocated to perform annual operations and maintenance of the Sam Rayburn Dam and Reservoir.

CELEBRATING THE FIRST YEAR ANNIVERSARY OF THE REJOICE MINISTRIES—CHURCH OF THE HEALING EPHESUS SEVENTH-DAY ADVENTISTS CHURCH IN HARLEM

HON. CHARLES B. RANGEL OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 1, 2009

Mr. RANGEL. Madam Speaker, I rise today to celebrate my dear friend Reverend Patricia A. Reebeg as the Rejoice Ministry of the Church of the Healing Ephesus Seventh-Day Adventists Church celebrates her First Year Anniversary, which took place on Sunday, September 20, 2009.

The Reverend Patricia A. Reebeg, an Ambassador for Christ, is a woman of faith, character and action. Her life’s call is to “equip the saints for the work of ministry.” Her life is to her to fulfill this call is to preach the Gospel. Rev. Reebeg is the Pastor of Rejoice Ministries—The Church of Healing, which was formed under the direction of the Holy Spirit on December 31, 2008.

She has a served on the ministerial staff at St. Paul Baptist Church, Memorial Baptist Church, Crawford Memorial United Methodist Church, Believers Christian Fellowship, Beck Presbyterian Church, and Bethesda Baptist Church. Patricia A. Reebeg earned her Masters of Divinity at Union Theological Seminary in New York City. She also augmented her training at Harvard Divinity School Summer Leadership Institute. Interdenominational School of Theology Church Administration and Management, and Columbia University Graduate School of Business for Not-for-Profit Management.

Pastor Reebeg is the recipient of numerous awards and appointments, including, Commissioner of the Chernów Complaint Review Board; the Charles E. Merrill Fellowship from Harvard Divinity School; and was also a founding board member of Harlem Congregations for Community Improvement. Pastor Reebeg is also registered in the National Registry’s Who’s Who in Executives and Professionals, 2004–2010; and Who’s Who of American Women 2006–2009.

Her many accomplishments also include first woman and the first Baptist minister to serve as Executive Director and Chief Executive Officer of the Council of the Churches of the City of New York. As an entrepreneur, Rev. Reebeg is the owner of Cruise Planners and SM&G Consultation. She has published numerous articles and is working on her first book entitled, “And The Lord Shall Gather Me Up,” to be published in 2009.

Please join me in celebrating Reverend Patricia A. Reebeg on her First Year Anniversary as Pastor of the Rejoice Ministries of the Church of the Healing Ephesus Seventh-Day Adventists Church, located in my Congressional District in Harlem.
HONORING THE LIFE AND ACHIEVEMENTS OF CHARLES "TIF" BINGHAM

HON. STEVE COHEN
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 1, 2009

Mr. COHEN. Madam Speaker, I rise today to honor the life of Mr. Charles "Tif" Bingham, one of the kindest and most personable individuals I have ever known. He was always thinking of people and was truly concerned about others. His smile and demeanor attracted friends and warmed their spirits.

Tif Bingham graduated from Yale University and then served our country as a captain and fighter pilot in the Marine Corps. In 1960, he moved to Memphis as a Vice-President for Conwood Corporation.

He was a civic leader, serving as the Executive Director of the Memphis Chamber of Commerce and founder of the Mid-South Parkinson's Disease Foundation.

Tif was one of the founders and Second President of the Memphis In May International Festival, which highlights the best of Memphis culture: music, barbecue, and arts. Each year the festival showcases the best of Memphis and, simultaneously, brings the world to our city, exposing our citizens to people from around the globe, enriching our lives and expanding our horizons.

I have had the pleasure of representing Tif and wife Sandy as constituents of the Ninth District. They were frequent visitors on Capitol Hill and were much loved by those in which they came in contact with. Several members of Congress as well as Jimmy Miller, Director of Committee Facilities and Travel for the Transportation and Infrastructure Committee, wish to express their deepest regrets to the Bingham family.

Tif Bingham was an avid sailor and world traveler. As grandson of U.S. Senator Hiram Bingham, who discovered Machu Picchu, he inherited a curiosity and urge to explore the world, all to be knowledgeable about public affairs. He leaves his wife Sandy Dickey, to whom he was married for 27 years. Sandy loved Tif and was the epitome of "for better or worse". He is also survived by three children, Eleanor Bingham Mallory, Grace Bingham and Charles Bingham and six grandchildren.

Tif Bingham loved life and lived it to the fullest. He enriched the lives of his family, friends and the city of Memphis. He will be sorely missed and always remembered.
HIGHLIGHTS

See Résumé of Congressional Activity.


Senate

Chamber Action

Routine Proceedings, pages S9993–S10078

MeasuresIntroduced: Fourteen bills and seven resolutions were introduced, as follows: S. 1735–1748, S.J. Res. 20, S. Res. 297–300, and S. Con. Res. 42–43.

MeasuresReported:


MeasuresPassed:

Acceptance of Helen Keller Statue: Senate agreed to S. Con. Res. 42, providing for the acceptance of a statue of Helen Keller, presented by the people of Alabama.

Authorizing Use of Capitol Rotunda: Senate agreed to S. Con. Res. 43, authorizing the use of the rotunda of the Capitol for the presentation of the Congressional Gold Medal to former Senator Edward Brooke.

Filipino American History Month: Senate agreed to S. Res. 298, recognizing Filipino American History Month in October 2009.

National Infant Mortality Awareness Month: Senate agreed to S. Res. 299, expressing support for the goals and ideals of National Infant Mortality Awareness Month 2009.

Fire Prevention Week: Senate agreed to S. Res. 300, supporting the goals and ideals of Fire Prevention Week and the work of firefighters in educating and protecting the communities of this Nation.

MeasuresConsidered:

Department of Defense Appropriations Act—Agreement: Senate continued consideration of H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, taking action on the following amendment proposed thereto:

Adopted:

Kaufman Modified Amendment No. 2578, to provide for the continuing support of certain civilian-military training for civilians deploying to Afghanistan.

By 60 yeas to 39 nays (Vote No. 304), Levin Amendment No. 2593, relating to hearings on the strategy and resources of the United States with respect to Afghanistan and Pakistan.

Shelby Amendment No. 2594, to require reports on certain elements of the ballistic missile defense system.

Brownback Amendment No. 2598, to acknowledge a long history of official depredations and ill-conceived policies by the Federal government regarding Indian Tribes and offer an apology to all Native Peoples on behalf of the United States.

Inouye (for Byrd) Amendment No. 2571, to require a report on the use by the Department of Defense of live primates in training programs relating to chemical and biological agents.

Chambliss Modified Amendment No. 2621, to express the Sense of the Senate on Joint STARS re-engining.

Coburn Amendment No. 2563, to require public disclosure of certain reports.
Franken Amendment No. 2588, to prohibit the use of funds for any Federal contract with Halliburton Company, KBR, Inc., any of their subsidiaries or affiliates, or any other contracting party if such contractor or a subcontractor at any tier under such contract requires that employees or independent contractors sign mandatory arbitration clauses regarding certain claims. Pages S10027, S10028

Sanders Amendment No. 2617, to require a report on Federal contracting fraud. Pages S10033–34, S10044–45, S10052

Sanders Amendment No. 2559, to make available from Research, Development, Test, and Evaluation, Army $12,000,000 for the peer-reviewed Gulf War Illness Research Program of the Army. Pages S100035, S10052

Inouye (for Reid/Ensign) Modified Amendment No. 2562, to express the sense of Congress, and to require a report, on expanding the mission of the Nevada Test Site. Pages S100040, S10052

Inouye (for Kyl) Amendment No. 2568, to make available from amounts available for the Office of the Secretary of Defense $250,000 for the declassification of the 2001 nuclear posture review. Page S10052

Inouye (for Nelson (NE)) Amendment No. 2614, to make available from Operation and Maintenance, Defense-Wide, $15,000,000 for implementation of the Military and Overseas Voter Empowerment Act. Page S10052

Inouye (for Hagan) Amendment No. 2615, to provide that none of the funds appropriated or otherwise made available by this Act may be used to dispose of claims filed regarding water contamination at Camp Lejeune, North Carolina, until the Agency for Toxic Substances and Disease Registry (ATSDR) fully completes all current, ongoing epidemiological and water modeling studies. Pages S100019–21, S10041–44, S10052

Rejected:

By 40 yeas to 59 nays (Vote No. 305), McCain Amendment No. 2575, to provide for testimony before Congress on the additional forces and resources required to meet United States objectives with respect to Afghanistan and Pakistan. Pages S10009–15, S10026–27

Withdrawn:

Coburn Amendment No. 2569, to restore $294,000,000 for the Armed Forces to prepare for and conduct combat operations by accounting for the August 2009 Congressional Budget Office economic assumptions and by reducing funding for congressionally directed spending items for low-priority research and development projects. Pages S10015, S10039, S10040, S10052

Chambliss/Kyl Amendment No. 2608, to appropriate an additional $900,000,000 for the Afghanistan Security Forces Fund. Pages S10029–30

Pending:

Coburn Amendment No. 2565, to ensure transparency and accountability by providing that each member of Congress and the Secretary of Defense has the ability to review $1,500,000,000 in taxpayer funds allocated to the National Guard and Reserve components of the Armed Forces. Pages S10016, S10040

Barrasso Amendment No. 2567, to prohibit the use of funds for the Center on Climate Change and National Security of the Central Intelligence Agency. Pages S10021–25, S10037–38

Franken (for Bond/Leahy) Amendment No. 2596, to limit the early retirement of tactical aircraft. Page S10027

Franken (for Coburn) Amendment No. 2585, to restore certain funds for the Armed Forces to prepare for and conduct combat operations by accounting for the August 2009 Congressional Budget Office economic assumptions and by reducing funding for congressionally directed spending items for low-priority research and development projects. Pages S10027, S10052

Franken (for Coburn) Amendment No. 2566, to restore $166,000,000 for the Armed Forces to prepare for and conduct combat operations, by eliminating low-priority congressionally directed spending items for all operations and maintenance accounts. Pages S10027–28

Sanders/Dorgan Amendment No. 2601, to make available from Overseas Contingency Operations $20,000,000 for outreach and reintegration services under the Yellow Ribbon Reintegration Program. Page S10035

Lieberman Modified Amendment No. 2616, Relating to the two-stage ground-based interceptor missile. Pages S10047–50

A unanimous-consent agreement was reached providing that when the Senate resumes consideration of the bill on Tuesday, October 6, 2009, that the following list of first-degree amendments be the only amendments remaining in order to the bill, other than any other pending amendments, if not listed, and the committee substitute amendment; that no second-degree amendment or side-by-side amendment be in order to any of the listed amendments, except Barrasso Amendment No. 2567 (listed above); Franken (for Bond/Leahy) Amendment No. 2596 (listed Above); Coburn Amendment No. 2565 (listed above); Franken (for Coburn) Amendment No. 2566 (listed above).
(listed above); Sanders/Dorgan Amendment No. 2601 (listed above); Inhofe Amendment No. 2618; McCain Amendment No. 2580; McCain Amendment No. 2584; McCain Amendment No. 2560, with an Inouye side-by-side amendment in order and would be voted prior to the vote in relation to the McCain Amendment No. 2560; McCain Amendment No. 2583; Lieberman Modified Amendment No. 2616 (listed above); that it be in order for the managers to offer a managers amendment that has been cleared by the managers and the two Leaders, and that if offered, the amendment be considered and agreed to; that in the case in which the managers are agreeable with a modification of a listed amendment, then the amendment be so modified with the changes agreed upon; that upon disposition of the listed amendments, the committee reported substitute, as amended, be agreed to; and vote on passage of the bill, as amended; that upon passage, the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate, with the Subcommittee appointed as conferees; provided further that if a point of order is raised and sustained against the substitute amendment, then it be in order for a new substitute to be offered, minus the offending provision; that the new substitute be considered and agreed to; no further amendments be in order, with provisions in this agreement listed after adoption of the original substitute amendment remaining in effect; that the vote sequence with respect to the listed amendment be entered later and that the only debate time remaining be two minutes, equally divided in the usual form, prior to each vote and that in any sequenced votes, the vote be limited to ten minutes each after the first vote, further that the cloture motions be withdrawn.

Commerce, Justice, Science, and Related Agencies Appropriations Act—Agreement: A unanimous-consent agreement was reached providing that at 4:00 p.m., Monday, October 5, 2009, Senate begin consideration of H.R. 2847, the Commerce, Justice Appropriations Act; that once the bill is reported, there be debate only, with no amendments in order except the committee reported substitute.

Nominations Received: Senate received the following nominations:

Christine H. Fox, of Virginia, to be Director of Cost Assessment and Program Evaluation, Department of Defense.

Roszell Hunter, of Virginia, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2013.

Mark R. Rosekind, of California, to be a Member of the National Transportation Safety Board for the remainder of the term expiring December 31, 2009.

Mark R. Rosekind, of California, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2014.

Paul K. Martin, of Maryland, to be Inspector General, National Aeronautics and Space Administration.

Carolyn W. Colvin, of Maryland, to be Deputy Commissioner of Social Security for the term expiring January 19, 2013.

Sara Manzano-Diaz, of Pennsylvania, to be Director of the Women’s Bureau, Department of Labor.

Messages from the House: Page S10078

Measures Referred: Page S10058

Executive Communications: Pages S10058–60

Petitions and Memorials: Page S10060

Executive Reports of Committees: Page S10060

Additional Cosponsors: Pages S10061–62

Statements on Introduced Bills/Resolutions: Pages S10062–69

Additional Statements: Pages S10055–57

Amendments Submitted: Pages S10069–75

Notices of Hearings/Meetings: Page S10075

Authorities for Committees to Meet: Page S10075

Privileges of the Floor: Pages S10075–76

Record Votes: Two record votes were taken today. (Total—305) Pages S10025, S10027

Adjournment: Senate convened at 9:30 a.m. and adjourned at 9 p.m., until 2 p.m. on Monday, October 5, 2009. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S10078.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Finance: Committee continued consideration of an original bill entitled, “America’s Healthy Future Act of 2009”, but did not complete action thereon, and recessed subject to the call and will meet again on Friday, October 2, 2009.
AFGHANISTAN’S IMPACT ON PAKISTAN

Committee on Foreign Relations: Committee concluded a hearing to examine Afghanistan’s impact on Pakistan, after receiving testimony from Maleeha Lodhi, Woodrow Wilson International Center for Scholars, and Steve Coll, New America Foundation, both of Washington, D.C.; and Milton A. Bearden, Reston, Virginia.

VIOLENCE AGAINST WOMEN


NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of David S. Ferriero, of North Carolina, to be Archivist of the United States, National Archives and Records Administration, after the nominee, who was introduced by Senator Hagan, testified and answered questions in his own behalf.

On July 31, 2009, committee announced the following subcommittee assignments:

Permanent Subcommittee on Investigations: Senators Levin (Chair), Carper, Pryor, McCaskill, Tester, Bennett, Coburn, Collins, McCain, and Ensign.

Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia: Senators Akaka (Chair), Levin, Landrieu, Burris, Kirk, Voinovich, Graham, and Bennett.


Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration: Senators Pryor (Chair), Akaka, Landrieu, Tester, Ensign, Voinovich, and Graham.

Ad Hoc Subcommittee on Disaster Recovery: Senators Landrieu (Chair), McCaskill, Burris, Graham, and Bennett.

Ad Hoc Subcommittee on Contracting Oversight: Senators McCaskill (Chair), Levin, Carper, Pryor, Tester, Kirk, Bennett, Collins, Coburn, McCain, and Graham.

(The Chairman and Ranking Minority Member of the Full Committee are also ex-officio members of every subcommittee.)

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of Roberto A. Lange, to be United States District Judge for the District of South Dakota; Joseph A. Greenaway, Jr., of New Jersey, to be United States Circuit Judge for the Third Circuit; Irene Cornelia Berger, to be United States District Judge for the District of New Hampshire, and Timothy J. Heaphy, to be United States Attorney for the Western District of Virginia, both of the Department of Justice.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.
House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 32 public bills, H.R. 3687–3718; and 8 resolutions, H. Con. Res. 193; and H. Res. 789–795, were introduced.

Additional Cosponsors:

Report Filed: A report was filed today as follows:

H.R. 2393, to amend the Uniformed and Overseas Citizens Absentee Voting Act to improve procedures for the collection and delivery of marked absentee ballots of absent overseas uniformed services voters (H. Rept. 111–281).

Speaker: Read a letter from the Speaker wherein she appointed Representative Davis (TN) to act as Speaker pro tempore for today.

Chaplain: The prayer was offered by the Guest Chaplain, Reverend Dr. Adam Dooley, Red Bank Baptist Church, Chattanooga, Tennessee.


Agreed to the Rogers (KY) motion to instruct conferees on the bill by a yea-and-nay vote of 258 yeas to 163 nays, Roll No. 746.

The Chair appointed the following conferees: Representatives Price (NC), Serrano, Rodriguez, Ruppersberger, Mollohan, Lowey, Roybal-Allard, Farr, Rothman (NJ), Obey, Rogers (KY), Carter, Culberson, Kirk, Calvert, and Lewis (CA).

Moment of Silence: The House observed a moment of silence in honor of the men and women in uniform who have given their lives in the service of our nation in Iraq and Afghanistan, their families, and all who serve in the armed forces and their families.

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and agree to the following measures which were debated on Wednesday, September 30th:

Congratulating the University of Washington women's softball team for winning the 2009 Women's College World Series, by a 2⁄3 yea-and-nay vote of 421 yeas with none voting "nay", Roll No. 747;

Recognizing the 100th anniversary of the State News at Michigan State University: H. Res. 487, to recognize the 100th anniversary of the State News at Michigan State University, by a 2⁄3 yea-and-nay vote of 413 yeas with none voting "nay", Roll No. 748;

Supporting the goals and ideals of Tay-Sachs Awareness Month: H. Res. 692, amended, to support the goals and ideals of Tay-Sachs Awareness Month, by a 2⁄3 yea-and-nay vote of 415 yeas with none voting "nay", Roll No. 750;

Expressing the sense of Congress that China release democratic activist Liu Xiaobo from imprisonment: H. Con. Res. 151, amended, to express the sense of Congress that China release democratic activist Liu Xiaobo from imprisonment, by a 2⁄3 yea-and-nay vote of 410 yeas to 1 nay, Roll No. 751; and

Expressing the sense of the House of Representatives that the employees of the Department of Homeland Security, their partners at all levels of government, and the millions of emergency response providers and law enforcement agencies nationwide should be commended for their dedicated service: H. Res. 731, to express the sense of the House of Representatives that the employees of the Department of Homeland Security, their partners at all levels of government, and the millions of emergency response providers and law enforcement agents nationwide should be commended for their dedicated service on the Nation’s front lines in the war against acts of terrorism.


H. Res. 788, the rule providing for consideration of the conference report, was agreed to by a yea-and-nay vote of 234 yeas to 181 nays, Roll No. 749.

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow, and further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, October 6th for morning-hour debate.
Senate Message: Message received from the Senate today appears on page H10411.

Quorum Calls—Votes: Seven yea-and-nay votes developed during the proceedings of today and appear on pages H10417–18, H10418–19, H10419, H10422–23, H10423–24, H10424, and H10432–33. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 5:26 p.m.

Committee Meetings

EUROPEAN MISSILE DEFENSE PLAN

Committee on Armed Services: Held a hearing on the President’s new plan for missile defenses in Europe and the implications for international security. Testimony was heard from the following officials of the Department of Defense: GEN James E. Cartwright, USMC, Vice Chairman, Joint Chiefs of Staff; Michele A. Flournoy, Under Secretary, Policy; and LTG Patrick J. O’Reilly, USA, Director, Missile Defense Agency; and Ellen O. Tauscher, Under Secretary, Arms Control and International Security, Department of State.

ECONOMIC OPPORTUNITIES FOR YOUNG AMERICANS

Committee on Education and Labor: Held a hearing on Ensuring Economic Opportunities for Young Americans. Testimony was heard from Jane Oates, Assistant Secretary, Employment and Training Administration, Department of Labor; and public witnesses.

DRINKING WATER SYSTEM SECURITY ACT; CHEMICAL FACILITY ANTI-TERRORISM ACT

Committee on Energy and Commerce: Subcommittee on Energy and Environment held a hearing on the following bills: H.R. 3258, Drinking Water System Security Act of 2009 and H. R. 2868, Chemical Facility Anti-Terrorism Act of 2009. Testimony was heard from Peter Silva, Assistant Administrator, Office of Water, EPA; Rand Beers, Under Secretary, National Protection and Programs Directorate, Department of Homeland Security; and public witnesses.

FINANCIAL REFORM PROPOSALS—FEDERAL RESERVE PERSPECTIVES

Committee on Financial Services: Held a hearing entitled “Federal Reserve Perspectives on Financial Regulatory Reform Proposals.” Testimony was heard from Ben S. Bernanke, Chairman, Board of Governors, Federal Reserve System.

AFGHAN ELECTIONS

Committee on Foreign Affairs: Subcommittee on the Middle East and South Asia held a hearing on the Afghan Elections: Who Lost What? Testimony was heard from J. Alexander Thier, Director, Afghanistan and Pakistan, U.S. Institute for Peace; W. Lorne Craner, former Assistant Secretary, Democracy, Human Rights and Labor, Department of State; and public witnesses.

CITIZEN AND COMMUNITY PREPAREDNESS


REQUEST TO DHS FOR DEPARTMENTAL REPORTS ON BENEFICIARIES OF PRIVATE BILLS

Committee on the Judiciary: Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law approved Requests to the Department of Homeland Security for Departmental Reports on the Beneficiaries of two private relief bills.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Subcommittee on National Parks, Forests and Public Lands held a hearing on the following bills: H.R. 86, To eliminate an unused lighthouse reservation, provide management consistency by bringing the rocks and small islands along the coast of Orange County, California and meet the original Congressional intent of preserving Orange County’s rocks and small islands; H.R. 118, To authorize the addition of 100 acres to Morristown National Historical Park; H.R. 1925, America’s Red Rock Wilderness Act of 2009; H.R. 2689, To authorize the Secretary of the Interior to study the suitability and feasibility of designating the National D-Day Memorial in Bedford, Virginia, as a unit of the National Park System; H.R. 2781, To amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in Oregon, as components of the National Wild and Scenic Rivers System; and H.R. 2888, Devil’s Staircase Wilderness Act of 2009. Testimony was heard from Senators Hatch, and Robert F. Bennett of Utah; Representatives Matheson, Perriello, Schrader and Campbell; Robert V. Abbey, Director, Bureau of Land Management, Department of the Interior; Joel Holtrop,
Deputy Chief, Forest Service, National Forest System, USDA; Gregory Bell, Lieutenant Governor of Utah; and public witnesses.

**TRANSGATIONAL DRUG ENTERPRISES THREATS**

Committee on Oversight and Government Reform: Subcommittee on National Security and Foreign Affairs held a hearing entitled “Transnational Drug Enterprises Threats to Global Stability and U.S. National Security from Southwest Asia, Latin America, and West Africa.” Testimony was heard from public witnesses.

**FINDING BUILDING BLOCKS OF THE UNIVERSE**

Committee on Science and Technology: Subcommittee on Energy and Environment held a hearing on Finding the Building Blocks of the Universe. Testimony was heard from Dennis Kovar, Director, Office of High Energy Physics, Department of Energy; and public witnesses.

**RECOVERY ACT TRANSPORTATION INFRASTRUCTURE PROGRESS**

Committee on Transportation and Infrastructure: Held a hearing on Recovery Act: 225-Day Progress Report for Transportation Infrastructure Investment. Testimony was heard from Ray H. LaHood, Secretary of Transportation; John Cox, Director, Department of Transportation, State of Wyoming; and public witnesses.

**MISCELLANEOUS VETERANS MEASURES**

Committee on Veterans' Affairs: Subcommittee on Health held a hearing on the following: H.R. 1017, Chiropractic Care Available to All Veterans Act; H.R. 1036, Veterans Physical Therapy Services Improvement Act of 2009; H.R. 2504, to amend title 38, United States Code, to provide for an increase in the annual amount authorized to be appropriated to the Secretary of Veterans Affairs to carry out comprehensive service programs for homeless veterans; H.R. 2559, Help Our Homeless Veterans Act; H.R. 2735, To amend title 38, United States Code, to make improvements to the comprehensive service program for homeless veterans; H.R. 3073, To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish a grant program to provide assistance to veterans who are at risk of becoming homeless; H.R. 3441, To provide for automatic enrollment of veterans returning from combat zones into the VA medical system. The Subcommittee also had a draft discussion on Homelessness and Graduate Psychology Education and Psychiatric Service Dogs. Testimony was heard from Representatives Filner, Herseth Sandlin, Hare, Teague, Rodriguez, Nye and Arcuri; Peter H. Dougherty, Director, Homeless Veterans Programs, Office of Public and Intergovernmental Affairs, Department of Veterans Affairs; and representatives of veterans organizations.

**PENSION PLAN FUNDING LEVELS INVESTMENT ADVICE**

Committee on Ways and Means: Held a hearing on funding levels of defined benefit pension plans and the rules that apply to investment advice. Testimony was heard from public witnesses.

**UPDATE ON SECURITY CLEARANCE REFORM**

Permanent Select Committee on Intelligence, Subcommittee on Intelligence Community Management held a hearing on Update on Security Clearance Reform. Testimony was heard from Jeffrey Zients, Deputy Director, Management, OMB; John Berry, Director, OPM; David Shedd, Principal Deputy Director, National Intelligence, Office of the Director of National Intelligence; Brenda Farrell, Director, Defense Capabilities and Management, GAO; and Beth McGrath, Assistant Deputy Chief Management Officer, Department of Defense.

**Joint Meetings**

No joint committee meetings were held.

**NEW PUBLIC LAWS**

(For last listing of Public Laws, see DAILY DIGEST, p. D1114)


S. 1677, to reauthorize the Defense Production Act of 1950, and for other purposes. Signed on September 30, 2009. (Public Law 111–67)

H.R. 2918, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010. Signed on October 1, 2009. (Public Law 111–68)

H.R. 3607, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program. Signed on October 1, 2009. (Public Law 111–69)
COMMITTEE MEETINGS FOR FRIDAY, October 2, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Finance: business meeting to continue consideration of an original bill entitled "America's Healthy Future Act of 2009", 10 a.m., SH–216.

House

No committee meetings are scheduled.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the employment situation for September 2009, 9:30 a.m., SD–106.

CONGRESSIONAL PROGRAM AHEAD
Week of October 5 through October 10, 2009

Senate Chamber

On Monday, at approximately 4 p.m., Senate will begin consideration of H.R. 2847, Commerce, Justice, Science, and Related Agencies Appropriations Act.

On Tuesday, Senate will resume consideration of H.R. 3326, Department of Defense Appropriations Act.

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: October 6, to hold hearings to examine minimizing potential threats from Iran, focusing on administration perspectives on economic sanctions and other United States policy options, 9:30 a.m., SD–538.

October 7, Subcommittee on Securities, Insurance and Investment, to hold hearings to examine securitization of assets, focusing on problems and solutions, 2:30 p.m., SD–538.

October 8, Full Committee, to hold hearings to examine the future of the mortgage market and the housing enterprises, 10 a.m., SD–538.

October 9, Subcommittee on Economic Policy, to hold hearings to examine restoring credit to manufacturers, 9:30 a.m., SD–538.

Committee on Commerce, Science, and Transportation: October 6, Subcommittee on Competitiveness, Innovation, and Export Promotion, to hold hearings to examine promoting export success for small and medium-sized businesses, 2:30 p.m., SR–253.

October 7, Subcommittee on Communications and Technology, to hold hearings to examine reauthorization of the Satellite Home Viewer Extension and Reauthorization Act of 2004, 10 a.m., SR–253.

Committee on Energy and Natural Resources: October 8, to hold hearings to examine the nominations of Marcia K. McNutt, of California, to be Director of the United States Geological Survey, Department of the Interior, and Arun Majumdar, of California, to be Director of the Advanced Research Projects Agency—Energy, Department of Energy, 10 a.m., SD–366.

October 8, Subcommittee on Public Lands and Forests, to hold hearings to examine S. 522, to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act, S. 865 and H.R. 1442, bills to provide for the sale of the Federal Government’s reversionary interest in approximately 60 acres of land in Salt Lake City, Utah, originally conveyed to the Mount Olivet Cemetery Association under the Act of January 23, 1909, S. 881, to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, S. 940, to direct the Secretary of the Interior to convey to the Nevada System of Higher Education certain federal land located in Clark and Nye counties, Nevada, S. 1272, to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wason and Franklin Creeks in the State of Oregon as wild or recreation rivers, and S. 1689, to designate certain land as components of the National Wilderness Preservation System and the National Landscape Conservation System in the State of New Mexico, 2:30 p.m., SD–366.

Committee on Finance: October 8, to hold hearings to examine the nominations of Jim R. Esquela, of New York, to be Assistant Secretary, and Bryan Hayes Samuels, of Illinois, to be Commissioner on Children, Youth, and Families, both of the Department of Health and Human Services, 10 a.m., SD–215.

Committee on Foreign Relations: October 6, to hold hearings to examine Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, adopted at The Hague on November 23, 2007, and signed by the United States on that same date (Treaty Doc. 110–21), 10 a.m., SD–419.

October 6, Full Committee, to hold hearings to examine Al-Qaeda, focusing on Afghanistan, 2:30 p.m., SD–419.

October 7, Subcommittee on Near Eastern and South and Central Asian Affairs, to hold hearings to examine the proposed agreement between the United States and the United Arab Emirates on civilian nuclear cooperation, 10 a.m., SD–419.

October 8, Full Committee, to hold hearings to examine the nominations of William E. Kennard, of the District of Columbia, to be Representative to the European Union, with the rank and status of Ambassador, and Cynthia Stroum, of Washington, to be Ambassador to Luxembourg, both of the Department of State, and James Legarde Hudson, of the District of Columbia, to be
United States Director of the European Bank for Reconstruction and Development, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: October 7, business meeting to consider the nominations of M. Patricia Smith, of New York, to be Solicitor, Lorelei Boylan, of New York, to be Administrator of the Wage and Hour Division, Joseph A. Main, of Virginia, to be Assistant Secretary for Mine Safety and Health, and William E. Spriggs, of Virginia, to be Assistant Secretary for Policy, all of the Department of Labor, and Regina M. Benjamin, of Alabama, to be Surgeon General of the Public Health Service, Department of Health and Human Services, and any pending nominations, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: October 7, Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine the 2010 census, focusing on a status update of key decennial operations, 3 p.m., SD–342.

Committee on the Judiciary: October 6, Subcommittee on Human Rights and the Law, to hold hearings to examine accountability for human rights violators, 10 a.m., SD–226.

October 6, Subcommittee on the Constitution, to hold hearings to examine the history and legality of executive branch “czars”, 2 p.m., SD–226.

October 7, Full Committee, to hold hearings to examine workplace fairness, 10 a.m., SD–226.

October 7, Full Committee, to hold hearings to examine the nominations of Barbara Milano Keenan, of Virginia, to be United States Circuit Judge for the Fourth Circuit, Laurie O. Robinson, of the District of Columbia, to be an Assistant Attorney General, Department of Justice, and Ketanji Brown Jackson, of Maryland, to be a Member of the United States Sentencing Commission, 4 p.m., SD–226.

October 8, Full Committee, business meeting to consider S. 448 and H.R. 985, bills to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media, S. 1692, to extend the sunset of certain provisions of the USA PATRIOT Act and the authority to issue national security letters, and S. 369, to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, 9:30 a.m., SD–226.

October 8, Subcommittee on Immigration, Refugees and Border Security, to hold hearings to examine comprehensive immigration reform, focusing on faith-based perspectives, 3 p.m., SD–226.

Committee on Small Business and Entrepreneurship: October 6, to hold hearings to examine the Recovery Act for small businesses, focusing on what is working and what comes next, 10 a.m., SR–485.

October 8, Full Committee, to hold hearings to examine health care solutions for America’s small businesses, 10 a.m., Room to be announced.

Committee on Veterans’ Affairs: October 8, to hold hearings to examine the Department of Defense and Veterans’ Affairs response to certain military exposures, 9:30 a.m., SD–562.

Select Committee on Intelligence: October 6, to hold closed hearings to consider certain intelligence matters, 2:30 p.m., S–407, Capitol.

October 8, Full Committee, to hold closed hearings to consider certain intelligence matters, 2:30 p.m., S–407, Capitol.

House Committees

Committee on Agriculture, October 7, Subcommittee on Conservation, Credit, Energy and Research, hearing to review implementation of the conservation title of the 2008 Farm Bill, 10 a.m., 1300 Longworth.

Committee on Armed Services, October 8, Defense Acquisition Reform Panel, hearing on the Department of Defense’s Rapid Acquisition Process: Is It a Model for Improving Acquisition? 8 a.m., 2261 Rayburn.

Committee on Education and Labor, October 8, Subcommittee on Healthy Families and Communities, hearing on Examining Innovative Practices to Improve Child Nutrition, 10 a.m., 2175 Rayburn.


October 7, hearing entitled “Reform of the Over-the-Counter Derivative Market: Limited Risk and Ensuring Fairness,” 10 a.m., 2128 Rayburn.

October 8, hearing on the following bills: H.R. 2382, Credit Card Interchange Fees Act of 2009; and H.R. 3639, Expedited CARD Reform for Consumers Act of 2009, 10 a.m., 2128 Rayburn.

October 8, Subcommittee on Housing and Community Opportunity, hearing entitled “The Future of the Federal Housing Administration’s Capital Reserves: Assumptions, Predictions and Implications for Homebuyers,” 2 p.m., 2128 Rayburn.

Committee on the Judiciary, October 8, Subcommittee on Constitution, Civil Rights and Civil Liberties, hearing on Civil Rights Under Fire: Recent Supreme Court Decisions, 9:30 a.m., 2141 Rayburn.

Committee on Natural Resources, October 7, full Committee, oversight hearing entitled “Native American Graves Protection and Repatriation Act (NAGPRA),” 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, October 7, Subcommittee on Domestic Policy, hearing entitled
"Medicaid’s Efforts to Reform Since the Preventable Death of Deamonte Driver: A Progress Report," 2 p.m., 2154 Rayburn.

Committee on Science and Technology, October 7, to consider pending measures, 10 a.m., 2318 Rayburn.

October 8, Subcommittee on Research and Science Education, hearing on Investing in High-Risk, High-Reward Research, 1 p.m., 2318 Rayburn.

Committee on Small Business, October 7, hearing entitled “The State of the Nation’s Housing Sector: An Examination of the First Time Buyer’s Credit and Future Policies to Sustain a Recovery.” 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, October 6, Subcommittee on Water Resources and Environment, hearing on Protecting and Restoring America’s Great Waters: The Long Island Sound, 11 a.m., 2167 Rayburn.

October 7, Subcommittee on Coast Guard and Maritime Transportation, hearing on Qualifications and Credentialing of Mariners: A Continuing Examination, 2 p.m., 2167 Rayburn.

Committee on Veterans’ Affairs, October 8, Subcommittee on Disability Assistance and Memorial Affairs, hearing on the following bills: H.R. 761, to amend title 38, United States Code, to provide for the eligibility of parents of certain deceased veterans for interment in national cemeteries; H.R. 3485, Veterans Pensions Protection Act; H.R. 2243, Surviving Spouses’ Benefit Improvement Act of 2009; H.R. 3544, National Cemeteries Expansion Act of 2009; and draft legislation, 10 a.m., 334 Cannon.

October 8, Subcommittee on Economic Opportunity, to mark up pending measures, 1 p.m., 334 Cannon.

Committee on Ways and Means, October 7, Subcommittee on Select Revenue Measures, hearing on tax incentives for distressed communities, 10 a.m., 1100 Longworth.

October 8, Subcommittee on Income Security and Family Support, hearing to evaluate the response of “safety net” programs during the recession, 10 a.m., B-318 Rayburn.
Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED ELEVENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

### EXECUTIVE DATA ON LEGISLATIVE ACTIVITY

**January 6 through September 30, 2009**

<table>
<thead>
<tr>
<th>Category</th>
<th>Senate</th>
<th>House</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Days in session</td>
<td>135</td>
<td>118</td>
<td>..</td>
</tr>
<tr>
<td>Time in session</td>
<td>972 hrs., 32'</td>
<td>916 hrs., 43'</td>
<td>..</td>
</tr>
<tr>
<td>Congressional Record:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pages of proceedings</td>
<td>9,992</td>
<td>10,409</td>
<td>..</td>
</tr>
<tr>
<td>Extensions of Remarks</td>
<td>..</td>
<td>2,407</td>
<td>..</td>
</tr>
<tr>
<td>Public bills enacted into law</td>
<td>19</td>
<td>46</td>
<td>..</td>
</tr>
<tr>
<td>Private bills enacted into law</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>Bills in conference</td>
<td>7</td>
<td>6</td>
<td>..</td>
</tr>
<tr>
<td>Measures passed, total</td>
<td>350</td>
<td>692</td>
<td>..</td>
</tr>
<tr>
<td>Senate bills</td>
<td>30</td>
<td>18</td>
<td>..</td>
</tr>
<tr>
<td>House bills</td>
<td>61</td>
<td>285</td>
<td>..</td>
</tr>
<tr>
<td>Senate joint resolutions</td>
<td>5</td>
<td>4</td>
<td>..</td>
</tr>
<tr>
<td>House joint resolutions</td>
<td>4</td>
<td>6</td>
<td>..</td>
</tr>
<tr>
<td>Senate concurrent resolutions</td>
<td>18</td>
<td>8</td>
<td>..</td>
</tr>
<tr>
<td>House concurrent resolutions</td>
<td>25</td>
<td>50</td>
<td>..</td>
</tr>
<tr>
<td>Simple resolutions</td>
<td>187</td>
<td>521</td>
<td>..</td>
</tr>
<tr>
<td>Measures reported, total</td>
<td>*134</td>
<td>*266</td>
<td>..</td>
</tr>
<tr>
<td>Senate bills</td>
<td>75</td>
<td>1</td>
<td>..</td>
</tr>
<tr>
<td>House bills</td>
<td>26</td>
<td>163</td>
<td>..</td>
</tr>
<tr>
<td>Senate joint resolutions</td>
<td>1</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>House joint resolutions</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>Senate concurrent resolutions</td>
<td>4</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>House concurrent resolutions</td>
<td>7</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>Simple resolutions</td>
<td>28</td>
<td>95</td>
<td>..</td>
</tr>
<tr>
<td>Special reports</td>
<td>20</td>
<td>7</td>
<td>..</td>
</tr>
<tr>
<td>Conference reports</td>
<td>..</td>
<td>7</td>
<td>..</td>
</tr>
<tr>
<td>Measures pending on calendar</td>
<td>99</td>
<td>36</td>
<td>..</td>
</tr>
<tr>
<td>Measures introduced, total</td>
<td>2,080</td>
<td>4,719</td>
<td>..</td>
</tr>
<tr>
<td>Bills</td>
<td>1,724</td>
<td>3,678</td>
<td>..</td>
</tr>
<tr>
<td>Joint resolutions</td>
<td>19</td>
<td>61</td>
<td>..</td>
</tr>
<tr>
<td>Concurrent resolutions</td>
<td>41</td>
<td>192</td>
<td>..</td>
</tr>
<tr>
<td>Simple resolutions</td>
<td>296</td>
<td>788</td>
<td>..</td>
</tr>
<tr>
<td>Quorum calls</td>
<td>3</td>
<td>2</td>
<td>..</td>
</tr>
<tr>
<td>Yea-and-nay votes</td>
<td>303</td>
<td>377</td>
<td>..</td>
</tr>
<tr>
<td>Recorded votes</td>
<td>..</td>
<td>366</td>
<td>..</td>
</tr>
<tr>
<td>Bills vetoed</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>Vetoes overridden</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
</tbody>
</table>

### DISPOSITION OF EXECUTIVE NOMINATIONS

**January 6 through September 30, 2009**

Civilians nominations, totaling 513, disposed of as follows:
- Confirmed ........................................... 343
- Unconfirmed ........................................... 159
- Withdrawn ............................................ 11

Other Civilian nominations, totaling 1,865, disposed of as follows:
- Confirmed ........................................... 1,183
- Unconfirmed ........................................... 682

Air Force nominations, totaling 7,093, disposed of as follows:
- Confirmed ........................................... 5,804
- Unconfirmed ........................................... 1,289

Army nominations, totaling 6,451, disposed of as follows:
- Confirmed ........................................... 6,400
- Unconfirmed ........................................... 51

Navy nominations, totaling 4,376, disposed of as follows:
- Confirmed ........................................... 3,659
- Unconfirmed ........................................... 717

Marine Corps nominations, totaling 1,482, disposed of as follows:
- Confirmed ........................................... 1,479
- Unconfirmed ........................................... 3

Summary

- Total nominations carried over from the First Session .................. 0
- Total nominations received this Session .................................. 21,780
- Total confirmed ........................................... 18,868
- Total unconfirmed .......................................... 2,901
- Total withdrawn ........................................... 11
- Total returned to the White House ...................................... 0
Extensions of Remarks, as inserted in this issue.

HOUSE
Abercrombie, Neil, Hawaii, E2428
Adler, John J., N.J., E2435
Austria, Steve, Ohio, E2424
Bachus, Spencer, Ala., E2430
Barrett, J. Gresham, S.C., E2417
Berkley, Shelley, Nev., E2414
Bishop, Sanford D., Jr., Ga., E2409
Blunt, Roy M., E2426
Brady, Kevin, Tex., E2236
Camp, Dave, Mich., E2412
Cantor, Eric, Va., E2417, E2422
Carson, Andre`, Ind., E2423
Christensen, Donna M., The Virgin Islands, E2410
Clarke, Yvette D., N.Y., E2429
Clay, Wm. Lacy, Mo., E2428
Coffman, Mike, Colo., E2433
Cohen, Steve, Tenn., E2434, E2437
Conyers, John, Jr., Mich., E2429
Davis, Danny K., Ill., E2432
Dent, Charles W., Pa., E2420
Duncan, John J., Jr., Tenn., E2435
Emerson, Jo Ann, Mo., E2431
Ehoo, Anna G., Calif., E2418
Faleomavaega, Eni F.H., American Samoa, E2425
Farr, Sam, Calif., E2413
Frelinghuysen, Rodney P., N.J., E2431
Garrett, Scott, N.J., E2411
Giffords, Gabrielle, Ariz., E2410, E2416
Gordon, Bart, Tenn., E2412, E2420, E2424
Green, Al, Tex., E2433
Hare, Phil, Ill., E2429
Hastings, Al, Fla., E2430
Herger, Wally, Calif., E2424
Hirono, M., Hawaii, E2411
Inlsee, Jay, Wash., E2427, E2434
Jackson-Lee, Sheila, Tex., E2428
Johnson, Eddie Bernice, Tex., E2418
Jones, Walter B., N.C., E2435
King, Peter T., N.Y., E2421
Kucinich, Dennis J., Ohio, E2412, E2413, E2414, E2416, E2416, E2417, E2433
Larson, John R., Conn., E2425
Lee, Barbara, Calif., E2424
Lipinski, Daniel, Ill., E2419
McCollum, Betty, Minn., E2418
McMahon, Michael E., N.Y., E2412
McMorris Rodgers, Cathy, Wash., E2432
McNerney, Jerry, Calif., E2431
Marshall, Jim, Ga., E2427
Miller, Jeff, Fla., E2422
Minnick, Walt, Idaho, E2416
Mitchell, Harry R., Ariz., E2421
Moore, Gwen, Wisc., E2409
Murtha, John P., Pa., E2409
Olsen, Pete, Tex., E2419
Pallone, Frank, Jr., N.J., E2427
Pomeroy, Earl N., D., E2414
Price, Tom, Ga., E2417, E2423
Quigley, Mike, Ill., E2434
Rahall, Nick J., W.Va., E2411
Rangel, Charles B., N.Y., E2430, E2436
Reichert, David G., Wash., E2424
Richardson, Laura, Calif., E2432
Roe, David P., Tenn., E2413
Roe-Lehtinen, Ileana, Fla., E2433
Rush, Bobby L., Ill., E2421
Sessions, Pete, Tex., E2421, E2422, E2422
Shimkus, John, Ill., E2417, E2418
Smith, Lamar, Tex., E2423
Souders, Mark E., Ind., E2426
Space, Zachary T., Ohio, E2409, E2410, E2410, E2411, E2412
Teague, Harry, N.M., E2428, E2429, E2435
Visscosky, Peter J., Ind., E2420
Weiner, Anthony D., N.Y., E2423
Wilson, Joe, S.C., E2410
Wittman, Robert J., Va., E2420, E2422
Young, Don, Alaska, E2423
Paleomavaega, Eni F.H., American Samoa, E2425

The Congressional Record (USPS 087-390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are published pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. Public access to the Congressional Record is available online through GPO Access, a service of the Government Printing Office, free of charge to the user. The online database is updated each day the Congressional Record is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available through GPO Access www.gpo.gov/gpoaccess. Customers can also access this information with WAIS client software, via telnet at swais.access.gpo.gov, or dial-in using communications software and a modem at 202–512–1661. Questions or comments regarding this database or extensions of remarks, as inserted in this issue, are directed to Congressional Record, House Chamber, 10 a.m., Friday, October 2

House Chamber
Program for Friday: The House will meet in pro forma session at 10 a.m.

Farr, Sam, Calif., E2413
Faleomavaega, Eni F.H., American Samoa, E2425
Frelinghuysen, Rodney P., N.J., E2431
Garrett, Scott, N.J., E2411
Giffords, Gabrielle, Ariz., E2410, E2416
Gordon, Bart, Tenn., E2412, E2420, E2424
Green, Al, Tex., E2433
Hare, Phil, Ill., E2429
Hastings, Al, Fla., E2430
Herger, Wally, Calif., E2424
Hirono, M., Hawaii, E2411
Inlsee, Jay, Wash., E2427, E2434
Jackson-Lee, Sheila, Tex., E2428
Johnson, Eddie Bernice, Tex., E2418
Jones, Walter B., N.C., E2435
King, Peter T., N.Y., E2421
Kucinich, Dennis J., Ohio, E2412, E2413, E2414, E2416, E2416, E2417, E2433
Larson, John R., Conn., E2425
Lee, Barbara, Calif., E2424
Lipinski, Daniel, Ill., E2419
McCollum, Betty, Minn., E2418
McMahon, Michael E., N.Y., E2412
McMorris Rodgers, Cathy, Wash., E2432
McNerney, Jerry, Calif., E2431
Marshall, Jim, Ga., E2427
Miller, Jeff, Fla., E2422
Minnick, Walt, Idaho, E2416
Mitchell, Harry R., Ariz., E2421
Moore, Gwen, Wisc., E2409
Murtha, John P., Pa., E2409
Olsen, Pete, Tex., E2419
Pallone, Frank, Jr., N.J., E2427
Pomeroy, Earl N., D., E2414
Price, Tom, Ga., E2417, E2423
Quigley, Mike, Ill., E2434
Rahall, Nick J., W.Va., E2411
Rangel, Charles B., N.Y., E2430, E2436
Reichert, David G., Wash., E2424
Richardson, Laura, Calif., E2432
Roe, David P., Tenn., E2413
Roe-Lehtinen, Ileana, Fla., E2433
Rush, Bobby L., Ill., E2421
Sessions, Pete, Tex., E2421, E2422, E2422
Shimkus, John, Ill., E2417, E2418
Smith, Lamar, Tex., E2423
Souders, Mark E., Ind., E2426
Space, Zachary T., Ohio, E2409, E2410, E2410, E2411, E2412
Teague, Harry, N.M., E2428, E2429, E2435
Visscosky, Peter J., Ind., E2420
Weiner, Anthony D., N.Y., E2423
Wilson, Joe, S.C., E2410
Wittman, Robert J., Va., E2420, E2422
Young, Don, Alaska, E2423
Paleomavaega, Eni F.H., American Samoa, E2425

Next Meeting of the SENATE
2 p.m., Monday, October 5

Program for Monday: After the transaction of any morning business (not to extend beyond 4 p.m.), Senate will begin consideration of H.R. 2847, Commerce, Justice, Science, and Related Agencies Appropriations Act.

Senate Chamber